

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING

January 14, 2013

8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. OPEN MEETING

4. REPORT OF COMMITTEES

5. LEGISLATION REQUESTED BY THE PLANNING COMMISSION

1. ORDINANCE 17-12 AMENDING SECTION 710.08 "DEFINITIONS" OF CHAPTER 710 "INTERPRETATION, RULES OF CONSTRUCTION, AND DEFINITIONS" OF TITLE ONE OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**
2. ORDINANCE 18-12 AMENDING SECTION 721.03 "ACCESSORY USES" OF CHAPTER 721 "PERMITTED USES IN RESIDENTIAL DISTRICTS" OF TITLE TWO OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

6. MAYOR'S REPORT

7. MOTION TO APPOINT PARKING HEARING EXAMINER(S) FOR THE CITY OF SOUTH EUCLID PARKING VIOLATIONS BUREAU

8. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 86-12 IN ACCORDANCE WITH ARTICLE V "ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS" OF SECTION 1 "GENERAL PROVISIONS" OF THE CHARTER OF THE CITY OF SOUTH EUCLID, OHIO, THE COUNCIL OF THE CITY OF SOUTH EUCLID HEREBY CONFIRMS MICHAEL P. LOGRASSO AS DIRECTOR OF LAW. **SECOND READING.**
2. RESOLUTION 01-13 SETTING THE DATES FOR THE CITY OF SOUTH EUCLID'S REGULARLY SCHEDULED COUNCIL MEETINGS IN 2013. **FIRST READING.**
3. RESOLUTION 02-13 AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO ADVERTISE FOR THE SALE OF REAL PROPERTY AND TO ENTER INTO CONTRACT TO SELL SUCH PROPERTY. **FIRST READING.**
4. RESOLUTION 03-13 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COMMUNITY PARTNERSHIP ON AGING (FORMERLY KNOWN AS THE TRI-CITY CONSORTIUM ON AGING) COUNCIL OF GOVERNMENTS. **FIRST READING.**
5. ORDINANCE 01-13 AMENDING DIVISION (b) AND SUB-DIVISION (b1) OF SECTION 937.01 "REGULATIONS; FEE SCHEDULE" OF CHAPTER 937 "COMMUNITY CENTER" OF PART NINE "STREETS AND PUBLIC SERVICES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FIRST READING.**

9. LEGISLATION REQUESTED BY CITY COUNCIL

1. RESOLUTION 04-13 APPOINTING PARKING HEARING EXAMINER(S) FOR THE PARKING VIOLATIONS BUREAU OF THE CITY OF SOUTH EUCLID, OHIO AS ESTABLISHED BY CHAPTER 147 "PARKING GENERALLY" OF TITLE FIVE "ADMINISTRATIVE" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

10. LAW DIRECTOR'S REPORT

11. LETTERS AND COMMUNICATIONS

12. **ADJOURN TO EXECUTIVE SESSION:** For the purpose of discussing the purchase of real property.

13. ADJOURN TO REGULAR MEETING OF CITY COUNCIL

14. ADJOURN

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 17-12
INTRODUCED BY: Goodman
REQUESTED BY: Goodman and Icove

July 23, 2012
Amended by Planning Commission:
December 6, 2012
Second Reading: January 14, 2013

AN ORDINANCE

AMENDING SECTION 710.08 "DEFINITIONS" OF CHAPTER 710 "INTERPRETATION, RULES OF CONSTRUCTION AND DEFINITIONS" OF TITLE ONE OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO

WHEREAS, the Council has requested that Section 710.08 of Chapter 710 "Interpretation, Rules of Construction and Definitions" of Title One of Part Seven of the Codified Ordinances of the City of South Euclid, Ohio relating to "Definitions" within the City be amended; and

WHEREAS, the Council deems that the aforesaid zoning amendment should be made and that the same is conducive to the public health, safety, convenience, and general welfare of the City.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 710.08 "Definitions" of Chapter 710 "Interpretation, Rules of Construction and Definitions" of Title One of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

710.08 DEFINITIONS.

Words and terms used in this Planning and Zoning Code shall be defined in accordance with the provisions set forth in this section.

