

**NOTICE OF NORTH CANTON CITY COUNCIL MEETING**  
**Monday, July 8, 2019, 7:00 p.m., City Hall**  
**Agenda**

1. Call to Order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll Call
5. Consideration:  
Committee of the Whole Minutes – June 17, 2019  
Special Council Meeting Minutes – June 17, 2019
6. Recognition of Visitors
7. Old Business
8. **Ordinance No. 45 – 2019 – 3<sup>rd</sup> Reading - Ordinance, Rules and Claims Committee**  
An ordinance amending Chapter 111, Council, of the Codified Ordinances of the City of North Canton, specifically, Section 111.01, Meetings: Time, Place, and Recording Procedure, by adding subsection (j) as described below.
9. **Ordinance No. 46 – 2019 3<sup>rd</sup> Reading – Ordinance, Rules and Claims Committee**  
An ordinance amending Chapter 111, Council, of the Codified Ordinances of the City of North Canton, specifically, Section 111.06, Council Meeting Agenda, by amending subsections (a) and (b) as described below.
10. **Ordinance No. 48 – 2019 – 3<sup>rd</sup> Reading - Personnel and Safety Committee**  
An ordinance amending Section 24. AUTHORIZED MANPOWER of Ordinance No. 10-89, Police Personnel Ordinance, as amended, to allow for additional personnel as needed to fill positions receiving funding from outside sources.
11. **Ordinance No. 49 – 2019 – 3<sup>rd</sup> Reading - Finance and Property Committee**  
An ordinance authorizing the transfer of funds from the General Fund, the Fire Fund, the EMS Fund, and from the Street Fund to the Capital Reserve Fund in the total amount of \$335,997.50, for the current expenses during the fiscal year ending December 31, 2019.
12. **Resolution No. 7 – 2019 – 3<sup>rd</sup> Reading - Community & Economic Dev. Committee**  
A resolution, pursuant to North Canton Codified Ordinance section 1181.04, requesting the Planning Commission review, consider, and recommend, or not recommend, Council's proposal to amend section 1181.08, Action by City Council, regarding amending zoning ordinances.
13. **Resolution No. 10 - 2019 3<sup>rd</sup> Reading – Community & Economic Dev. Committee**  
A resolution requesting the Planning Commission recommend to City Council amendments to North Canton's Codified Ordinance, Chapter 1133 Single-Family and Two-Family Residential District Regulations, section 1133.08 Accessory Use Regulations, subsection (e) Fences and Walls, and to include language for fence heights and flagpole height/placement requirements.

14. New Business
15. **Ordinance No. 51 – 2019 – 1<sup>st</sup> Reading – Street and Alley Committee**  
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director's office, and authorizing the Mayor of the City of North Canton, upon Board of Control approval, to enter into a contract for the complete reconstruction of Easthill Street SE including new concrete curb and gutter, concrete driveway aprons, catch basins, storm sewer system, and full depth asphalt pavement, together with an alternate bid price for sidewalk construction on the south side of the street, and declaring the same to be an emergency.
16. **Ordinance No. 52 – 2019 – 1<sup>st</sup> Reading – Street and Alley Committee**  
An ordinance amending Chapter 902, Sidewalk Policy, of the Codified Ordinances of the City of North Canton, specifically, amending Section 902.01, Installation of sidewalks, and declaring to be an emergency.
17. **Ordinance No. 53 – 2019 – 1<sup>st</sup> Reading – Water, Sewer and Rubbish Committee**  
An ordinance amending Chapter 937, Water Rates, of the Codified Ordinances of the City of North Canton, specifically sections 937.03, 937.04, 937.07, and 937.09, and declaring the same to be an emergency.
18. **Ordinance No. 54 – 2019 – 1<sup>st</sup> Reading – Finance and Property Committee**  
An ordinance authorizing the appropriation of \$80,000.00 of the City of North Canton funds, from the unappropriated resources of the Water Fund, for costs related to a water main break, and declaring the same to be an emergency.
19. **Ordinance No. 55 – 2019 – 1<sup>st</sup> Reading – Finance and Property Committee**  
An ordinance authorizing the use of a "Then and Now" certificate for expenses related to repair of a water main break, and declaring the same to be an emergency.
20. **Ordinance No. 56 – 2019 – 1<sup>st</sup> Reading – Street and Alley Committee**  
An ordinance amending Chapter 902, Sidewalk Policy, of the Codified Ordinances of the City of North Canton, specifically, amending Sections 902.02, Existing sidewalks, 902.03, New Sidewalks, and 902.04, participation voluntary; requirements to qualify as described below.
21. **Resolution No. 13 – 2019 – 1<sup>st</sup> Reading – Community & Economic Dev. Committee**  
A resolution requesting the Planning Commission review, consider, and propose to City Council, amendments to North Canton's Codified Ordinance, Chapter 1171 Administrative Powers and Duties, specifically, Section 1171.06 Schedule of Fees, pertaining to permits and fees for cement work on private property and the public right-of-way.
22. **Resolution No. 14 – 2019 – 1<sup>st</sup> Reading – Community & Economic Dev. Committee**  
A resolution requesting the Planning Commission review, consider, and propose to City Council, amendments to North Canton's Codified Ordinances, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, specifically, Section 1173.02 Zoning Certificate Required.

