



William Biddlecombe **Joe Dike** **Sam Artino** **Monty Tapp** **Mark Claus** **Matt Grieves** **Joel Hagy**
Councilmember Councilmember Councilmember Mayor Vice-Mayor Councilmember Councilmember

CITY COUNCIL — REGULAR COUNCIL MEETING

Tuesday, November 12, 2024 @ 6:30 PM

City Council Chambers
417 Main Street
Huron, Ohio 44839

LIVESTREAM MEETING INFORMATION

This regular meeting of Council will be conducted in person in Council Chambers at Huron City Hall and live streamed on the City of Huron's YouTube channel. The public is free to observe and hear the discussions and deliberations of all members of City Council via the following link: <https://www.youtube.com/channel/UCpRAV-AnmlA6lfukQzKakQg>

I. Call To Order Moment of Silence followed by the Pledge of Allegiance to the Flag

II. Roll Call of City Council

III. Approval of Minutes

IV. Audience Comments Citizens may address their concerns to City Council. Please state your name and address for the recorded journal. (3-minute time limit)

V. Old Business

Ordinance No. 2024-24 (**TABLED 6/25/24**) (submitted by Ed Widman)

An ordinance amending Sections 185.01, 185.03, 185.04 and 185.06 of the Codified Ordinances of the City of Huron, Ohio, to provide for the levy of an additional 0.75% income tax and up to a 1.74% credit for taxes paid to another municipality beginning January 1, 2025.

VI. New Business

Va. Resolution No. 78-2024 (submitted by Matt Lasko)

A resolution authorizing a Third Amendment to Employment Agreement with Andrea Rocco for the provision of Human Resources services for the City of Huron for calendar years 2025 and 2026.

Vb. Resolution No. 79-2024 (submitted by Matt Lasko)

A resolution authorizing a Fourth Amendment to Prosecutor Agreement with Andrea Rocco for provision of Prosecutor services to the City of Huron for calendar years 2025 and 2026.

Vc. Ordinance No. 2024-45 (**first reading**) (submitted by Chief Graham)

An ordinance amending the Traffic Control Map and Traffic Control File to establish a No Right Turn from Lake Erie Parkway onto Maple Ave from 7AM - 8AM and 2PM - 4PM; and No Parking, Standing, or Stopping on Maple Ave between Buckeye and Deerwood on both sides of the street, on the west side of Ohio Street between McCormick and Cleveland Road, West, and on Jim Campbell Blvd., from the Gym Access Road to the handicapped parking lot.

Vd. Ordinance No. 2024-47 (**first reading**) (submitted by Matt Lasko)

An ordinance amending and replacing Section 1137.03 (Yard Modifications) of the Huron Codified Ordinances and amending and restating Chapter 1123 (Residence Districts) to add related cross references.

Ve. Ordinance No. 2024-48 (*submitted by Matt Lasko*)

An Ordinance amending Sections 1301 of the codified ordinances to automatically adopt the most current versions of the Ohio Building Code and declaring it an emergency.

Vf. Ordinance No. 2024-49 (*submitted by Matt Lasko*)

An Ordinance amending Sections 1305.03 of the codified ordinances to automatically adopt the most current versions of the Ohio Building Code and declaring it an emergency.

Vg. Ordinance No. 2024-50 (*submitted by Matt Lasko*)

An Ordinance amending Sections 1307 of the codified ordinances to automatically adopt the most current versions of the Ohio Building Code and declaring it an emergency.

Vh. Resolution No. 80-2024 (*submitted by Jack Evans*)

A resolution authorizing the City Manager to award the bid to and enter into an agreement with Bonded Chemicals Inc. for the purchase of water treatment chemicals in an amount not to exceed \$92,000.

Vi. Resolution No. 81-2024 (*submitted by Jack Evans*)

A resolution authorizing the City Manager to award the bid to and enter into an agreement with JCI Jones Chemicals Inc. for the purchase of water treatment chemicals in an amount not to exceed \$33,099.00.

Vj. Resolution No. 82-2024 (*submitted by Jack Evans*)

A resolution authorizing the City Manager to award the bid to and enter into an agreement with Univar Solutions for the purchase of water treatment chemicals in an amount not to exceed \$17,482.50.

Vk. Resolution No. 83-2024 (*submitted by Jack Evans*)

A resolution authorizing the City Manager to award the bid to and enter into an agreement with Applied Specialties for the purchase of water treatment chemicals in an amount not to exceed \$118,200.00.

VI. Ordinance No. 2024-46 (*submitted by Ed Widman*)

A supplemental appropriations and cash transfers ordinance.

Vm. Resolution No. 84-2024 (*submitted by Jack Evans*)

A resolution authorizing acceptance of a proposal with RA Bores Exc., Inc. for the insertion and replacement of two (2) 16" valves in the amount of \$91,399.12

VII. City Manager's Discussion

VIII. Mayor's Discussion

IX. For the Good of the Order

X. Executive Session(s) Executive Session for consideration of compensation of a public employee.

XI. Adjournment



TO: Mayor Tapp and City Council
FROM: Jen Kilbury
RE: Ordinance No. 2024-24 (**TABLED 6/25/24**) (*submitted by Ed Widman*)
DATE: November 12, 2024

Subject Matter/Background

This ordinance amends the City's tax code in sections 185.01, 185.03, 185.04 and 185.06 of the codified ordinances. The ordinance provides for the levy of an additional income tax of 0.75% beginning January 1, 2025. This legislation also provides for a credit on income earned in other income tax paying jurisdiction, up to 1.75%.

The administration was tasked with researching additional revenue sources following approval of the 2024 budget in December of 2023. The administration is recommending an income tax increase from 1% to 1.75%, allowing for a credit up to 1.75% for residents that work in another income tax paying jurisdiction. Currently, the City does not offer a credit. Over the last few months, the administration has held multiple public meetings to educate residents on the potential income tax increase. Following those meetings, the administrative still feels confident this income tax increase is the best long-term solution for the City's forecasted budget deficits.

This ordinance is expected to go three readings and tabled until after the election on November 5, 2024, if Council puts the income tax increase on the ballot. Resolution 57-2024 is a resolution of necessity to put a City income tax increase on the November ballot.

Financial Review

There is no financial impact to the City for this legislation. If the income tax increase is passed by the voters, the City is expected to receive an additional \$1.8M in income tax revenue per year. The increase is expected to provide long-term budget stabilization for essential services and continue quality of life improvements for City residents. Resolution 57-2024 would put the increase on the November ballot if passed by Council prior to August 7, 2024.

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

This matter has been tabled.

[Ordinance No. 2024-24 Amending Sections 185.01 .03 and .04 of the Codified Ordinances to Increase the Income Tax Rate.docx](#)

ORDINANCE NO. 2024-24
Introduced by Mark Claus

AN ORDINANCE AMENDING SECTIONS 185.01, 185.03, 185.04 AND 185.06 OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO, TO PROVIDE FOR THE LEVY OF AN ADDITIONAL SEVENTY-FIVE ONE-HUNDREDTHS PERCENT (0.75%) INCOME TAX BEGINNING JANUARY 1, 2025, AND PROVIDING A CREDIT UP TO 1.75% FOR INCOME TAX PAID TO OTHER MUNICIPALITIES; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Ohio, that:

Section 1. Section 185.01 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

“185.01 AUTHORITY TO LEVY TAX; PURPOSE OF TAX.

(A) To provide funds for the purposes of general municipal operations and services, maintenance, new equipment, extension and enlargement of municipal services and facilities, permanent improvements, and capital improvements, the Municipality hereby levies an annual tax on the income of every person residing in or earning or receiving income in the Municipality as measured by each such person's municipal taxable income, all as hereinafter provided.

(B) (1) The annual tax is levied at a rate of 1.75% (one and seventy-five one-hundredths percent). The tax is levied at a uniform rate on all persons residing in or earning or receiving income in the Municipality. The tax is levied on municipal taxable income as hereinafter provided in Section 185.03 of this Chapter and other sections as they may apply.

(2) The funds collected under the provisions of this Chapter 185 shall be applied for the following purposes and in the following order: (i) such part thereof as is necessary to defray all costs of collecting the taxes levied by this Chapter and the cost of administering and enforcing the provisions hereof; (ii) after providing for the allocation of funds set forth in division (B)(2)(i) of this Section, funds shall be set aside, appropriated and paid into the General Bond Retirement Fund or another fund specified by ordinance of the Council, in an amount equal to the annual principal and interest payments due (within that year) on all bonds, notes or other obligations for which income tax revenues have been pledged; (iii) after providing for the allocation of funds set forth in division (B)(2)(i) and (ii) of this Section, not less than seven percent (7%) of the remaining funds shall be set aside, appropriated and paid into the Capital Improvement Fund; and (iv) after providing for the allocation of funds set forth in division (B)(2)(i), (ii), and (iii) of this Section, the balance of the funds remaining shall be used for any purpose as may be determined by ordinance of the Council.

