



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)

5477-2017 AN ORDINANCE ESTABLISHING AN ANNUAL SALARY AND BENEFITS FOR THE NORTH RIDGEVILLE CITY ENGINEER AND DECLARING AN EMERGENCY.

WHEREAS, the North Ridgeville City Council and the Administration wish to define the compensation and benefits assigned to the position of City Engineer, and by this Ordinance, consolidate historical legislation which previously defined the same.

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

SECTION 1. An annual salary range of \$85,000.00 to \$100,000.00 is hereby established for the position of City Engineer. This position shall not be eligible for the award, payment or accrual of overtime.

SECTION 2. The City Engineer shall receive the following benefits:

A) Vacation days (days off work only, without accruing banked hours eligible for cash out) in time amounts (days) as provided in the effective AFSCME collective bargaining agreement based upon term of employment with the City, or as otherwise assigned by the Mayor, commensurate with the experience of the employee.

B) Medical, prescription and dental insurance benefits as provided in Article 28 of the currently effective AFSCME collective bargaining agreement, as well as Sick Leave as provided in Article 19 of that agreement. Any subsequent modifications of these contractually defined benefits occurring during future negotiations or collective bargaining processes with the AFSCME union shall be equally applicable to the City Engineer position.

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C) 4% employer pension “pick-up” identical to that granted to Department Heads by Ordinance 5007-2013 and consistent with the pension “pick-up” benefit provided by the AFSCME collective bargaining agreement in effect.

D) The annual salary of the City Engineer shall increase periodically in the same percentage as the average percentage increase in wages which is from time to time negotiated by the various collective bargaining units of the City of North Ridgeville in order to maintain wage parity.

SECTION 3. Any previous Ordinance or Resolution, including Ordinance No. 4777-2010, Ordinance 3482-99, Ordinance No. 3203-1996 or Ordinance No. 2774-93 which contain provisions identifying the compensation, wages, salary or benefits conferred to the position of City Engineer is hereby superseded by the passage of this Ordinance to the extent of any conflict with the provisions of this Ordinance.

SECTION 4. 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 5. This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate need to hire a City Engineer as soon as possible. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5478-2017 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, the Walter H. Drane Company has completed the 2017 updating and revision of the codified Ordinances of the City; and

WHEREAS, various Ordinances and Resolutions of a general and permanent nature that have been passed by Council since the date of publication of the codified Ordinances (December 31, 2005) have been included in the codified Ordinances of the City; and

WHEREAS, certain changes were made in the codified Ordinances to bring City law into conformity with State law.

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

SECTION 1. The editing, arrangement and numbering or renumbering of the following Ordinances and Resolutions and parts of Ordinances and Resolutions are hereby approved as parts of the various

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component codes of the codified Ordinances of the City, so as to conform to the classification and numbering system of the codified Ordinances.

	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
6-20-16	857.01 to 857.05		
7-5-16	292.01		
7-18-16	2016 Replacement Pages		
7-18-16	1224.02(a)		
7-18-16	1224.05		
7-18-16	1228.01(c)		
7-18-16	1246.03		
7-18-16	1282.04		
9-6-16	1224.05(b)(5)		
10-3-16	432.42, 854.02		
1-17-17	624.141(g)		
1-17-17	624.14(g)		
1-17-17	624.03(d)		
3-6-17	806.01(b)(4)(5), 806.02, 806.05, 06.07, 806.11, 806.19		
4-17-17	248.01		
5452-2017	5-1-17	286.13	
7-5-17	875.01 to 875.05		

SECTION 2. The following sections and subsections are or contain new matter in the codified Ordinances and are hereby approved, adopted and enacted:

Traffic Code

402.21	Motorcycle. (Amended)
402.22	Bicycle; Motorized Bicycle; Moped. (Amended)
414.11	Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Added)
432.03	Overtaking, Passing to Left; Driver's Duties. (Amended)
432.19	Right of Way of Public Safety or Coroner's Vehicle. (Amended)
432.191	Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Added)
434.01	Driving Under the Influence. (Amended)
436.021	Ohio Driver's License Required for In State Residents. (Added)
436.09	Display of License Plates. (Amended)
436.101	Registration Within Thirty Days of Residency. (Added)
436.11	Stopping After Accident Upon Streets. (Amended)
436.12	Stopping After Accident Upon Property Other Than Street. (Amended)
474.02	Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)