**23. Resolution No. 15 – 2019 – 1<sup>st</sup> Reading – Community & Economic Dev. Committee**

A resolution requesting the Planning Commission review, consider, and propose to City Council, an amendment to North Canton's Codified Ordinances, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, to include a new section, 1173.07 Administrative Waiver Requests.

**24. Reports**

Director of Law  
Mayor

Director of Finance  
City Engineer

Director of Administration  
Deputy Director of Administration

**25. Reports - Council**

Doug Foltz	Ward 1	Mark Cerreta	At Large
Daniel Peters	Ward 2	Daryl Revoldt	At Large
Stephanie Werren	Ward 3	Marcia Kiesling	At Large
Dominic Fonte	Ward 4		

**26. July/August Meeting Schedule**

July 15 – August 12, 2019 – Summer Recess

August 19, 2019 – Committee of the Whole Meeting

August 26, 2019 – Council Meeting

**27. Final Call for New Business**

**28. Adjourn**

North Canton City Council  
Ordinance, Rules and Claims Committee

Ordinance No. 45 - 2019

An ordinance amending Chapter 111, Council, of the Codified Ordinances of the City of North Canton, specifically, Section 111.01, Meetings: Time, Place, and Recording Procedure, by adding subsection (j) as described below.

WHEREAS, the interest of providing historical accuracy and transparency of public meetings, all transcribed Council meetings and Committee Meetings of the Whole shall state those City officials in attendance and seated at the dais.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 111, Council, of the Codified Ordinances of the City of North Canton, specifically, Section 111.01, Meetings: Time, Place, and Recording Procedure, be, and is hereby amended by adding subsection (j) as written below:

(a) Council of the City of North Canton, Ohio, ("Council") shall meet on the second and fourth Monday of each month at 7:00 p.m. in Council chambers, located in City Hall, 145 North Main Street, with the exception of the months of July and August when Council will meet on the second Monday in July and the fourth Monday in August.

(b) If a Council meeting date falls on a holiday recognized by the City, the meeting date shall be rescheduled or canceled.

(c) The starting time of a Council meeting or a public meeting may be set by motion of Council.

(d) Special Council meetings may be called as provided by the Charter of the Municipality of North Canton, Ohio ("Charter").

(e) Pursuant to the Charter, the Clerk of Council ("Clerk") shall keep a complete and accurate journal of all Council proceedings, which shall be authenticated by the Clerk's signature.

(f) Council shall meet as a Committee of the Whole on the first, third, and the fifth Monday, as applicable, of each month at 7:00 p.m. in Council chambers, located in City Hall, 145 North Main Street, with the exception of the months of July and August when the Committee of the Whole shall meet on the first Monday in July and the third Monday in August.

(g) The date and/or time of a Council or Committee of the Whole meeting may be changed or cancelled by a favorable vote of the majority of those members present at a prior Council or Committee of the Whole meeting, or upon the written request of four members of Council.

(h) All Council and Committee of the Whole meetings, with the exception of executive sessions, shall be recorded.

(i) All Council meetings that have been recorded shall be transcribed verbatim. Upon the committee chairperson's request and the President of Council's concurrence, a recorded Committee of the Whole meeting shall be transcribed verbatim.

*(j) All transcribed meetings shall state those City officials in attendance and seated at the dais.*

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

North Canton City Council  
Ordinance, Rules and Claims Committee

Ordinance No. 46 - 2019

An ordinance amending Chapter 111, Council, of the Codified Ordinances of the City of North Canton, specifically, Section 111.06, Council Meeting Agenda, by amending subsections (a) and (b) as described below.

WHEREAS, the interest of providing historical accuracy and transparency of public meetings, unless having received notice that the applicable meeting shall be transcribed, the Committee Chair, or designee, shall submit a written report to the Clerk before the Clerk may place legislation on Council's agenda.

WHEREAS, in further interest of transparency and of expediency, legislation may be placed on the Council agenda only upon Council president, or designee, publicly polling Council, and a majority of members recommending the legislation be placed on the Council agenda.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 111, Council, of the Codified Ordinances of the City of North Canton, specifically, Section 111.06, Council Meeting Agenda, be, and is hereby amended by amending subsections (a) and (b) as described below:

**111.06 COUNCIL MEETING AGENDA.**

(a) Legislation may be placed on the Council agenda only upon:

(1) the Clerk's receipt of the applicable committee's favorable, *written* report; or

(2) *notice that the applicable committee meeting shall be transcribed.*

(b) *In addition, legislation may be placed on the Council agenda only upon Council president, or designee, publicly polling Council, and a majority of members recommending the legislation be placed on the Council agenda.*

(c) By a majority vote of members, however, Council may suspend the rule requiring a committee's favorable, written report, and place legislation on the Council agenda.

(d) The Council meeting agenda shall be in substantially the following form:

(1) Call to order;

(2) Opening prayer;

(3) Pledge of Allegiance;

(4) Roll call;

(5) Consideration of minutes of regular meetings, special meetings, and public hearings held in the period between two regular meetings;

(6) Consideration of the financial statement for the previous month (Placed on the agenda once a month);

(7) Recognition of visitors;

(8) Committee reports;

(9) Old business;

(10) New business;

(11) Reports of Directors of Law, Finance, and Administration, Clerk, and Mayor.

- (12) Reports of Council members;
- (13) Final call for new business;
- (14) Adjourn.