(h) Words and Terms of letter "H"

~~Home Based Business: The use of a single family residential dwelling, appurtenant structure, accessory building, and/or property, or a multiple family residential dwelling unit to provide a service, produce a product, sell merchandise, or otherwise engage in an activity for the pursuit of remuneration; excluding the sale of the property and its improvements, garage sales, and infrequent sale of personal property, solely as a residence.~~

(4) Home occupation: Any accessory use which is an activity, profession, occupation, service, craft or revenue-enhancing hobby which is clearly incidental and subordinate to the principal use of the premises as a dwelling and is conducted without any significant adverse effect upon the surrounding neighborhood. Activities such as teaching, tutoring, tax consulting and the like Home occupation activities shall involve not more than three receivers of such services at any one time, with the exception of a child day care home, which constitutes a residential use and not an accessory use, and the sale of the property and its improvements, garage sales and infrequent sale of personal merchandise consistent with the use of the property solely as a residence.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meeting open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed this _____ day of _____, 2012 2013.

David B. Miller, President of Council

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

Approved:

Georgine Welo, Mayor

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 18-12
INTRODUCED BY: Goodman
REQUESTED BY: Goodman and Icove

July 23, 2012
Amended by Planning Commission:
December 6, 2012
Second Reading: January 14, 2013

AN ORDINANCE

AMENDING SECTION 721.03 "ACCESSORY USES" OF CHAPTER 721 "PERMITTED USES IN RESIDENTIAL DISTRICTS" OF TITLE TWO OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO

WHEREAS, the Council of the City of South Euclid has requested that Section 721.03 of Chapter 721 "Permitted Uses in Residential Districts" of Title Two of Part Seven of the Codified Ordinances of the City of South Euclid, Ohio relating to "Accessory Uses" within the City be amended; and

WHEREAS, the Council recognizes the need for some citizens to use their place of residence for limited nonresidential business activities; and

WHEREAS, the Council desires to ensure that home based business are accessory and clearly incidental to the residential use of the dwelling; and

WHEREAS, the Council desires to protect and maintain the character of residential neighborhoods; and

WHEREAS, the Council desires to ensure that home based business do not create excess traffic, activity, noise, or other nuisances; and

WHEREAS, the Council desires to have clarity, consistency, and uniformity in the application of the regulations pertaining to "Accessory Uses"; and

WHEREAS, the Council deems that the aforesaid zoning amendment should be made and that the same is conducive to the public health, safety, convenience, and general welfare of the City.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 721.03 "Accessory Uses" of Chapter 721 "Permitted Uses in Residential Districts" of Title Two of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

721.03 ACCESSORY USES.

- (a) ~~A home-based business is permitted so long as it does not result in one of the following:~~
Gainful home occupation: is an activity, profession, occupation, service, craft or revenue-enhancing hobby, which is clearly incidental and subordinate to the principal use of the premises as a dwelling and is conducted without any significant adverse effect upon the surrounding neighborhood.
- (b) **No such occupation, activity and/or use is permitted, and no occupation, activity or use shall be construed to be permitted or included with the terms "home occupation," "home industry" and "accessory use," when such occupation, activity and/or use results in any of the following:**
 - 1. Physical Change / Visibility
 - a. ~~The use shall not~~ **Involves any display or signage that will indicate from the exterior that the building is being utilized for any purpose other than that of a residential dwelling, or involves the use of any sign that is not permitted by Chapter 770.**
 - b. ~~The use shall not~~ **Involves the alteration of the interior or exterior of the premises so as to change the residential character.**

- c. Involves the use of or occupies any other space or any other building, besides the main building, or requires the use of more than twenty-five percent of the gross floor area of the residence.

2. Traffic

- a. ~~The use shall be owned and operated only by the occupants of the dwelling. Is carried on by persons who are not residents of the dwellings or premises.~~
- b. ~~The use shall be conducted only by persons residing within the dwelling unit, except that persons not residing on the premise may be employed either for pay or as a volunteer, to work on the premises. Generates pedestrian or automobile traffic of clients or associates that is not normal to a Residential District.~~
- c. ~~The use shall not continually occupy street parking that is normal to a Residential District. The occupation necessitates the parking of more automobiles than can be accommodated in the dwelling's driveway.~~
- d. ~~The use shall not gGenerates commercial truck traffic, except for normal parcel post, UPS or similar delivery services. that has a disruptive effect on the neighborhood, except for normal parcel post, UPS or similar delivery services.~~
- e. ~~The use shall not generate any tractor trailer or similar heavy duty delivery.~~

3. External Effect

- a. ~~The use shall not create or cause noise, dust, vibration, odor, gas, fumes, smoke, glare, electrical interferences, hazards or nuisances. There shall be no storage of or use of toxic or hazardous materials. Is noxious, offensive or detrimental to the neighborhood~~
 - b. ~~The use shall not iInvolves the use or storage of material or equipment not normally associated with a residential household. outside the confines of the home or structure in which the business operates or visible to the street or neighboring homes.~~
 - c. Is injurious.
4. Business Activities ~~The home based business shall cease when the use becomes detrimental to the public health, safety and welfare, or constitutes a nuisance, or when the use is in violation of any statute, ordinance, law or regulation.~~
- a. Involves the sale of commodities on the premises or the sale of a product not raised on the premises.
 - b. Involves a use as a funeral home, mortuary or undertaking establishment, laundry, dry cleaning or clothes pressing establishment, convalescing or nursing home, tourist home, massage parlor, barber shop, beauty parlor or similar establishment.