(C) The taxes levied under this Chapter 185 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the Municipality to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 185, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 185 and an express provision or limitation of Chapter 718 of the Ohio Revised Code.

(D) As used herein, all references in this Chapter 185 to provisions or limitations of Chapter 718 of the Ohio Revised Code and to any Section of that Chapter 718 shall include those provisions or limitations of that Chapter or Section as in effect on January 1, 2016, of any successor statute, and of any

subsequent amendment to that Chapter or Section or a successor statute in effect from time to time to the fullest possible extent required for the Municipality to continue to levy the taxes specified under this Chapter 185. All references in this Chapter 185 to "ORC" are to the Ohio Revised Code."

Section 2. Section 185.03 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, as amended by Ordinance No. 2024-4, passed on February 13, 2024, is hereby further amended to read as follows:

"185.03 IMPOSITION OF TAX.

The income tax levied by the Municipality at a rate of one and seventy-five one-hundredths percent (1.75%) is levied on the municipal taxable income of every person who resides in or who earns or receives income in the Municipality.

Individuals.

(A) For residents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(a).

(B) For nonresidents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(b).

(C) For a person other than an individual, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(i).

Refundable credit for Nonqualified Deferred Compensation Plan.

(D) (1) As used in this division:

(a) "Nonqualified deferred compensation plan" means a compensation plan described in Section 3121(v)(2)(C) of the Internal Revenue Code.

(b) "Qualifying loss" means the amount of compensation attributable to a taxpayer's nonqualified deferred compensation plan, less the receipt of money and property attributable to distributions from the nonqualified deferred compensation plan. Full loss is sustained if no distribution of money and property is made by the nonqualified deferred compensation plan. The taxpayer sustains a qualifying loss only in the taxable year in which the taxpayer receives the final distribution of money and property pursuant to that nonqualified deferred compensation plan.

(c) (i) "Qualifying tax rate" means the applicable tax rate for the taxable year for the which the taxpayer paid income tax to the Municipality with respect to any portion of the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan.

(ii) If different tax rates applied for different taxable years, then the "qualifying tax rate" is a weighted average of those different tax rates. The weighted average shall be based upon the tax paid to the Municipality each year with respect to the nonqualified deferred compensation plan.

(d) "Refundable credit" means the amount of the Municipality's income tax that was paid on the non-distributed portion, if any, of a nonqualified deferred compensation plan.

(2) If, in addition to the income tax levied by the Municipality, a taxpayer has paid tax to other municipal corporations with respect to the nonqualified deferred compensation plan, the amount of the credit that a taxpayer may claim from each municipal corporation shall be calculated on the basis of each municipal corporation's proportionate share of the total municipal corporation income

tax paid by the taxpayer to all municipal corporations with respect to the nonqualified deferred compensation plan.

(3) In no case shall the amount of the credit allowed under this Section exceed the cumulative income tax that a taxpayer has paid to the Municipality for all taxable years with respect to the nonqualified deferred compensation plan.

(4) The credit allowed under this division is allowed only to the extent the taxpayer's qualifying loss is attributable to:

(a) The insolvency or bankruptcy of the employer who had established the nonqualified deferred compensation plan; or

(b) The employee's failure or inability to satisfy all of the employer's terms and conditions necessary to receive the nonqualified deferred compensation.

Domicile.

(E) (1) (a) An individual is presumed to be domiciled in the Municipality for all or part of a taxable year if the individual was domiciled in the Municipality on the last day of the immediately preceding taxable year or if the Tax Administrator reasonably concludes that the individual is domiciled in the Municipality for all or part of the taxable year.

(b) An individual may rebut the presumption of domicile described in division (E)(1)(a) of this Section if the individual establishes by a preponderance of the evidence that the individual was not domiciled in the Municipality for all or part of the taxable year.

(2) For the purpose of determining whether an individual is domiciled in the Municipality for all or part of a taxable year, factors that may be considered include, but are not limited to, the following:

(a) The individual's domicile in other taxable years;

(b) The location at which the individual is registered to vote;

(c) The address on the individual's driver's license;

(d) The location of real estate for which the individual claimed a property tax exemption or reduction allowed on the basis of the individual's residence or domicile;

(e) The location and value of abodes owned or leased by the individual;

(f) Declarations, written or oral, made by the individual regarding the individual's residency;

(g) The primary location at which the individual is employed.

(h) The location of educational institutions attended by the individual's dependents as defined in Section 152 of the Internal Revenue Code, to the extent that tuition paid to such educational institution is based on the residency of the individual or the individual's spouse in the municipal corporation where the educational institution is located;

(i) The number of contact periods the individual has with the Municipality. For the purposes of this division, an individual has one "contact period" with the Municipality if the individual is away overnight from the individual's abode located outside of the Municipality and while away overnight from that abode spends at least some portion, however minimal, of each of two consecutive days in the Municipality.

(3) All additional applicable factors are provided in the Rules and Regulations.

Businesses.

(F) This division applies to any taxpayer engaged in a business or profession in the Municipality, unless the taxpayer is an individual who is a resident or the taxpayer is an electric company, combined company, or telephone company that is subject to and required to file reports under Chapter 5745. of the ORC.

(1) Except as otherwise provided in divisions (F)(2) and (G) of this Section, net profit from a business or profession conducted both within and without the boundaries of the Municipality shall be considered as having a taxable situs in the Municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

(a) The average original cost of the real property and tangible personal property owned or used by the taxpayer in the business or profession in the Municipality during the taxable period to the average original cost of all of the real and tangible personal property owned or used by the taxpayer in the business or profession during the same period, wherever situated.

As used in the preceding paragraph, tangible personal or real property shall include property rented or leased by the taxpayer and the value of such property shall be determined by multiplying the annual rental thereon by eight;

(b) Wages, salaries, and other compensation paid during the taxable period to individuals employed in the business or profession for services performed in the Municipality to wages, salaries, and other compensation paid during the same period to individuals employed in the business or profession, wherever the individual's services are performed, excluding compensation from which taxes are not required to be withheld under Section 185.04(C);

(c) Total gross receipts of the business or profession from sales and rentals made and services performed during the taxable period in the Municipality to total gross receipts of the business or profession during the same period from sales, rentals, and services, wherever made or performed.

(2) (a) If the apportionment factors described in division (F)(1) of this Section do not fairly represent the extent of a taxpayer's business activity in the Municipality, the taxpayer may request, or the Tax Administrator of the Municipality may require, that the taxpayer use, with respect to all or any portion of the income of the taxpayer, an alternative apportionment method involving one or more of the following:

(i) Separate accounting;

(ii) The exclusion of one or more of the factors;

(iii) The inclusion of one or more additional factors that would provide for a more fair apportionment of the income of the taxpayer to the municipal corporation;

(iv) A modification of one or more of the factors.

(b) A taxpayer request to use an alternative apportionment method shall be in writing and shall accompany a tax return, timely filed appeal of an assessment, or timely filed amended tax return. The taxpayer may use the requested alternative method unless the Tax Administrator denies the request in an assessment issued within the period prescribed by Section 185.12(A).

(c) The Tax Administrator may require a taxpayer to use an alternative apportionment method as described in division (F)(2)(a) of this Section, but only by issuing an assessment to the taxpayer within the period prescribed by Section 185.12(A).

(d) Nothing in division (F)(2) of this Section nullifies or otherwise affects any alternative apportionment arrangement approved by the Tax Administrator or otherwise agreed upon by both the Tax Administrator and taxpayer before January 1, 2016.

(3) As used in division (F)(1)(b) of this Section, "wages, salaries, and other compensation" includes only wages, salaries, or other compensation paid to an employee for services performed at any of the following locations:

(a) A location that is owned, controlled, or used by, rented to, or under the possession of one of the following:

(i) The employer;

(ii) A vendor, customer, client, or patient of the employer, or a related member of such a vendor, customer, client, or patient;

(iii) A vendor, customer, client, or patient of a person described in (F)(3)(a)(ii) of this Section, or a related member of such a vendor, customer, client, or patient.

(b) Any location at which a trial, appeal, hearing, investigation, inquiry, review, court-martial, or similar administrative, judicial, or legislative matter or proceeding is being conducted, provided that the compensation is paid for services performed for, or on behalf of, the employer or that the employee's presence at the location directly or indirectly benefits the employer;

(c) Any other location, if the Tax Administrator determines that the employer directed the employee to perform the services at the other location in lieu of a location described in division (F) (3)(a) or (b) of this Section solely in order to avoid or reduce the employer's municipal income tax liability. If the Tax Administrator makes such a determination, the employer may dispute the determination by establishing, by a preponderance of the evidence, that the Tax Administrator's determination was unreasonable.

(4) For the purposes of division (F)(1)(c) of this Section, and except as provided in division (G) of this section, receipts from sales and rentals made and services performed shall be situated to a municipal corporation as follows:

(a) Gross receipts from the sale of tangible personal property shall be situated to the municipal corporation in which the sale originated. For the purposes of this division, a sale of property originates in the Municipality if, regardless of where title passes, the property meets any of the following criteria:

(i) The property is shipped to or delivered within the Municipality from a stock of goods located within the Municipality.