(e) All matters to be placed on the Council meeting's agenda items shall be reported to the Clerk by 4:00 p.m., on the Tuesday prior to the Council meeting. The President of Council may make exceptions to this rule, provided that sufficient time is available to comply with the request.

(f) The agenda, and copies of all applicable ordinances, resolutions, committee reports, etc., shall be made available to each Council member, Mayor, Directors of Administration, Law, and Finance on the Thursday prior to the regular Council meeting, or as soon thereafter as possible.

(g) The Clerk of Council shall present legislation to the Mayor, or designee, on the same day Council has passed the legislation.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

ATTEST:

\_\_\_\_\_  
David Held, Mayor

\_\_\_\_\_  
Laura Brown, Director of Finance

Signed: \_\_\_\_\_, 2019

North Canton City Council  
Personnel and Safety Committee

Ordinance No. 48 - 2019

An ordinance amending Section 24. AUTHORIZED MANPOWER of Ordinance No. 10-89, Police Personnel Ordinance, as amended, to allow for additional personnel as needed to fill positions receiving funding from outside sources.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Section 24. AUTHORIZED MANPOWER of Ordinance No. 10-89, Police Personnel Ordinance, as amended, be and the same is hereby amended to read as follows:

“Section 24. AUTHORIZED MANPOWER:

That the total number of persons to be employed by the Police Department and the classifications set forth herein of the Police Department of the City of North Canton, Ohio, shall not exceed the following number of persons in each classification, unless additional budgeted positions receive funding from outside sources by written agreement:

Police Chief	1
Police Lieutenant	1
Police Sergeant	5
Police Patrol Officer	18
Police Patrol Officer, Special	Unlimited
Chief Radio Dispatcher	1
Radio Dispatcher A & B	6
Radio Dispatcher C	Unlimited
Administrative Assistant	1
School Patrol	12”

Section 2. That any and all legislation inconsistent herewith, be, and is hereby repealed.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

North Canton City Council  
Finance and Property Committee

Ordinance No. 49 - 2019

An ordinance authorizing the transfer of funds from the General Fund, the Fire Fund, the EMS Fund, and from the Street Fund to the Capital Reserve Fund in the total amount of \$335,997.50, for the current expenses during the fiscal year ending December 31, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, during the fiscal year ending December 31, 2019, the following funds, be, and are hereby transferred as follows:

Transfer From:

The unappropriated resources of the GENERAL FUND (101)	\$181,516.00
The unappropriated resources of the FIRE FUND (204)	\$23,267.41
The unappropriated resources of the EMS FUND (205)	\$13,372.37
The unappropriated resources of the STREET FUND (208)	\$117,841.72

Transfer To:

335 CAPITAL RESERVE FUND 335.000.4900	\$335,997.50
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Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 4. That this ordinance is necessary to transfer these dollars the various City departments did not utilize in the 2018 fiscal year so these departments may use in the future for capital needs that should arise. This ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

North Canton City Council  
Community and Economic Development Committee

Resolution No. 7 - 2019

A resolution, pursuant to North Canton Codified Ordinance section 1181.04, requesting the Planning Commission review, consider, and recommend, or not recommend, Council's proposal to amend section 1181.08, Action by City Council, regarding amending zoning ordinances.

WHEREAS, Ordinance 1181.08, Action by Council, specifically section (b) requires a vote of five members of Council to override the Planning Commission's disapproval of a proposed amendment; and

WHEREAS, Ordinance 1181.08, subsections (b) and (c) conflict with Section 2.05, Legislative Procedure, of the City's Charter.

WHEREAS, removing subsections 1181.08(b) and (c) removes the Charter conflict.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That, pursuant to North Canton Codified Ordinance section 1181.04, City Council requests the Planning Commission review and consider a proposal to amend section 1181.08, Action by Council, by removing subsection (b) and (c), to eliminate a conflict with Section 2.05, Legislative Procedure, of the City's Charter. A copy of the proposed amended ordinance is attached hereto as Exhibit "A" and is incorporated herein by this reference.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

**1181.08 ACTION BY COUNCIL.**

After the conclusion of the public hearing required in Section 1181.07, Council shall take action on the proposed amendment.

(a) Council's action shall either:

- (1) Adopt the recommendation of the Planning Commission;
- (2) Deny the recommendation of the Planning Commission; or
- (3) Adopt some modification thereof.

North Canton City Council  
Community and Economic Development Committee

Resolution No. 10 - 2019

A resolution requesting the Planning Commission recommend to City Council amendments to North Canton's Codified Ordinance, Chapter 1133 Single-Family and Two-Family Residential District Regulations, section 1133.08 Accessory Use Regulations, subsection (e) Fences and Walls, and to include language for fence heights and flagpole height/placement requirements.

WHEREAS, while the current version of Ordinance 1133.08 requires compliance of certain height regulations pertaining to the location of fencing that are outdated given current fencing materials; and

WHEREAS, City Council respectfully requests the Planning Commission consider a text amendment to North Canton's Planning and Zoning Code to modernize the height regulations pertaining to fencing and include language for placement and height requirements for flagpoles.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That, pursuant to North Canton Codified Ordinance section 1133.08, City Council requests the Planning Commission review and consider and propose amendments to subsection 1133.08(e), Fences and Walls, of the City's codified ordinances, pertaining to fencing and placement/height requirements for flagpoles.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

North Canton City Council  
Street and Alley Committee

Ordinance No. 51 - 2019

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director's office, and authorizing the Mayor of the City of North Canton, upon Board of Control approval, to enter into a contract for the complete reconstruction of Easthill Street SE including new concrete curb and gutter, concrete driveway aprons, catch basins, storm sewer system, and full depth asphalt pavement, together with an alternate bid price for sidewalk construction on the south side of the street, and declaring the same to be an emergency.