General Offenses Code

606.01	General Definitions. (Amended)
606.06	Limitation of Criminal Prosecution. (Amended)
606.12	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
612.01	Liquor Control Definitions. (Amended)
612.07	Open Container Prohibited. (Amended)
618.051	Cruelty to Companion Animals. (Amended)
618.21	Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
624.02	Gift of Marihuana. (Amended)
624.03	Drug Abuse; Controlled Substance Possession or Use. (Amended)

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624.04	Possessing Drug Abuse Instruments. (Amended)
624.05	Permitting Drug Abuse. (Amended)
624.07	Possessing or Using Harmful Intoxicants. (Amended)
624.076	Possessing Nitrous Oxide in Motor Vehicle. (Amended)
624.08	Illegally Dispensing Drug Samples. (Amended)
624.15	Counterfeit Controlled Substances. (Amended)
636.045	Menacing by Stalking. (Amended)
636.08	Criminal Child Enticement. (Amended)
636.13	Contributing to Child Delinquency. (Amended)
636.15	Telecommunications Harassment. (Amended)
642.09	Arson. (Amended)
642.10	Vehicular Vandalism. (Amended)
642.11	Criminal Mischief. (Amended)
660.13	Nonsmoking Areas in Places of Public Assembly. (Amended)
672.01	Weapons Definitions. (Amended)
672.02	Carrying Concealed Weapons. (Amended)
672.04	Improperly Handling a Firearm in a Motor Vehicle. (Amended)

SECTION 3. All Ordinances and Resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows:

- (a) The enactment of such new matter shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision or to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to October 6, 2008.

SECTION 4. 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 §121.22 of the Ohio Revised Code.

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

5479-2017 AN ORDINANCE AMENDING THE RATE CHARGED FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE, YARD WASTE, AND RECYCLABLE MATERIALS, AUTHORIZING THE PERIODIC ADJUSTMENT OF THE RATE CHARGED FOR THE SERVICE, THE DECLARATION OF A RATE HOLIDAY, AND THE PROCESS BY WHICH SUCH IS DETERMINED.

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WHEREAS, Ordinance No. 4915-2012 set the rate charged by the City, per residential unit, for the collection of solid waste, yard waste, and recyclable materials at \$21.50, per month, and subject to quarterly adjustment for a fuel surcharge based on the cost of diesel fuel; and

WHEREAS, the monthly rate charged by the City, per residential unit, is increased periodically by the same increase as the monthly fee paid by the City, per residential unit, to the vendor pursuant to the terms of the contract; and

WHEREAS, the Solid Waste Fund has a balance in excess of that needed for continued operations; and,

WHEREAS, it is the desire of City Council and the Administration to return any excess cash balance in the form of a rate holiday; and

WHEREAS, it is the desire of City Council and the Administration to define the process by which the rate charge, per residential unit, is adjusted annually and further rate holidays are approved.

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

SECTION 1. The minimum target cash balance of the Solid Waste fund shall be approximately equal to two times the monthly service charge by the City's waste hauler.

SECTION 2. It is hereby declared that a rate holiday shall be granted for November and December 2017, where no user charge is to be billed by the City to its residential units.

SECTION 3. Annually, after September 30th, the City Auditor shall evaluate the financial position of the Solid Waste Fund and recommend whether or not a rate adjustment is necessary or if a rate holiday shall be declared.

SECTION 4. If a rate increase is deemed necessary, the City Auditor shall certify to City Council and the Mayor the increase necessary to maintain the desired cash carryover balance each year, supported by a five-year forecast of the Solid Waste Fund. The certified increase shall take effect with the billing cycle in January of the next calendar year unless City Council, by Ordinance, rescinds or adjusts the increase.

SECTION 5. If the City Auditor determines that the cash balance as of September 30, each year, is sufficient to maintain the desired carryover cash balance, supported by a five-year forecast, an adjustment or a rate holiday may be recommended for December of that year. The City Auditor shall submit his recommendation to the Mayor and the Mayor, upon review of the recommendation and the

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five-year forecast, shall approve or disapprove the rate holiday and report his action to City Council by the first meeting of November.

SECTION 6. The adjustment or rate holiday is not refundable in cash.

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 §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)

None

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 5, 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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