(ii) The property is delivered within the Municipality from a location outside the Municipality, provided the taxpayer is regularly engaged through its own employees in the solicitation or promotion of sales within the Municipality and the sales result from such solicitation or promotion.

(iii) The property is shipped from a place within the Municipality to purchasers outside the Municipality, provided that the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.

(b) Gross receipts from the sale of services shall be situated to the Municipality to the extent that such services are performed in the Municipality.

(c) To the extent included in income, gross receipts from the sale of real property located in the Municipality shall be situated to the Municipality.

(d) To the extent included in income, gross receipts from rents and royalties from real property located in the Municipality shall be situated to the Municipality.

(e) Gross receipts from rents and royalties from tangible personal property shall be situated to the Municipality based upon the extent to which the tangible personal property is used in the Municipality.

(5) The net profit received by an individual taxpayer from the rental of real estate owned directly by the individual, or by a disregarded entity owned by the individual, shall be subject to the Municipality's tax only if the property generating the net profit is located in the Municipality or if the individual taxpayer that receives the net profit is a resident of the Municipality. the Municipality shall allow such taxpayers to elect to use separate accounting for the purpose of calculating net profit situated under this division to the municipal corporation in which the property is located.

(6) (a) Commissions received by a real estate agent or broker relating to the sale, purchase, or lease of real estate shall be situated to the municipal corporation in which the real estate is located. Net profit reported by the real estate agent or broker shall be allocated to the Municipality, if applicable, based upon the ratio of the commissions the agent or broker received from the sale, purchase, or lease of real estate located in the Municipality to the commissions received from the sale, purchase, or lease of real estate everywhere in the taxable year.

(b) An individual who is a resident of the Municipality shall report the individual's net profit from all real estate activity on the individual's annual income tax return filed with the Municipality. The individual may claim a credit for taxes the individual paid on such net profit to another municipal corporation to the extent that such a credit is allowed under this Chapter.

(7) When calculating the ratios described in division (F)(1) of this Section for the purposes of that division or division (F)(2) of this Section, the owner of a disregarded entity shall include in the owner's ratios the property, payroll, and gross receipts of such disregarded entity.

(8) Intentionally left blank.

(9) Intentionally left blank.

(G) (1) As used in this division:

(a) "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria:

(i) The taxpayer has assigned the individual to a qualifying reporting location.

(ii) The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location.

(b) "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or

controlled by a customer or client of the taxpayer. "Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year.

(c) "Reporting location" means either of the following:

(i) A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer;

(ii) Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under Section 185.04 of this Chapter, on qualifying wages paid to an employee for the performance of personal services at that location.

(d) "Qualifying reporting location" means one of the following:

(i) The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year;

(ii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) of this section, the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year;

(iii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) or (ii) of this section, the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this division at any time.

(2) For tax years ending on or after December 31, 2023, a taxpayer may elect to apply the provisions of this division to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of division (F) of this section apply to such apportionment except as otherwise provided in this division.

A taxpayer shall make the election allowed under this division in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election.

The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the apportionment provisions authorized in this division, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be

required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this division prohibits a taxpayer from making a new election under this division after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in division (F)(1) of this section, all of the following apply to a taxpayer that has made the election described in division (G)(2):

(a) For the purpose of division (F)(1)(a) of this section, the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(b) For the purpose of division (F)(1)(b) of this section, any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(c) For the purpose of division (F)(1)(c) of this section, and notwithstanding division (F)(4) of this section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(4) Nothing in this division prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (F)(2) of this section. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this division, nothing in this division is intended to affect the withholding of taxes on qualifying wages pursuant to Section 185.04 of this Chapter."

Section 3. Section 185.04 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.04 COLLECTION AT SOURCE.

Withholding provisions.

(A) Each employer, agent of an employer, or other payer located or doing business in the Municipality shall withhold an income tax from the qualifying wages earned and/or received by each employee in the Municipality. Except for qualifying wages for which withholding is not required under Section 185.03 or division (B)(4) or (6) of this Section, the tax shall be withheld at the rate, specified in Section 185.03 of this Chapter, of one and seventy-five one-hundredths percent (1.75%). An employer, agent of an employer, or other payer shall deduct and withhold the tax from qualifying wages on the date that the employer, agent, or other payer directly, indirectly, or constructively pays the qualifying wages to, or credits the qualifying wages to the benefit of, the employee.

(B) (1) Except as provided in division (B)(2) of this Section, an employer, agent of an employer, or other payer shall remit to the Tax Administrator of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer according to the following schedule:

(a) Taxes required to be deducted and withheld shall be remitted monthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded \$2,399, or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded \$200.

Payment under division (B)(1)(a) of this Section shall be made so that the payment is received by the Tax Administrator not later than 15 days after the last day of each month for which the tax was withheld.

(b) Any employer, agent of an employer, or other payer not required to make payments under division (B)(1)(a) of this Section of taxes required to be deducted and withheld shall make quarterly payments to the Tax Administrator not later than the 15th day of the month following the end of each calendar quarter.

(c) Notwithstanding the provisions of (B)(1)(a) and (b) of this Section, taxes required to be deducted and withheld shall be remitted semimonthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in the preceding calendar year exceeded \$11,999, or if in any month of the preceding calendar year exceeded \$1,000. Payment under division (B)(1)(c) of this Section shall be made so that the payment is received by the Tax Administrator not later than one of the following: (i) if the taxes were deducted and withheld or required to be deducted and withheld during the first fifteen days of a month, the third banking day after the fifteenth day of that month; or (ii) if the taxes were deducted and withheld or required to be deducted and withheld after the fifteenth day of a month and before the first day of the immediately following month, the third banking day after the last day of the month.

(2) If the employer, agent of an employer, or other payer is required to make payments electronically for the purpose of paying federal taxes withheld on payments to employees under Section 6302 of the Internal Revenue Code, 26 C.F.R. 31.6302-1, or any other federal statute or regulation, the payment shall be made by electronic funds transfer to the Tax Administrator of all taxes deducted and withheld on behalf of the Municipality. The payment of tax by electronic funds transfer under this division does not affect an employer's, agent's, or other payer's obligation to file any return as required under this Section.

(3) An employer, agent of an employer, or other payer shall make and file a return showing the amount of tax withheld by the employer, agent, or other payer from the qualifying wages of each employee and remitted to the Tax Administrator. A return filed by an employer, agent, or other payer under this division shall be accepted by the Tax Administrator and the Municipality as the return required of a non-resident employee whose sole income subject to the tax under this Chapter is the qualifying wages reported by the employee's employer, agent of an employer, or other payer.

(4) An employer, agent of an employer, or other payer is not required to withhold the Municipality's income tax with respect to an individual's disqualifying disposition of an incentive stock option if, at the time of the disqualifying disposition, the individual is not an employee of either the corporation with respect to whose stock the option has been issued or of such corporation's successor entity.

(5) (a) An employee is not relieved from liability for a tax by the failure of the employer, agent of an employer, or other payer to withhold the tax as required under this Chapter or by the employer's, agent's, or other payer's exemption from the requirement to withhold the tax.

(b) The failure of an employer, agent of an employer, or other payer to remit to the Municipality the tax withheld relieves the employee from liability for that tax unless the employee colluded with the employer, agent, or other payer in connection with the failure to remit the tax withheld.

(6) Compensation deferred before June 26, 2003, is not subject to the income tax or income tax withholding requirement imposed by this Chapter to the extent the deferred compensation does not constitute qualifying wages at the time the deferred compensation is paid or distributed.

(7) Each employer, agent of an employer, or other payer required to withhold taxes is liable for the payment of that amount required to be withheld, whether or not such taxes have been withheld, and such amount shall be deemed to be held in trust for the Municipality until such time as the withheld amount is remitted to the Tax Administrator.

(8) On or before the last day of February of each year, an employer shall file a withholding reconciliation return with the Tax Administrator listing:

(a) The names, addresses, and social security numbers of all employees from whose qualifying wages the tax levied by this Chapter was withheld or should have been withheld during the preceding calendar year;

(b) The amount of tax withheld, if any, from each such employee, the total amount of qualifying wages paid to such employee during the preceding calendar year;

(c) The name of every other municipal corporation for which tax was withheld or should have been withheld from such employee during the preceding calendar year;

(d) Any other information required for federal income tax reporting purposes on Internal Revenue Service form W-2 or its equivalent form with respect to such employee;

(e) Other information as may be required by the Tax Administrator.

(9) The officer or the employee of the employer, agent of an employer, or other payer with control or direct supervision of or charged with the responsibility for withholding the tax or filing the reports and making payments as required by this Section, shall be personally liable for a failure to file a report or pay the tax due as required by this Section. The dissolution of an employer, agent of an employer, or other payer does not discharge the officer's or employee's liability for a failure of the employer, agent of an employer, or other payer to file returns or pay any tax due.