(b)(c) Amateur radio antennae, provided they meet the following specific regulations:

1. The maximum height is fifty feet from ground elevation;
2. No transmissions are to be used for commercial purposes;
3. All antennae must be attached to the rear of the dwelling where practical; and
4. The material and construction of all amateur radio antennae shall be approved by the Commissioner of Building for strength, construction, safety and durability.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed this _____ day of _____, 2012-2013.

David B. Miller, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 86-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012
Second Reading: January 14, 2013

A RESOLUTION

IN ACCORDANCE WITH ARTICLE V "ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS" OF SECTION 1 "GENERAL PROVISIONS" OF THE CHARTER OF THE CITY OF SOUTH EUCLID, OHIO, THE COUNCIL OF THE CITY OF SOUTH EUCLID HEREBY CONFIRMS MICHAEL P. LOGRASSO AS DIRECTOR OF LAW.

WHEREAS, the electors of the City of South Euclid approved an amendment to Article V, Section 1 of the City Charter on November 6, 2012; and

WHEREAS, said amendment requires City Council to confirm or reject the Mayor's appointment of the Director of Law within 30 days of the Council meeting following the notification of appointment; in addition, Council shall confirm or reject the incumbent Director of Law within the January 2, 2013 through January 31, 2013 time period and every two years thereafter; Council's failure to act in either of these situations shall result in automatic confirmation; and

WHEREAS, the Mayor hereby requests City Council affirm the appointment of the incumbent Law Director, Michael P. Lograsso.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Euclid, Ohio:

Section 1: That in accordance with Article V "Administrative Provisions" of Section 1 "General Provisions" of the Charter of the City of South Euclid, Ohio, the Council of the City of South Euclid hereby confirms the appointment of the incumbent Director of Law Michael P. Lograsso.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said City, and for the further reason that this Resolution must be passed by January 31, 2013 in order to conform to the requirements of Article V, Section 1 of the Charter of the City of South Euclid; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 01-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

January 14, 2013

A RESOLUTION

SETTING THE DATES FOR THE CITY OF SOUTH EUCLID'S REGULARLY SCHEDULED COUNCIL MEETINGS IN 2013.

WHEREAS, Section 4 of Article II of the Charter of the City of South Euclid, Ohio directs the Council of the City to prescribe by ordinance the number of regular meetings of Council per month as well as the time and place of such meetings; and

WHEREAS, Section 111.01 of the Codified Ordinances of the City of South Euclid states that regular meetings of Council shall take place on the second and fourth Monday of each month, excluding the month of August, at 8:00 p.m. in the Council Chambers of the City Hall; and

WHEREAS, the Council of the City of South Euclid wishes to reschedule the regularly scheduled City Council meetings if and when a City Council meeting falls on an observed holiday and provide the public with an advance schedule of regularly scheduled City Council meetings, adjusted for the observed holidays of 2013.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That the dates for the regularly scheduled City Council meetings for the year of 2013, for the City of South Euclid, Ohio, shall be as follows:

- | | |
|-------------------|--|
| January 14, 2013 | January 28, 2013 |
| February 11, 2013 | February 25, 2013 |
| March 11, 2013 | Wednesday March 27, 2013 (Passover) |
| April 8, 2013 | April 22, 2013 |
| May 13, 2013 | Tuesday May 28, 2013 (Memorial Day) |
| June 10, 2013 | June 24, 2013 |
| July 8, 2013 | July 22, 2013 |
| September 9, 2013 | September 23, 2013 |
| October 14, 2013 | October 28, 2013 |
| November 11, 2013 | November 25, 2013 |
| December 9, 2013 | December 23, 2013 |

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation for the public peace, health, and safety and for further reason that a vital function of the municipal government is effected hereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 02-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

January 14, 2013

A RESOLUTION

AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO
ADVERTISE FOR THE SALE OF REAL PROPERTY AND TO
ENTER INTO CONTRACT TO SELL SUCH PROPERTY.

WHEREAS, the City of South Euclid is the owner of the following parcels of land; being Permanent Parcel # 704-07-068 and #704-15-088 of the Cuyahoga County Records; and

WHEREAS, the Council of the City of South Euclid has, upon study and consideration, determined that said parcels do not serve and are no longer needed for any municipal purpose and therefore should be disposed of by public sale.