WHEREAS, Easthill Street SE just east of Westview Circle to the City Corporation limits at Frazer Avenue requires reconstruction; and

WHEREAS, the City must advertise, receive, and evaluate bids, determine the lowest and best bidder, and complete the Easthill Street SE Project during a brief, weather-permitting window.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the Director's office, for the Easthill Street SE Reconstruction Project. The project received a grant from the Ohio Public Works Commission in the amount of \$845,000.00.

Section 2. That the Mayor of City of North Canton, upon Board of Control approval, be, and is hereby authorized to enter into a contract for the Easthill Street Reconstruction Project, at a total cost not to exceed \$1,230,000.00.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriations:

330.546.5229 Contract Payments	\$350,000.00
332.546.5228 OPWC Grant	845,000.00
210.543.5229 Contract Payments	<u>35,000.00</u>
	\$1,230,000.00

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to advertise, receive, and evaluate bids, determine the lowest and best bidder, and complete the Easthill Street SE Reconstruction Project during a brief, weather-permitting window; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

North Canton City Council  
Street and Alley Committee

Ordinance No. 52 - 2019

An ordinance amending Chapter 902, Sidewalk Policy, of the Codified Ordinances of the City of North Canton, specifically, amending Section 902.01, Installation of sidewalks, and declaring to be an emergency.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 902, Sidewalk policy, of the Codified Ordinances of the City of North Canton, be, and is hereby amended, specifically, amending Section 902.01, Installation of Sidewalks, by changing subsection (a) and (b), as described below:

- (a) The City may cause sidewalks to be installed on any City street, as funds are available, if the street meets any **one** of the following three criteria:
- (1) A school, school facility, governmental recreation area or governmental athletic facility is located on the street; or
  - (2) The street has a vehicular traffic count like other similarly situated connector streets as evidenced in the most recent Stark County Area Transportation Study. In lieu of a SCAT study a written safety recommendation in favor of sidewalk installation from either the Chief of Police or Chief of Fire may be substituted; or
  - (3) The street is within the current no transport zone of the school.
- (b) If the street meets any **one** of the above three criteria, the City may initiate construction of the sidewalk at its own cost. The City will cause the property to be staked so the property owners would be aware of the exact placement of the sidewalks.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton, and further necessary for the immediate resolution of amounts due and owing for park expansion purposes to benefit City residents and guests by providing them with a safe means of travel to our parks and popular destinations; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force upon its adoption by Council. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

ATTEST:

\_\_\_\_\_  
David Held, Mayor

\_\_\_\_\_  
Laura Brown, Director of Finance

Signed: \_\_\_\_\_, 2019

North Canton City Council  
Water, Sewer & Rubbish Committee

Ordinance No. 53 - 2019

An ordinance amending Chapter 937, Water Rates, of the Codified Ordinances of the City of North Canton, specifically sections 937.03, 937.04, 937.07, and 937.09, and declaring the same to be an emergency.

WHEREAS, the City recognizes the benefits in maintaining a modern and efficient waterworks system; and

WHEREAS, the water ordinances shall be amended from time to time to keep regulations in line with current operations.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That Chapter 937, Water Rates, of the Codified Ordinances of the City of North Canton, specifically sections 937.03, 937.04, and 937.07, be, and is hereby amended as described in Exhibit "A" attached hereto.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary to allow for continued efficient operations of the waterworks system in providing potable water to our residents, guests, and customers; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

ATTEST:

\_\_\_\_\_  
David Held, Mayor

\_\_\_\_\_  
Laura Brown, Director of Finance

Signed: \_\_\_\_\_, 2019

North Canton City Council  
Finance and Property Committee

Ordinance No. 54 - 2019

An ordinance authorizing the appropriation of \$80,000.00 of the City of North Canton funds, from the unappropriated resources of the Water Fund, for costs related to the emergency repair of a significant water main break, and declaring the same to be an emergency.

WHEREAS, an appropriation is necessary to pay the costs incurred for materials and services for the emergency repair of a significant water main break in the City's waterworks system.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That to provide for the repair of a water main break, \$80,000.00 of the City of North Canton funds shall be appropriated from the unappropriated resources of the Water Fund to the Operating Supplies account, 650.767.5301.
- Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton, and further necessary for the timely payment for labor and material needed for an emergency repair of a significant water main break; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force upon its adoption by Council. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

North Canton City Council  
Finance and Property Committee

Ordinance No. 55 - 2019

An ordinance authorizing the use of a "Then and Now" certificate for expenses related to repair of a water main break, and declaring the same to be an emergency.