(10) An employer is required to deduct and withhold the Municipality's income tax on tips and gratuities received by the employer's employees and constituting qualifying wages, but only to the extent that the tips and gratuities are under the employer's control. For the purposes of this division, a tip or gratuity is under the employer's control if the tip or gratuity is paid by the customer to the employer for subsequent remittance to the employee, or if the customer pays the tip or gratuity by credit card, debit card, or other electronic means.

(11) The Tax Administrator shall consider any tax withheld by an employer at the request of an employee, when such tax is not otherwise required to be withheld by this Chapter, to be tax required to be withheld and remitted for the purposes of this Section.

Occasional Entrant - Withholding.

(C) (1) As used in this division:

(a) "Employer" includes a person that is a related member to or of an employer.

(b) "Fixed location" means a permanent place of doing business in this state, such as an office, warehouse, storefront, or similar location owned or controlled by an employer.

(c) "Principal place of work" means the fixed location to which an employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location, "principal place of work" means the worksite location in this state to which the employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location or worksite location, "principal place of work" means the location in this state at which the employee spends the greatest number of days in a calendar year performing services for or on behalf of the employee's employer.

If there is not a single municipal corporation in which the employee spent the "greatest number of days in a calendar year" performing services for or on behalf of the employer, but instead there are two or more municipal corporations in which the employee spent an identical number of days that is greater than the number of days the employee spent in any other municipal corporation, the employer shall allocate any of the employee's qualifying wages subject to division (C)(2)(a)(i) of this Section among those two or more municipal corporations. The allocation shall be made using any fair and reasonable method, including, but not limited to, an equal allocation among such municipal corporations or an allocation based upon the time spent or sales made by the employee in each such municipal corporation. A municipal corporation to which qualifying wages are allocated under this division shall be the employee's "principal place of work" with respect to those qualifying wages for the purposes of this Section.

For the purposes of this division, the location at which an employee spends a particular day shall be determined in accordance with division (C)(2)(b) of this Section, except that "location" shall be substituted for "municipal corporation" wherever "municipal corporation" appears in that division.

(d) "Professional athlete" means an athlete who performs services in a professional athletic event for wages or other remuneration.

(e) "Professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis.

(f) "Public figure" means a person of prominence who performs services at discrete events, such as speeches, public appearances, or similar events, for wages or other remuneration on a per-event basis.

(g) "Worksite location" means a construction site or other temporary worksite in this state at which the employer provides services for more than 20 days during the calendar year. "Worksite location" does not include the home of an employee.

(2) (a) Subject to divisions (C)(3), (5), (6), and (7) of this Section, an employer is not required to withhold the Municipality's income tax on qualifying wages paid to an employee for the performance of personal services in the Municipality if the employee performed such services in the Municipality on 20 or fewer days in a calendar year, unless one of the following conditions applies:

(i) The employee's principal place of work is located in the Municipality.

(ii) The employee performed services at one or more presumed worksite locations in the Municipality. For the purposes of this division, "presumed worksite location" means a

construction site or other temporary worksite in the Municipality at which the employer provides or provided services that can reasonably be, or would have been, expected by the employer to last more than 20 days in a calendar year. Services can "reasonably be expected by the employer to last more than 20 days" if either of the following applies at the time the services commence:

(a) The nature of the services is such that it will require more than 20 days of the services to complete the services;

(b) The agreement between the employer and its customer to perform services at a location requires the employer to perform the services at the location for more than 20 days.

(iii) The employee is a resident of the Municipality and has requested that the employer withhold tax from the employee's qualifying wages as provided in Section 185.04.

(iv) The employee is a professional athlete, professional entertainer, or public figure, and the qualifying wages are paid for the performance of services in the employee's capacity as a professional athlete, professional entertainer, or public figure.

(b) For the purposes of division (C)(2)(a) of this Section, an employee shall be considered to have spent a day performing services in the Municipality only if the employee spent more time performing services for or on behalf of the employer in the Municipality than in any other municipal corporation on that day. For the purposes of determining the amount of time an employee spent in a particular location, the time spent performing one or more of the following activities shall be considered to have been spent at the employee's principal place of work:

(i) Traveling to the location at which the employee will first perform services for the employer for the day;

(ii) Traveling from a location at which the employee was performing services for the employer to any other location;

(iii) Traveling from any location to another location in order to pick up or load, for the purpose of transportation or delivery, property that has been purchased, sold, assembled, fabricated, repaired, refurbished, processed, remanufactured, or improved by the employee's employer;

(iv) Transporting or delivering property described in division (C)(2)(b)(iii) of this Section, provided that, upon delivery of the property, the employee does not temporarily or permanently affix the property to real estate owned, used, or controlled by a person other than the employee's employer;

(v) Traveling from the location at which the employee makes the employee's final delivery or pick-up for the day to either the employee's principal place of work or a location at which the employee will not perform services for the employer.

(3) If the principal place of work of an employee is located in another Ohio municipal corporation that imposes an income tax, the exception from withholding requirements described in division (C)(2)(a) of this Section shall apply only if, with respect to the employee's qualifying wages described in that division, the employer withholds and remits tax on such qualifying wages to that municipal corporation.

(4) (a) Except as provided in division (C)(4)(b) of this Section, if, during a calendar year, the number of days an employee spends performing personal services in the Municipality exceeds the 20-day threshold, the employer shall withhold and remit tax to the Municipality for any subsequent

days in that calendar year on which the employer pays qualifying wages to the employee for personal services performed in the Municipality.

(b) An employer required to begin withholding tax for the Municipality under division (C)(4)(a) of this Section may elect to withhold tax for the Municipality for the first 20 days on which the employer paid qualifying wages to the employee for personal services performed in the Municipality.

(5) If an employer's fixed location is in the Municipality and the employer qualifies as a small employer as defined in Section 185.02, the employer shall withhold the income tax imposed under this Chapter on all of the employee's qualifying wages for a taxable year and remit that tax only to the Municipality, regardless of the number of days which the employee worked outside the corporate boundaries of the Municipality.

To determine whether an employer qualifies as a small employer for a taxable year, the employer will be required to provide the Tax Administrator with the employer's federal income tax return for the preceding taxable year.

(6) Divisions (C)(2)(a) and (4) of this Section shall not apply to the extent that the Tax Administrator and an employer enter into an agreement regarding the manner in which the employer shall comply with the requirements of Section 185.04."

Section 4. Section 185.06 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.06 CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES.

(A) Every individual taxpayer domiciled in the City who is required to and does pay, or has acknowledged liability for, a municipal tax to another municipality on or measured by the same income, qualifying wages, commissions, net profits or other compensation taxable under this chapter may claim a non-refundable credit upon satisfactory evidence of the tax paid to the other municipality. Subject to division (c) of this section, the credit shall not exceed the tax due the City under this chapter. If the tax rate of the other municipality is less than one and seventy-five one-hundredths percent (1.75%), the credit shall be limited to the tax due at the lower rate.

(B) The City shall grant a credit against its tax on income to a resident of the City who works in a joint economic development zone created under Ohio R.C. 715.691 or a joint economic development district created under Ohio R.C. 715.70, 715.71, or 715.72 to the same extent that it grants a credit against its tax on income to its residents who are employed in another municipal corporation.

(C) If the amount of tax withheld or paid to the other municipality is less than the amount of tax required to be withheld or paid to the other municipality, then for purposes of division (a) of this section, "the income, qualifying wages, commissions, net profits or other compensation" subject to tax in the other municipality shall be limited to the amount computed by dividing the tax withheld or paid to the other municipality by the tax rate for that municipality."

Section 5. Effective January 1, 2025, Sections 185.01, 185.03, 185.04 and 185.06 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, are hereby repealed. Provided, however, that no provision of this ordinance, including the repeal of Sections 185.01, 185.03, 185.04 and 185.06 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or

entity, with respect to the one percent municipal income tax assessed by Chapter 185 of the Codified Ordinances of the City of Huron, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2025.

Section 6. The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City, and for the further reason that this ordinance is required to be immediately effective in order to enable the City to timely commence collection of the City's income tax at the increased rate provided for in this ordinance commencing January 1, 2025 and thereby to provide services and permanent improvements critical to the safety and well-being of the residents of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

Passed: _____, 2024

Mayor

Attest: _____
Clerk of Council



TO: Mayor Tapp and City Council
FROM: Jen Kilbury
RE: Resolution No. 78-2024(*submitted by Matt Lasko*)
DATE: November 12, 2024

Subject Matter/Background

Beginning in 2022, the City engaged Mrs. Andrea Rocco for employment law and human resources services for the City. In this role, Mrs. Rocco was responsible for managing personnel issues, grievances, workers compensation matters, employee handbook revisions and policies, salary studies, healthcare matters and City liaison to the bargaining units to name a few. The proposed annual salary for that position was \$25,000, with the acknowledgement that 2022 would be a test year to determine if the salary was sufficient or insufficient based upon the demands of the position. It was very clear throughout 2022 that the demands on the position from a scope and time perspective were far greater than the salary established, and the salary was increased to \$45,000 in 2023. The 2024 salary remained at an annual salary of \$45,000. Mrs. Rocco maintained regular office hours and was also available by phone 24/7.