NOW THEREFORE BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That the Mayor, or her designee, be hereby authorized to advertise, as provided by law, for bids for the sale of said parcels of land, (as shown on Exhibit A, attached hereto) which bids shall be subject to the City's sole and exclusive right to reject any and all bids and to enter into contract to complete the sale of such property.

Section 2: That is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the residents and for the further reason that a vital function of government is affected thereby. Wherefore, this Resolution shall take effect upon passage and approval.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

EXHIBIT A:

1. Permanent Parcel #704-07-068 is located at 4088 Linnell Road in the City of South Euclid, Ohio.
2. Permanent Parcel #704-15-088 is located at 4202 Wilmington Road in the City of South Euclid, Ohio.

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 03-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

January 14, 2013

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COMMUNITY PARTNERSHIP ON AGING (FORMERLY KNOWN AS THE TRI-CITY CONSORTIUM ON AGING) COUNCIL OF GOVERNMENTS.

WHEREAS, in 1978 the cities of South Euclid, Lyndhurst and Highland Heights entered into an agreement creating the Tri-City Consortium on Aging; and

WHEREAS, said agreement was amended by the parties in 1991; and

WHEREAS, it is the desire of the aforementioned political subdivisions to continue the commission on aging and to add the City of Mayfield Heights as an additional member, the purpose thereof being to continue to coordinate among the member communities matters relating to assistance for the aged residents of each of the member communities, and that the programs and assistance established through this restructured coordinated joint venture be known as the "Community Partnership on Aging".

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Euclid, State of Ohio:

Section 1: That the Mayor be and she is hereby authorized to enter into a Council of Governments Agreement with the Community Partnership on Aging and member communities as set forth in the amended agreement, a copy of which is attached hereto.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the residents and for the further reason that a vital function of government is affected thereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period all owed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 01-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

January 14, 2013

AN ORDINANCE

AMENDING DIVISION (b) AND SUB-DIVISION (b1) OF SECTION 937.01 "REGULATIONS; FEE SCHEDULE" OF CHAPTER 937 "COMMUNITY CENTER" OF PART NINE "STREETS AND PUBLIC SERVICES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid recognizes the need to encourage regional collaboration with neighboring communities; and

WHEREAS, allowing residents of the Cities of Cleveland Heights, Lyndhurst, Richmond Heights, Shaker Heights, and University Heights use of the South Euclid Community Center is a way to encourage regional collaboration.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Division (b) and Sub-division (b1) of Section 937.01 "Regulations; Fee Schedule" of Chapter 937 "Community Center" of Part Nine "Streets and Public Services Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

**Chapter 937
Community Center**

937.01 REGULATIONS; FEE SCHEDULE.

(b) Residents of the City of South Euclid, the City of Cleveland Heights, the City of Lyndhurst, the City of Richmond Heights, the City of Shaker Heights, and the City of University Heights are permitted to use the facility, provided that all rules and regulations, as herein and hereby adopted, are adhered to, for social or civic functions.

- (1) Residents of the City of Cleveland Heights, the City of Lyndhurst, the City of Richmond Heights, the City of Shaker Heights, and the City of University Heights shall be charged a non-resident fee of 10% in addition to the fee charged to South Euclid Residents as described in the fee schedule in place at that time.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for the further reason that the same effects the day to day business of the South Euclid Community Center. Wherefore, this ordinance shall take effect upon passage and approval

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 04-13
INTRODUCED BY: Miller
REQUESTED BY: Miller

January 14, 2013

A RESOLUTION

APPOINTING PARKING HEARING EXAMINER(S) FOR THE PARKING VIOLATIONS BUREAU OF THE CITY OF SOUTH EUCLID, OHIO AS ESTABLISHED BY CHAPTER 147 "PARKING GENERALLY" OF TITLE FIVE "ADMINISTRATIVE" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID.

WHEREAS, The Council of the City of South Euclid has established the Parking Violations Bureau as specified in Chapter 147 (4) of the Codified Ordinances of the City of South Euclid and pursuant to section 4521.04 of the Ohio Revised Code; and

WHEREAS, City Council shall appoint a Hearing Examiner as specified in Chapter 147 (4)(B) of the Codified Ordinances of the City of South Euclid.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Euclid, State of Ohio:

Section 1: That City Council appoints the following as Hearing Examiner(s) for the Parking Violation Bureau as specified in Chapter 147(4)(B) of the Codified Ordinances of the City of South Euclid:

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the residents and for the further reason that a vital function of government to wit: the regulation of parking vehicles is affected thereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period all owed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law