WHEREAS, the City of North Canton has authorized the purchase of goods and services described in the invoices attached hereto for water main break repair; and

WHEREAS, the City has received the goods and services described therein; and

WHEREAS, Ohio Revised Code Subsection 5705.41(D) requires a fiscal officer certificate be issued before contracts or expenditures are incurred; and

WHEREAS, the attached invoices indicate the purchase of goods and services was completed before a purchase order with an affirmation certificate was issued for said encumbrance; and

WHEREAS, the attached expenditures exceed the Finance Director's \$3,000.00 threshold amount that may be paid without an affirmation certificate; and

WHEREAS, this Council desires to affirm and ratify such expenditures and authorize the issuing of a "Then and Now" certificate for said expenditures for repair of a water main break.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That the Director of Finance, be, and is authorized to issue a "Then and Now" certificate on behalf of the City of North Canton, and in doing, so pay said expenditures attached hereto.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton, and further necessary for the immediate resolution of amounts due and owing for repair of a water main break and restoration of water service to customers in the area near the break; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force upon its adoption by Council. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance



**City of North Canton**

145 North Main Street  
North Canton, OH 44720  
Phone (330) 499-0604  
Fax (419) 407-9785

**Purchase Order**

Page Number 1  
P.O. Number **19-0000421**  
Req. Number 2019-ADMIN-140-A  
P.O. Date 06/27/2019  
Ship Via  
Terms

**Deliver To** NORTH CANTON ENGINEERING DEPT  
145 N MAIN ST  
NORTH CANTON, OH

**Vendor** THOMPSON PIPE GROUP - PRESSURE  
1003 MACARTHUR BLVD  
GRAND PRAIRIE, TX 75050

ALL INVOICES MUST CONTAIN A FEDERAL TAXPAYER IDENTIFICATION NUMBER AND SHOULD BE FORWARDED TO THE BILL TO ADDRESS DETAILED ABOVE. THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES. Material on this order is exempt from the Ohio Sales Tax and Federal Excise Taxes.

Line	Description	Account	Qty	Unit	Price/Unit	Amount
001	Emergency Water Main Pipe Replacement	650.767.5301	0		.0000	\$ 7500.00

Purchase Order Total: \$ 7500.00

**FISCAL CERTIFICATE**

It is hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in the process of collection to the credit of the fund, free from any obligation or certification now outstanding.

\_\_\_\_\_  
DIRECTOR OF FINANCE

\_\_\_\_\_  
DATE



<b>QUOTATION FOR PRODUCTS/SERVICES</b>
<b>Material Quotation</b>
<b>Quote Number: 190627-1555</b>
<b>Date: 06/27/19</b>

**Project Name: 18" Emergency Repair**

**Project Location: N.Canton, OH**

**Attention: Brian Hill**  
North Canton Ohio  
[bhill@northcantonohio.gov](mailto:bhill@northcantonohio.gov)  
330-705-8816

**FOR INFORMATION AND TO PLACE AN ORDER:**

**REFERENCE THIS QUOTE NUMBER: 190627-1555**

**CONTACT:** Ken Davis  
Regional Sales Manager  
Thompson Pipe Group  
1003 MacArthur Blvd Grand Prairie, TX 75050  
  
Tel: 614-440-5441  
Fax: 972-266-7584  
Email: [kdavis@thompsonpipegroup.com](mailto:kdavis@thompsonpipegroup.com)

This quotation is developed without benefit of project plans and specifications. Our estimate is provided as a courtesy only, and we make no representation or warranty regarding its accuracy or completeness. You, therefore, remain responsible for verifying our engineering prior to manufacturing and shipment. Any changes to the listed materials must be negotiated and will be charged on the basis of our Standard Price List.

An Equal Opportunity Employer



**I. THOMPSON PIPE GROUP FURNISHED MATERIALS AND/OR SERVICES**

We propose to furnish the following Pressure Pipe materials and/or services in accordance with applicable AWWA Standard, at the prices and conditions listed below:

Item No.	Description	Qty	Unit Price	Extended Price
1	18" L301 Spigot x MJ Spigot Adapter	1	\$ 3,015.00	\$ 3,015.00
2	18" L301 Bell x MJ Spigot Adapter	1	\$ 3,015.00	\$ 3,015.00
3	18" L301 Laying Gaskets	3	\$ -	\$ -
4	18" L301 Grout Diapers	2	\$ -	\$ -
5	Freight - to be determined	1	\$ -	\$ -
		0	\$ -	\$ -
<b>Subtotal</b>				<b>\$6,030.00</b>

**Material Delivery Terms:**

- 1) If these quoted materials are used to connect to an existing concrete pressure pipeline, it is the responsibility of the purchaser to ensure that the existing pipeline is properly restrained to account for any thrust forces that may result from this modification. Please contact Thompson Pipe Group staff if there are any concerns or questions regarding the use of this material.
- 2) DIP mechanical accessories are not included with this quote
- 3) Freight to be FOB Thompson Pipe Group facility, pre-paid and add.
- 4) Delivery: Estimated 6 - 8 weeks from approved drawings. Specific delivery dates must be confirmed at the time of order.

**II. SPECIAL NOTES PERTAINING TO PRICES QUOTED**

The following notes are a condition of the pricing quoted herein:

- 1 Prices are firm for 10 days from the date of this quote
- 2 A cancellation charge applies if the order is cancelled. Materials are not eligible for return and credit unless specifically authorized by Thompson Pipe Group.
- 3 Notify Thompson Pipe Group ASAP if Pipeline Service assistance is required on site.
- 4 Manufacture’s recommendation is that all internal areas including butt straps be grouted unless otherwise specified by the owner of the pipeline.