Another change contemplated by the Second Amendment related to additional fees to be paid relating to bargaining unit negotiations at a rate of \$200/hour up to \$20,000. During mediation, fact-finding arbitration or conciliation was undertaken, there was additional compensation at the rate of \$200/hour.

The proposed third amendment will run through December 31, 2026, with the proposed salary adjustments to \$46,350.00 in 2025 and \$47,740.50 in 2026.

Financial Review

The proposed 2025 budget includes the proposed salary for this part-time position, including additional compensation for bargaining unit negotiations. This position is 100% paid out of the City's General Fund.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 78-2024 is in order.

[Resolution No. 78-2024 3rd Amendment to Rocco HR Employment Agreement.docx](#)
[Res No. 78-2024 Exhibit A Third Amendment Employee Agreement Rocco.pdf](#)

RESOLUTION NO. 78-2024

Introduced by Mark Claus

A RESOLUTION AUTHORIZING EXECUTION OF A THIRD AMENDMENT TO EMPLOYMENT AGREEMENT WITH ANDREA F. ROCCO FOR THE PROVISION OF EMPLOYMENT LAW AND HUMAN RESOURCES SERVICES FOR THE CITY OF HURON FOR A PERIOD OF TWO (2) YEARS THROUGH DECEMBER 31, 2026

WHEREAS, Andrea F. Rocco "Rocco" and the City of Huron "City" entered into a certain Employment Agreement (Employment Law and Human Resource Services) ("Agreement") on or about March 22, 2022 to permit Rocco to provide legal services pertaining to all employment law and all human resources matters for the City; and

WHEREAS, pursuant to Section 7.4 of the Agreement, the Parties desire to modify the Agreement to amend and modify certain terms of the Agreement as provided herein; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. The Huron City Council authorizes the City Manager to execute the Third Amendment to Employment Agreement for Employment Law and Human Resources Services between Andrea F. Rocco and the City of Huron, said agreement to be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This Third Amendment to Employment Agreement (herein called "Third Amendment") by and between the City of Huron, Ohio, a Charter Municipality (hereinafter referred to as "City") and Andrea F. Rocco (hereinafter referred to as "Rocco") (with City and Rocco being individually referred to herein as "Party" and collectively referred to herein as "Parties"), is to EVIDENCE THAT:

WHEREAS, the Parties entered into a certain Employment Agreement (Employment Law and Human Resource Services) ("Agreement") on or about March 22, 2022 to permit Rocco to provide legal services pertaining to all employment law and all human resources matters for the City; and

WHEREAS, effective December 31, 2022, the Parties entered into a First Amendment to the Employment Agreement to modify the term of the Agreement, to adjust Rocco's compensation, and to address other obligations and commitments of Rocco that may develop during the Agreement term; and

WHEREAS, effective December 31, 2023, the Parties entered into a Second Amendment to the Employment Agreement to modify the term of the Agreement, and to add a new section 3.4 addressing compensation for Rocco's participation in bargaining unit negotiations; and

WHEREAS, pursuant to Section 7.4 of the Agreement, the Parties desire to modify the Agreement to amend and modify certain terms of the Agreement as provided herein.

NOW, THEREFORE, in consideration of the mutual covenants and promises made in this First Amendment, and other valuable consideration (the receipt and sufficiency of which are hereby acknowledged), the Parties agree as follows:

1. As of December 31, 2024 (the "Effective Date"), Section 2.1 of the Agreement shall be deleted in its entirety and replaced with the following:

"This Agreement shall be effective upon execution by all parties (the "Effective Date"), and the term of this Agreement shall terminate as of 11:59 p.m. Eastern Standard Time on December 31, 2026. Either party hereto may terminate this Agreement, for any or no reason, on ninety (90) days prior written notice to the other party."

2. As of the Effective Date, the first sentence of Section 3.1 of the Agreement shall be deleted in its entirety and replaced with the following:

"The annual salary for this position shall be \$46,350.00 effective and paid from January 1, 2025 to December 31, 2025 in bi-weekly installments, and shall be \$47,740.50 effective and paid from January 1, 2026 to December 31, 2026 in bi-weekly installments."

3. All provisions of the Agreement (as amended) not modified by this Third Amendment shall remain in full force and effect.

[Document Continued On Next Page]

IN WITNESS WHEREOF, the Parties have caused this Third Amendment to be executed as of the dates referenced below.

City of Huron

By: _____
Matthew D. Lasko, City Manager

Andrea F. Rocco, Esq.

Date: _____

Date: _____

"City"

"Rocco"

Approved as to form:

Todd A. Schrader, Esq., Law Director



TO: Mayor Tapp and City Council
FROM: Jen Kilbury
RE: Resolution No. 79-2024 (*submitted by Matt Lasko*)
DATE: November 12, 2024

Subject Matter/Background

Andrea Rocco has served as the City's sole prosecutor for all of 2022, 2023, and 2024. Per Resolution 38-2022, the Prosecutor's salary was increased from \$25,000 annually to \$35,000 annually. This salary, when broken down hourly, is a very competitive rate and in line with other municipalities. Per Resolution No. 112-2022, based on Mrs. Rocco's exceptional work performance and professionalism, the City amended the current agreement to extend the term of the agreement through December 31, 2023. Resolution No. 86-2023 extended the agreement through December 31, 2024. Resolution No. 79-2024 seeks to extend the agreement through December 31, 2026. Changes to the terms of the agreement include a salary increase to \$36,050.00 in 2025 and to \$37,131.50 in 2026.

Financial Review

The proposed 2025 budget includes the proposed salary for this part-time position. This position is 100% paid out of the City's General Fund.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 79-2024 is in order.

[Resolution No. 79-2024 4th Amendment to Prosecutor Agreement 2026 \\$36,050.00.docx](#)
[Res No. 79-2024 Exhibit A Fourth Amendment Employee Agreement Rocco.pdf](#)

RESOLUTION NO. 79-2024

Introduced by Mark Claus

A RESOLUTION APPROVING A FOURTH AMENDMENT TO THE PROSECUTOR AGREEMENT WITH ANDREA F. ROCCO FOR THE PROVISION OF LEGAL SERVICES AS PROSECUTING ATTORNEY FOR THE CITY OF HURON THROUGH DECEMBER 31, 2026.

WHEREAS, Andrea F. Rocco is currently serving as prosecuting attorney for the City of Huron pursuant to a Prosecutor Agreement, as amended, expiring on December 31, 2024; and

WHEREAS, the City and Ms. Rocco have determined that it is in the best interest of the City and the residents of the City to enter into a Fourth Amendment to Prosecutor Agreement with Andrea F. Rocco for prosecuting attorney services through December 31, 2026 in the Huron Municipal Court.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. The Huron City Council authorizes the City Manager to execute the Fourth Amendment to Prosecutor Agreement between Andrea F. Rocco and the City of Huron for prosecuting attorney services through December 31, 2026, said agreement to be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

FOURTH AMENDMENT TO PROSECUTOR AGREEMENT

This Fourth Amendment to Prosecutor Agreement (herein called "Fourth Amendment") by and between the City of Huron, Ohio, a Charter Municipality (hereinafter referred to as "City") and Andrea F. Rocco (hereinafter referred to as "Attorney") (with City and Attorney being individually referred to herein as "Party" and collectively referred to herein as "Parties"), is to EVIDENCE THAT:

WHEREAS, the Parties entered into a certain Employment Agreement ("Agreement") on or about December 15, 2021 to permit Attorney to serve as Prosecutor for the City; and

WHEREAS, effective March 22, 2022, the Parties entered into a First Amendment to Employment Agreement to, *inter alia*, restyle and retitle the Agreement as a "Prosecutor Agreement," and to extend the term of the Agreement to 11:59 p.m. Eastern Standard Time on December 31, 2022; and

WHEREAS, effective December 31, 2022, the Parties entered into a Second Amendment to Prosecutor Agreement to extend the term of the Agreement, as amended, to 11:59 p.m. on December 31, 2023; and

WHEREAS, effective December 31, 2023, the Parties entered into a Third Amendment to Prosecutor Agreement to extend the term of the Agreement, as amended, to 11:59 p.m. on December 31, 2024; and

WHEREAS, pursuant to Section 7.4 of the Agreement, the Parties desire to modify the Agreement to extend the term of same as provided herein.

NOW, THEREFORE, in consideration of the mutual covenants and promises made in this Fourth Amendment, and other valuable consideration (the receipt and sufficiency of which are hereby acknowledged), the Parties agree as follows:

1. As of December 31, 2024 (the "Effective Date"), the second and third sentences of Section 2.1 of the Agreement shall be deleted in their entirety and replaced with the following:

"The term of this Agreement shall expire as of 11:59 p.m. Eastern Standard Time on December 31, 2026. Either party hereto may terminate this Agreement, for any or no reason, on ninety (90) days prior written notice to the other party."

2. The annual salary to be paid to Attorney pursuant to Section 3.1 of the Agreement shall be increased to \$36,050.00 effective and paid from January 1, 2025 to December 31, 2025 in bi-weekly installments, and shall be increased to \$37,131.50 effective and paid from January 1, 2026 to December 31, 2026 in bi-weekly installments.

3. All provisions of the Agreement (as amended) not modified by this Fourth Amendment shall remain in full force and effect.

[Document Continued On Next Page]

IN WITNESS WHEREOF, the Parties have caused this Fourth Amendment to be executed as of the dates referenced below.

City of Huron

By: _____
Matt Lasko, City Manager

Andrea F. Rocco, Esq.

Date: _____

Date: _____

"City"

"Attorney"

Approved as to form:

Todd A. Schrader, Esq., Law Director



TO: Mayor Tapp and City Council
FROM: Jen Kilbury
RE: Ordinance No. 2024-45 (**first reading**) (*submitted by Chief Graham*)
DATE: November 12, 2024

Subject Matter/Background

The Safety Committee was requested to look at a traffic flow pattern around the schools to try to assist in minimizing bottle necks during peak traffic flows. It was requested to make a No Right Turn onto Maple Ave from Lake Erie Parkway during the hours of 7AM-8AM and 2PM-4PM; and a No Parking, Stopping, or Standing on Maple Ave. between Buckeye and Deerwood both sides of the roads, and on the west side of Ohio Street between McCormick and Cleveland Road, West, and on Jim Campbell Blvd., and from the Gym Access Road to the handicapped parking area.

Safety Committee discussed adding the following yellow advisory signs at Woodlands 1. School Traffic Exit Left (1 sign on the east corner of Deerwood and Maple Ave) and 2. Do Not Enter (2 signs at the south end of Buckeye and Maple Ave.). These yellow signs do not need legislation as they are advisory signs only.

Financial Review

There is no financial impact relating to this resolution, other than the purchase of signs, which are included in the Streets Department's 2024 budget.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion placing Ordinance No. 2024-45 on its first reading is in order.

[Ordinance No. 2024-45 Traffic Control Map No Parking Standing Stopping Woodlands McCormick Huron High School \(2\).docx](#)

ORDINANCE NO. 2024-45
Introduced by William Biddlecombe

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 305.01, TRAFFIC CONTROL MAP, AND CODIFIED ORDINANCE SECTION 305.02, TRAFFIC CONTROL FILE, REGARDING NO RIGHT TURN 7AM – 8AM AND 2PM – 4PM ON MAPLE AVE FROM LAKE ERIE PARKWAY; AND NO PARKING, STOPPING OR STANDING ON BOTH SIDES OF MAPLE AVE ANYTIME BETWEEN BUCKEYE ROAD AND DEERWOOD ROAD , AND ON THE WEST SIDE OF OHIO STREET BETWEEN MCCORMICK TO CLEVELAND ROAD WEST, AND ON JIM CAMPBELL BLVD., FROM THE GYM ACCESS ROAD TO THE HANDICAPPED PARKING AREA WITHIN THE CITY OF HURON, OHIO.

WHEREAS, on October 23, 2024, the Safety Committee made a recommendation to Council to add a No Right Turn 7AM-8AM and 2PM-4PM on Maple Ave. from Lake Erie Parkway and to add No Parking, Stopping or Standing anytime signs in designated areas around Woodlands, McCormick Junior High and Huron High School.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That pursuant to Codified Ordinance Section 305.03(b), Amendments, amendments are hereby made to Codified Ordinance 305.01, Traffic Control Map, and Codified Ordinance Section 305.02, as follows:

No Right Turn on Maple Ave. from Lake Erie Parkway between 7AM – 8AM and 2PM – 4PM;
No Parking, Stopping, or Standing anytime on Maple Ave between Buckeye Road and Deerwood Road on both sides of the road, and the west side of Ohio Street between McCormick School and Cleveland Road, West, and on Jim Campbell Blvd., and from the Gym Access Road to the Handicapped Parking Area.

SECTION 4. That the Service Director shall oversee the erection, removal and maintenance of only those authorized traffic control signals and devices as are necessary to regulate, warn or guide traffic in accordance with the provisions of this Ordinance.

SECTION 5. That the Division of Police shall amend the Traffic Control Map and Traffic Control File in accordance with the provisions of this Ordinance.

SECTION 3. That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22

SECTION 4. That this Ordinance shall take effect and be in full force from and after the time period contained in Section 3.06 of the Charter of the City of Huron.

Monty Tapp, Mayor

ATTEST: _____

Clerk of Council

ADOPTED: _____



TO: Mayor Tapp and City Council
FROM: Matthew Lasko
RE: Ordinance No. 2024-47 **(first reading)** *(submitted by Matt Lasko)*
DATE: November 12, 2024

Subject Matter/Background

Code Amendments- Section 1137.03 Yard Modifications, and Sections 1123.01-1123.04-Residential Codes -

Staff reached out to Legal regarding the current code language in Section 1137.03(a) Average Depth of Front Yards. This section is applied to determine the front yard setback (home including porches to the front property line) The most common applications that this would affect would be a front yard addition, addition of a porch, demo/rebuild, new home in existing neighborhood. While required to be applied, there is no reference to Section 1137.03(a), in the Residential code Sections 1123.01 thru 1123.04- in fact, there is conflicting language as these sections each specify their own Front Yard Setback distances.

With the assistance of Legal, the draft amendments now provide both Staff and the public clear language regarding the averaging and references to this section in each of the respective Residential Code Sections.

Financial Review

No financial impact.

Legal Review

The matter has been reviewed, follows normal administrative procedure

Recommendation

If Council is in agreement with the request, a motion placing Ordinance No. 2024-47 on its first reading is in order.

[Ordinance No. 2024-47 Amending and Replacing Section 1137.03 \(Yard Modifications\).docx](#)

[Ordinance No. 2024-47 EXHIBITS A & B - 1137 \(redline\).pdf](#)

[Ordinance No. 2024-47 EXHIBITS A & B - 1137.03.pdf](#)

[Ordinance No. 2024-47 EXHIBIT C - 1123 Residence Districts.pdf](#)

[Ordinance No. 2024-47 EXHIBIT D - 1123 Residence Districts \(redline\).pdf](#)

[Ordinance No. 2024-47 EXHIBIT D - 1123 Residence Districts.pdf](#)

ORDINANCE NO. 2024-47
Introduced by: Sam Artino

AN ORDINANCE AMENDING AND REPLACING SECTION 1137.03 (YARD MODIFICATIONS) OF THE HURON CODIFIED ORDINANCES AND AMENDING AND RESTATING CHAPTER 1123 (RESIDENCE DISTRICTS) TO ADD RELATED CROSS REFERENCES.

WHEREAS, the City of Huron has adopted a comprehensive Zoning Code to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the City and to allow for the orderly growth and development of the land within the corporate limits of the City.

WHEREAS, the current code language in Section 1137.03(a) Average Depth of Front Yards conflicts with Sections 1123.01 through 1123.04 of Chapter 1123 Residence Districts and leads to difficulty in interpretation and implementation of the code to achieve the purpose of the Zoning Code; and

WHEREAS, the City Staff requested that amendments be made to Section 1137.03 to eliminate confusion and allow for more consistent placement of homes for uniformity and promotion of the purposes of the City's Zoning Code; and

WHEREAS, the existing Sections 1123.01 through 1123.04 of Chapter 1123 Residence Districts lack cross reference to Section 1137.03(a), leading to confusion as to the applicability and interpretation of the Zoning Code; and

WHEREAS, the Council believes it is in the best interests of the City to amend and replace Section 1137.03 Yard Modifications of the Huron Codified Ordinances and to amend and restate Chapter 1123 Residence Districts to add necessary and related cross references to assure a more consistent, uniform, and clear interpretation and implementation of the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

Section 1. That Section 1137.03(a) Average Depth of Front Yards of Chapter 1137 (Exceptions and Modifications) of the Codified Ordinances of the City of Huron, Ohio, which currently reads as follows (see Exhibit A attached hereto and incorporated herein by reference), shall be and is hereby amended to read as follows (see Exhibit B attached hereto and incorporated herein by reference).

Section 2. That Chapter 1123 (Residence Districts) of the Codified Ordinances of the City of Huron, Ohio, which currently reads as follows (see Exhibit C attached hereto and incorporated herein by reference), shall be and is hereby amended and restated to read as follows (see Exhibit D attached hereto and incorporated herein by reference).

Section 3. That it is 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 of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to authorize the Mayor and/or Council to take any and all measures to protect the public and the City's employees from contracting and/or spreading the COVID-19, thus for the public health, safety and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.