**III. THOMPSON PIPE GROUP ATTACHMENTS PROVIDED WITH THIS QUOTATION**

Form or

Attach. # Document

- Customer Information Sheet (**COMPLETE AND RETURN WITH ORDER**)



PIPELINE SERVICES - TERMS AND CONDITIONS  
THOMPSON PIPE GROUP Rev. 8-01-2017

**TAXES** Sales or Use Tax are not included. Purchaser is responsible for payment of any such assessments. If project is tax exempt, purchaser must furnish a tax exemption certificate or tax will be invoiced. Materials on this project are: Exempt \_\_\_\_\_  
Taxable \_\_\_\_\_ Percentage \_\_\_\_\_

**ESCALATION** Prices are firm for material shipped within 120 days of our acceptance of your order. Prices for material shipped after 120 days will be increased 1.5% per quarter until complete shipment is made on the order.

**DELIVERY** Ready-to-ship/delivery noted elsewhere within this quotation is based on current production schedules, and is based on your release for manufacturing or our receipt of approved drawings, and receipt of purchase order. Completed at a rate jointly determined by the purchaser and seller, subject to the terms and conditions herein. Changes in our production schedule prior to acceptance of this quotation may require adjustments in the delivery estimate. NOTE: Jobsite must be accessible to normal truck/trailer operations with no pushing or pulling allowed on truck/trailer.

**OTHER MATERIALS, GOODS, SERVICES OR APPURTENANCES** Only items specifically stated are included in the price(s).

**PAYMENT TERMS** Payment in full is due 30 days after date of invoice. Retainage is not allowed.

**SERVICE CHARGE** 1.5% per month on the unpaid balance will be due on all amounts unpaid 30 days after the due date.

**ACCEPTANCE** This quotation is valid for acceptance for 30 days from date of bid shown on this quotation. If an award is not made within that time, we will accept an order from you contingent upon your receipt of a contract with the owner.

**SERVICE WARRANTY** All service work, including but not limited to tapping, welding, line stop, field representation performed by us is subject to the satisfaction and acceptance of the customer at the time of performance, and no other responsibility or liability is accepted or implied by us.

**TAPPING** Coupon retrieval is not guaranteed and in the event coupon is not retrieved or pilot bit is broken, Thompson Pipe Group is not liable for any costs associated with retrieval.

**BASIS OF QUOTATION** This quotation is made subject to the attached terms and conditions. All quotations are subject to correction of stenographic errors.

Rev. 8-01-2017

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**CUSTOMER ACCEPTANCE**

\_\_\_\_\_  
Company

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

North Canton City Council  
Street and Alley Committee

Ordinance No. 56 - 2019

An ordinance amending Chapter 902, Sidewalk Policy, of the Codified Ordinances of the City of North Canton, specifically, amending Sections 902.02, Existing sidewalks, 902.03, New Sidewalks, and 902.04, participation voluntary; requirements to qualify as described below.

WHEREAS, the interest of public safety and the upkeep of the City's housing stock require residents to maintain their pavement, driveways, curbs, gutters, sidewalks, and lawn strips.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 902, Sidewalk policy, of the Codified Ordinances of the City of North Canton, be, and is hereby amended, specifically, amending Section 902.02, Existing Sidewalks, by deleting (a) and (b), and amending as described below:

A property owner may petition the City of North Canton to replace the property owner's substandard sidewalks and driveway approaches, **as defined by the Standards Determining Need for Repair established under Section 905.01 of this Title, when in the public right of way** with costs being shared equally by the property owner(s) and the City.

Section 2. That Chapter 902, Sidewalk policy, of the Codified Ordinances of the City of North Canton, be, and is hereby amended, specifically, amending Section 902.03, Petition Process, as described below:

- (a) A property owner must contact the Director of Administration to request a formal petition form during the posted petition period, as determined by the Administration.
- (b) A city representative, as determined by the Administration, will visit the site, speak with the property owner(s), if available, and determine which items of work are needed and eligibility of the proposed repair.
- (c) After selection of project sites by the Administration, selected property owners will be provided a preliminary cost estimate. The estimate may provide for replacement or installation of sidewalk, driveway apron, the curb adjacent to the apron, retaining wall (along the right of way), roof drainpipe, and tree removal. If the property owner chooses to have the City do the work, the owner(s) must sign a cost share agreement and return it to the City. When a sufficient number of signed agreements have been accepted by the City, the city may construct the necessary improvements.
- (d) Costs to the property owners shall be paid as reimbursement to the City which shall be responsible for selecting and retaining the contractor to perform the necessary improvements. Improvements shall be completed according to the timeline determined by the Administration.

- (e) Property owners shall be responsible to remit funds in full to the city no later than thirty days following the receipt of final invoice from the City. Upon failure of the property owner to pay the costs within the allotted time, the Director of Finance shall certify the costs to the county auditor for collection as other taxes are collected.

Section 3. That Chapter 902, Sidewalk policy, of the Codified Ordinances of the City of North Canton, be, and is hereby amended, specifically, amending Section 902.04, Participation Voluntary' Requirements to Qualify, by amending as described below:

- (a) Participation is voluntary and is limited to owner occupied residential properties within the municipal corporation limits of the City of North Canton. The property must be located on an improved street (i.e., must have curbs) and the total area of the improvements must equal a minimum of 50 square feet.
- (b) A residential property owner must sign an agreement to pay for an equal share of the costs, excluding engineering and survey expenses to be paid by the City.
- (c) Any tree on private property that must be removed to accomplish the work will be removed at the owner's expense. These costs will be provided in the estimate with the petition. Sidewalk slabs that are lifted by tree roots but are otherwise undamaged are considered defective and need to be replaced. If it is determined that cutting the roots will kill the tree, the tree will be removed at the time of construction.
- (d) Any utility on private property that must be removed, relocated, repaired, or altered in any way to accomplish the work will be done so at the owner's expense. These costs will be provided in the preliminary estimate to the best of the City's knowledge.

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

ATTEST:

\_\_\_\_\_  
David Held, Mayor

\_\_\_\_\_  
Laura Brown, Director of Finance

Signed: \_\_\_\_\_, 2019

North Canton City Council  
Community and Economic Development Committee

Resolution No. 13 - 2019

A resolution requesting the Planning Commission review, consider, and propose to City Council, amendments to North Canton's Codified Ordinance, Chapter 1171 Administrative Powers and Duties, specifically, Section 1171.06 Schedule of Fees, pertaining to permits and fees for cement work on private property and the public right-of-way.

WHEREAS, City Council respectfully requests the Planning Commission consider a text amendment to North Canton's Planning and Zoning Code to modernize the requirements and fees paid for cement work on private property and the public right-of-way as further detailed in Exhibit A attached hereto and incorporate herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That pursuant to North Canton Codified Ordinance section 1181.04, City Council requests the Planning Commission review, consider, and propose amendments to subsection 1171.06, Schedule of Fees, of the City's codified ordinances, pertaining to permits and fees for cement work on private property and the public right-of-way as further detailed in Exhibit A attached hereto and incorporate herein.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid, or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

**1171.06 SCHEDULE OF FEES.****(a) BUILDING PERMIT FEES**

New, additions, alterations and accessory buildings more than 200 square feet	\$75.00 + \$.10 per sq. ft.
Miscellaneous, including roof, siding patio and deck	\$75.00 per inspection

**(b) ELECTRICAL PERMIT FEES**

New, temporary, additions, and alterations	\$75.00 + \$.08 per sq. ft.
New or replacement service	\$75.00
Signs	\$75.00
Low voltage system	\$50.00 + \$2.00 per 100 sq. ft.
Spa, pool	\$75.00

**(c) PLUMBING PERMIT FEES**

New, additions and alterations	\$75.00 + \$.08 per sq. ft.
Water service	\$75.00
Fire Suppression System	\$75.00 + \$.08 per sq. ft.
Replacement water heater + permit	\$75.00
Backflow / isolation / containment	\$75.00 per device

**(d) HVAC**

New, additions and alterations	\$75.00 + \$.08 per sq. ft.
Replacement heating device + permit	\$75.00
Solid fuel device (Wood/coal burner/auxiliary heat source)	\$125.00
Hood system	\$75.00 + \$100 plan review
Hood suppression system	\$75.00 + \$100 plan review

**(e) INSPECTIONS**

Re-inspections & additional inspections	\$75.00 per inspection
After hours and/or weekends	Overtime rate for Inspector
Permits issued after work is started	Twice the original fee
Sewer inspections	\$500.00 per inspection + County Sewer Charges

**(g) PLAN REVIEW**

Commercial	Processing	Plan Exam Fee
Building	\$200.00	\$4.50 per 100 sq. ft.
HVAC	\$200.00	\$2.50 per 100 sq. ft.
Electrical	\$200.00	\$2.50 per 100 sq. ft.
Fire Alarm	\$200.00	\$3.00 per device
Plumbing	\$200.00	\$2.50 per 100 sq. ft.
Suppression	\$200.00	\$2.50 per 100 sq. ft.
Industrialized Units	\$200.00	\$1.50 per 100 sq. ft.
Residential (applies to 1-2-3 Family Dwellings & Accessory Structures)		
Per submittal	\$100.00	

**(h) STATE OF OHIO BOARD OF BUILDING STANDARDS ASSESSMENT**

Commercial permits and plan review	add three (3%) percent to permit cost & plan exam
Residential permits and plan review	add one (1%) percent to permit cost & plan exam

**(i) MISCELLANEOUS**

Square footage calculations are based on aggregate area of each floor, including basement and attached garages.

**(j) PLANNING AND ZONING APPLICATION FEES**

Certificate of Occupancy	\$50.00
1,2,3 Family - Residential (per dwelling unit)	\$100.00 +\$.05 per sq. ft.
Residential - Addition	\$75.00
Residential / Accessory Bldg / Structure	\$ 50.00 +\$.05 per sq. ft.
Multi-family Residential (per dwelling unit)	\$100.00
Commercial / Industrial (new or addition)	\$125.00
Commercial/Industrial/Accessory Bldg/Structure	\$100.00
Business Parking Lot	\$75.00
Conditional Use	\$75.00
Zoning amendment	\$100.00
Appeal / Variance	\$75.00
Similar Use	\$100.00
Substitution of Non-Conforming Use	\$100.00
General Development Plan	\$150.00
Final Development Plan	\$150.00
Subdivision Preliminary	\$150.00
Subdivision Final	\$150.00
Zoning Map (small)	\$5.00
Zoning Map (large)	\$15.00
Zoning Ordinance	\$30.00
Temporary Zoning Permit	\$75.00
Temporary Sign Permit	\$50.00
Sign (per sign) & Building Permit if required	\$100.00
Home Occupancy	\$75.00
Driveway/sidewalk/fence, small storage shed, swimming Pool, etc.	\$75.00
<i>Sidewalk replacement with 40 square feet or less of concrete</i>	<i>\$40.00</i>

North Canton City Council  
Community and Economic Development Committee

Resolution No. 14 - 2019

A resolution requesting the Planning Commission review, consider, and propose to City Council, amendments to North Canton's Codified Ordinances, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, specifically, Section 1173.02 Zoning Certificate Required.