Monty Tapp, Mayor

ATTEST:

Clerk of Council

ADOPTED:

EXHIBIT A

1137.03 YARD MODIFICATIONS.

(a) Average Depth of Front Yards. In any R District, where the average depth of at least two existing front yards on lots within 100 feet of the lot in question and within the same block front is less or greater than the least front yard depth prescribed elsewhere in this chapter, the required depth of the front yard on such lot shall be modified. In such case, this shall not be less than the average depth of the existing front yards on the two lots immediately adjoining, provided however, that the depth of a front yard on any lot shall be at least ten feet and need not exceed fifty feet.

In any R District where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along such line, of such a degree or percent of slope that it is not practicable to provide a driveway with a grade of twelve percent (12%) or less to a private garage conforming to the requirements of this chapter, such garage may be located within such front yard, but not in any case closer than six feet to the street line.

Buildings on lots having frontage on two nonintersecting streets need not have a rear yard if an equivalent open space is provided however on both streets.

(b) Computing Rear and Side Yards. In computing the depth of a rear yard or the width of a side yard, where the rear or side yard abuts an alley, one-half of the width of the alley may be included as a portion of the required rear or side yard, as the case may be, provided however, that no side yard shall be less at any point than three feet and no rear yard less than ten feet.

(c) Side Yard Modifications. Each side yard, where required, shall be increased in width by two inches for each foot by which the length of the side wall of the building adjacent to the side yard exceeds forty feet.

Side yard width may be varied where the side wall of a building is not parallel with the side lot line or is broken or otherwise irregular. In such case, the average width of the side yard shall not be less than the otherwise required least width, provided however, that such side yard is not narrower at any point than one-half the otherwise required least width, or narrower than three feet in any case.

A side yard along the side street lot line of a corner lot, which lot abuts in the rear either directly or across an alley, the side lot line of another lot in an R District, shall have a width of not less than one-half the required depth of the front yard on such other lot fronting the side street. (Ord. 1990-20. Passed 11-26-90.)

EXHIBIT B

1137.03 YARD MODIFICATIONS.

(a) Average Depth of Front Yards. ~~In any R District, where the average depth of at least two existing front yards on lots within 100 feet of the lot in question and within the same block front is less or greater than the least front yard depth prescribed elsewhere in this chapter, the required depth of the front yard on such lot shall be modified. In such case, this shall not be less than the average depth of the existing front yards on the two lots immediately adjoining, provided however, that the depth of a front yard on any lot shall be at least ten feet and need not exceed fifty feet. The required minimum front yard depth of any lot in any R District shall be modified to be at least equal to the average front yard depth of lots immediately adjoining it and within the same block front. Such modification will be made only if such average front yard depth is not equal to the required minimum front yard depth. The modified required minimum front yard depth of such lot shall be at least ten feet and not exceed fifty feet. If any immediately adjoining lot is vacant, then the front yard depth of such immediately adjoining lot will be presumed to be the required minimum front yard depth.~~

In any R District where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along such line, of such a degree or percent of slope that it is not practicable to provide a driveway with a grade of twelve percent (12%) or less to a private garage conforming to the requirements of this chapter, such garage may be located within such front yard, but not in any case closer than six feet to the street line.

Buildings on lots having frontage on two nonintersecting streets need not have a rear yard if an equivalent open space is provided however on both streets.

(b) Computing Rear and Side Yards. In computing the depth of a rear yard or the width of a side yard, where the rear or side yard abuts an alley, one-half of the width of the alley may be included as a portion of the required rear or side yard, as the case may be, provided however, that no side yard shall be less at any point than three feet and no rear yard less than ten feet.

(c) Side Yard Modifications. Each side yard, where required, shall be increased in width by two inches for each foot by which the length of the side wall of the building adjacent to the side yard exceeds forty feet.

Side yard width may be varied where the side wall of a building is not parallel with the side lot line or is broken or otherwise irregular. In such case, the average width of the side yard shall not be less than the otherwise required least width, provided however, that such side yard is not narrower at any point than one-half the otherwise required least width, or narrower than three feet in any case.

A side yard along the side street lot line of a corner lot, which lot abuts in the rear either directly or across an alley, the side lot line of another lot in an R District, shall have a width of not less than one-half the required depth of the front yard on such other lot fronting the side street. (Ord. 1990-20. Passed 11-26-90.)

EXHIBIT A

1137.03 YARD MODIFICATIONS.

(a) Average Depth of Front Yards. In any R District, where the average depth of at least two existing front yards on lots within 100 feet of the lot in question and within the same block front is less or greater than the least front yard depth prescribed elsewhere in this chapter, the required depth of the front yard on such lot shall be modified. In such case, this shall not be less than the average depth of the existing front yards on the two lots immediately adjoining, provided however, that the depth of a front yard on any lot shall be at least ten feet and need not exceed fifty feet.

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Buildings on lots having frontage on two nonintersecting streets need not have a rear yard if an equivalent open space is provided however on both streets.

(b) Computing Rear and Side Yards. In computing the depth of a rear yard or the width of a side yard, where the rear or side yard abuts an alley, one-half of the width of the alley may be included as a portion of the required rear or side yard, as the case may be, provided however, that no side yard shall be less at any point than three feet and no rear yard less than ten feet.

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Side yard width may be varied where the side wall of a building is not parallel with the side lot line or is broken or otherwise irregular. In such case, the average width of the side yard shall not be less than the otherwise required least width, provided however, that such side yard is not narrower at any point than one-half the otherwise required least width, or narrower than three feet in any case.

A side yard along the side street lot line of a corner lot, which lot abuts in the rear either directly or across an alley, the side lot line of another lot in an R District, shall have a width of not less than one-half the required depth of the front yard on such other lot fronting the side street. (Ord. 1990-20. Passed 11-26-90.)

EXHIBIT B

1137.03 YARD MODIFICATIONS.

(a) Average Depth of Front Yards. The required minimum front yard depth of any lot in any R District shall be modified to be at least equal to the average front yard depth of lots immediately adjoining it and within the same block front. Such modification will be made only if such average front yard depth is not equal to the required minimum front yard depth. The modified required minimum front yard depth of such lot shall be at least ten feet and not exceed fifty feet. If any immediately adjoining lot is vacant, then the front yard depth of such immediately adjoining lot will be presumed to be the required minimum front yard depth.

In any R District where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along such line, of such a degree or percent of slope that it is not practicable to provide a driveway with a grade of twelve percent (12%) or less to a private garage conforming to the requirements of this chapter, such garage may be located within such front yard, but not in any case closer than six feet to the street line.

Buildings on lots having frontage on two nonintersecting streets need not have a rear yard if an equivalent open space is provided however on both streets.

(b) Computing Rear and Side Yards. In computing the depth of a rear yard or the width of a side yard, where the rear or side yard abuts an alley, one-half of the width of the alley may be included as a portion of the required rear or side yard, as the case may be, provided however, that no side yard shall be less at any point than three feet and no rear yard less than ten feet.

(c) Side Yard Modifications. Each side yard, where required, shall be increased in width by two inches for each foot by which the length of the side wall of the building adjacent to the side yard exceeds forty feet.

Side yard width may be varied where the side wall of a building is not parallel with the side lot line or is broken or otherwise irregular. In such case, the average width of the side yard shall not be less than the otherwise required least width, provided however, that such side yard is not narrower at any point than one-half the otherwise required least width, or narrower than three feet in any case.

A side yard along the side street lot line of a corner lot, which lot abuts in the rear either directly or across an alley, the side lot line of another lot in an R District, shall have a width of not less than one-half the required depth of the front yard on such other lot fronting the side street. (Ord. 1990-20. Passed 11-26-90.)

**CHAPTER 1123
Residence Districts**

| | |
|---|---|
| 1123.01 R-1 One-Family Residence District. | 1123.03 R-2 One and Two-Family Residence District. |
| 1123.02 R-1-A One-Family Residence District. | 1123.04 R-3 Multi-Family Residence District. |

CROSS REFERENCES

Animal and fowl - see GEN. OFF. Ch. 505
 Home sales in residential districts - see BUS. REG. Ch. 741
 Districts established; boundaries; general regulations - see
 P. & Z. Ch. 1121
 Special provisions - see P. & Z. Ch. 1126
 Exceptions and modifications - see P. & Z. Ch. 1137

1123.01 R-1 ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses except as provided in Section 1121.07:

- (1) One-family detached dwellings.
- (2) Churches and other places of worship and Sunday school buildings located not less than twenty feet from any other lot in and R-District; schools and colleges for academic instruction, located not less than forty feet, and public libraries, public museums, public art galleries and similar public cultural uses, located not less than twenty feet from any other lot in any R-District; cemeteries.
- (3) Public parks, playgrounds, golf courses or country clubs, provided that any principal building used therefore shall be located not less than forty feet from any other lot in any R-District.
- (4) Nurseries, greenhouses, and general farming, not including commercial animal farms or kennels, provided any lot or tract in such use shall be not less than five acres in area and provide that any greenhouse heating plant or any building in which farm animals are kept shall be distant not less than 200 feet from every lot line.
- (5) Essential services as defined in Section 1121.04.
- (6) Licensed adult family homes as defined in Ohio R.C. 3722.01.
- (7) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests. (Ord. 1990-20. Passed 11-26-90.)