WHEREAS, City Council respectfully requests the Planning Commission consider a text amendment to North Canton's Planning and Zoning Code to update the procedures for zoning certificates and certificates of occupancy as further detailed in Exhibit A attached hereto and incorporate herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That, pursuant to North Canton Codified Ordinance section 1181.04, City Council requests the Planning Commission review and consider and propose amendments to Section 1173.02, Zoning Certificate Required, of the City's codified ordinances to update the procedures for zoning certificates and certificates of occupancy as further detailed in Exhibit A attached hereto and incorporate herein.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

**1173.02 ZONING CERTIFICATE REQUIRED.**

No building or structure shall be erected, constructed, enlarged, structurally altered, or moved in whole or in part, and no use shall be established or changed in the City of North Canton prior to the issuance of a zoning certificate. A zoning certificate shall be issued only when the plans for the proposed use, building or structure fully comply with the regulations set forth in this Zoning Ordinance.

(a) A zoning certificate shall be issued when:

(1) *Single-family Dwellings and Uses Accessory Thereto.* Provided the maximum lot coverage area has not been exceeded, i.e., patios located in the rear yard, private sidewalks consisting of concrete, and the replacement of legally established driveways not located in the public right-of-way are exempt from a zoning certificate, the Superintendent of Permits and Inspection may approve an application for a single-family dwelling or use accessory thereto that has been reviewed and approved according to the procedures of this chapter.

(2) Accessory Building in Nonresidential Districts. An application for an accessory building that has a gross floor area of 200 square feet or less has been reviewed and approved by the Superintendent of Permits and Inspection according to the procedures of this Chapter.

(3) All Other Permitted Uses. An application for any other permitted use not described in subsection (a) above has been reviewed and approved by the Planning Commission according to the development plan procedures set forth in Chapter 1175.

(4) Conditional Uses. An application for a conditional use has been reviewed and approved by the Planning Commission according to the procedures set forth in Chapter 1177.

(5) Variance Requests. An application for which a variance from a requirement of this Zoning Ordinance is requested has been reviewed and approved by the Board of Zoning Appeals, according to the procedures set forth in Chapter 1179.

(6) Similar Uses. An application for any building or use not specifically listed in this Ordinance as a permitted or conditional use has been reviewed and approved by the Planning Commission and Council according to the procedures set forth in Section 1177.09.

(b) Applications for zoning certificates are available in the office of the Superintendent of Permits and Inspection. A completed application form accompanied by all other applicable submission requirements shall be submitted to the Superintendent of Permits and Inspection.

North Canton City Council  
Community and Economic Development Committee

Resolution No. 15 - 2019

A resolution requesting the Planning Commission review, consider, and propose to City Council, an amendment to North Canton's Codified Ordinances, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, to include a new section, 1173.07 Administrative Waiver Requests.

WHEREAS, City Council respectfully requests the Planning Commission consider a text amendment to North Canton's Planning and Zoning Code to update and streamline reasonable administrative requests for waivers for area or dimensional regulations not in excess of 10 percent of the applicable minimum or maximum requirement, and as further detailed in Exhibit A attached hereto and incorporated herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That, pursuant to North Canton Codified Ordinance section 1181.04, City Council requests the Planning Commission review and consider and propose amendments to an amendment to North Canton's Codified Ordinances, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, to include a new section, 1173.07 Administrative Waiver Requests, as further detailed in Exhibit A attached hereto and incorporate herein.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2019

ATTEST:

\_\_\_\_\_  
Laura Brown, Director of Finance

## **1173.07 Administrative Waiver Requests**

### **(a) Applicability**

(1) The Superintendent of Permits and Inspections may grant an administrative waiver for any area or dimensional regulation that does not exceed 10 percent of the applicable minimum or maximum requirements. Area and dimensional requirements include, but are not limited to, minimum front, side, and rear yard setbacks; maximum height of structures; maximum sign height; maximum sign area, etc.

(2) An administrative waiver for a minimum lot area or lot width requirement is prohibited.

(3) The applicant shall apply for a variance for any waiver request that exceeds 10 percent of the applicable minimum or maximum requirement, or other variations from the code, that do not qualify for an administrative waiver.

### **(b) Administrative Waiver Review Procedure and Decision**

(1) Administrative waivers shall be reviewed as part of the zoning permit review process.

(2) The Superintendent of Permits and Inspections is the approving authority for administrative waivers.

### **(c) Review Criteria**

(1) Decisions on an administrative waiver shall be based on consideration of the following criteria:

A. The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, similar sign areas, etc.);

B. Special circumstances exist that make the precise compliance with the subject standards impractical or unreasonable;

C. The waiver request is minor in nature;

D. The waiver request does not substantially alter characteristics found in the development character of the surrounding properties; and

E. The waiver request does not deviate from the overall purpose of this code or the intent and objective of the original ordinance.