- A. “Residential Premises” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.
- B. “Transient Guests” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.
(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

- (1) Private noncommercial recreation areas and facilities not listed above including tennis courts and club swimming pools, provided that no such swimming pool is located nearer than 100 feet from any other lot in any R-District.
- (2) Static transformer stations, booster stations and other utility stations when operating requirements necessitate locating in an R-1 District in order to serve the neighborhood; provided there is no yard or garage for service or storage and provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.
- (3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R-District.
- (4) Seasonal dormitories for human habitation in publicly owned school buildings.
- (5) Planned development projects, subject to the provisions of Section 1126.05.
(Ord. 1990-20. Passed 11-26-90.)
- (6) Any nonprofit fraternal organization, but not to include residential uses.
(Ord. 1993-7. Passed 5-24-93.)

(c) Accessory Uses. Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected or constructed, provided that such accessory uses do not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity, or any billboard, sign or poster other than hereinafter authorized, and not including the boarding of animals or the keeping of fowl or farm animals except in a building at least 100 feet distant from every lot line. Accessory uses may include the following:

- (1) Gardening, the raising of fruits or vegetables, including an incidental roadside stand offering for sale produce grown on the premises, the keeping of domestic or farm animals exclusively for the use of residents of the premises and not for commercial purposes, provided that any heating plant and any structures in which farm animals are kept are located at least 100 feet from every lot line.
- (2) Home occupations, which by definition shall be limited to occupations remunerative in nature carried on in a dwelling solely by persons residing on the premises, such activity not involving the conduct of a retail business or manufacturing business. In connection with such home occupation, there shall be no sign or display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; no commodity shall be sold upon the premises; no parking space or spaces shall be provided or designated

to accommodate the home occupation use; no bulk delivery or sending of goods shall be permitted to service the home occupation use, all materials being delivered and sent are required to be so transported within the confines of a normal passenger automobile; not more than twenty-five percent (25%) of the total actual floor area of only one story shall be utilized for such home occupation; there shall be no exterior storage of equipment or materials used in connection with such home occupation; no mechanical or electrical equipment shall be used except such as is permissible for purely domestic or household purposes; no objectionable odor, noise, radio interference or other nuisance shall be created; and no accessory building shall be used for such home occupation. A professional person may use his residence for infrequent consultation, emergency treatment or performance of religious rites, but not for the general practice of his profession.

- (3) Garages, carports or other parking spaces for the exclusive use of residents of the premises.
- (4) Swimming pools, exclusively for the use of residents and their guests provided that such pool or premises or part thereof whereon such pool is located shall be completely enclosed by a protective fence, wall or other enclosure, not less than four feet in height.
- (5) Real estate, small announcement and professional signs subject to the provisions of Chapter 1126, and such other applicable provisions of the Zoning Code.
- (6) Moorages for private pleasure watercraft for the exclusive use of the residents of the premises. Moorage for no more than five pleasure watercraft per dwelling unit is permitted. Rental of moorage or pleasure watercraft in a residential zone is strictly prohibited, as is use by other than blood relatives of the residents of the premises for periods totaling more than ten days in any one calendar year. (Moorage of occupied houseboats, or other lived-in watercraft, is not permitted where the moorage is not a part of a residential site containing a residence with full cooking and sanitary facilities.) Moorage of occupied houseboats or other lived-in watercraft, is not permitted where the occupants of the craft, plus the occupants of the on-shore residence or residences, result in occupation of the site by a number of families in excess of that permitted in that residential zone and the occupants are not blood relatives, for periods in excess of ten days and/or totaling more than twenty days of houseboat unit use in any one calendar year.
(Ord. 1990-20. Passed 11-26-90.)

(d) Height Regulations. No principal structure shall exceed thirty-five feet in height, and no detached accessory structure shall exceed one story or fifteen feet in height, except as provided in Section 1137.02.

EXHIBIT C

1123.02

PLANNING AND ZONING CODE

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(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided in this Zoning Ordinance:

| Dwelling (Stories) | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Front Yard Depth (Ft.) | <u>Side Yards</u> | | Rear Yard Depth (Ft.) |
|-----------------------|-----------------------|--------------------------|---------------------------------|-------------------------|--------------------------|--------------------------------|
| | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| 1 | 9,000 | 75 | 30 | 7 | 15 | 30 |
| 2 | 9,000 | 75 | 30 | 8 | 20 | 30 |

In the case of cul-de-sac turnaround or curvilinear streets or where usual circumstances force irregular lots, the minimum width of the lot shall be seventy-five feet measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet.

Other permitted uses (except agricultural):

| | | | | | | |
|-----------|--------|---------|--------|--------|--------|--------|
| 1 story | 16,000 | 100 ft. | 30 ft. | 12 ft. | 30 ft. | 40 ft. |
| 2 stories | 16,000 | 100 ft. | 30 ft. | 15 ft. | 35 ft. | 40 ft. |

(Ord. 2005-29. Passed 2-14-05.)

1123.02 R-1-A ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses, except as provided in Section 1121.07:

- (1) One-family detached dwellings;
- (2) Public parks and playgrounds;
- (3) Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District; and
(Ord. 2020-3. Passed 3-10-20.)
- (4) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests, as those terms are defined in Section 1121.04(69) and Section 1369.98 of the Codified Ordinances.
(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

- (1) Private noncommercial recreation areas and facilities including tennis courts and swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.
- (2) Static transformer stations, booster stations and other utility stations, when operating requirements necessitate locating in an R-1-A District in order to serve the neighborhood; provided there is no yard or garage for service or storage and, provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

EXHIBIT C

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Residence Districts

1123.03

- (3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.
- (4) Planned development projects, subject to the provisions of Section 1126.05.

The following minimum requirements shall be observed except as otherwise provided herein:

| Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|-----------------------|--------------------------|------------------------------|-------------------|--------------------|--------------------------|
| | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| 4500 | 60 | 15 | 7 | 15 | 15 |

(Ord. 1990-20. Passed 11-26-90.)

1123.03 R-2 ONE AND TWO-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 District, and as hereinafter specified in this section: Two-family dwellings. Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Zoning and Building Appeals in accordance with the provisions of Section 1139.02; any conditionally permitted use as regulated in the R-1 District, and as hereinafter modified:

- (1) Dwelling groups.
- (2) Dwellings for any number of families located on a lot adjoining and within 100 feet of a less restricted district or on a lot abutting a primary or secondary thoroughfare as shown on the official Thoroughfare Plan of the City, provided all height, area and yard requirements for a four-family dwelling in an R-2 District are met.
- (3) Planned development projects, subject to the provisions of Section 1126.05.
- (4) Any general hospital for human care, religious and charitable institution, not less than 100 feet distant from any other in any R District.
- (5) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, provided that no such swimming pool is located nearer than 100 feet to any other lot in any R District.

(c) Accessory Uses. Accessory uses or structures permitted and as regulated in the R-1 District; except that the raising or keeping of farm animals shall not be permitted on any lands used or platted for residential purposes; the keeping of not more than three roomers or boarders by a resident family in a structure that is not a bed and breakfast residence.

(d) Height Regulations. Same as specified in R-1 District.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided herein:

EXHIBIT C

1123.04

PLANNING AND ZONING CODE

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| | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Lot Area Per Family (Sq. Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|--------------------------------------|-----------------------|--------------------------|-------------------------------------|------------------------------|----------------------|-----------------------|--------------------------|
| | | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| One Family Dwelling (Stories) | | | | | | | |
| 1 and 1-1/2 | 7,000 | 60 | | 25 | 7 | 15 | 30 |
| 2 and 2-1/2 | 7,000 | 60 | | 25 | 8 | 20 | 30 |
| Two Family Dwellings (Stories) | | | | | | | |
| 1 and 1-1/2 | 7,000 | 60 | 3,500 | 25 | 8 | 20 | 30 |
| 2 and 2-1/2 | 7,000 | 60 | 3,500 | 25 | 10 | 24 | 30 |
| Dwelling Groups | 9,000 | 70 | 4,500 | 25 | 12 | 30 | 30 |

In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum width of the lot shall be sixty feet measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet. (Ord. 1990-20. Passed 11-26-90.)

1123.04 R-3 MULTI-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 and R-2 Districts and as hereinafter specified in this section: multi-family dwellings for any number of families or housekeeping units.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Building and Zoning Appeals in accordance with the provisions of Section 1139.02, any conditionally permitted use as regulated in an R-2 District and as hereinafter specified:

- (1) Motels, motor hotels and tourist homes, on premises only that front on a street officially designated as a state or federal highway or primary thoroughfare as designed on the Thoroughfare Plan, and subject to the provisions of Section 1126.02.
- (2) Fraternities, sororities, private clubs, lodges, and meeting places for other similar organizations, not including those that are ordinarily conducted as a gainful business; provided all buildings in which such organizations or activities are housed shall be located at least twenty feet from any lot in any R-1 District.
- (3) Planned development projects, subject to the provisions of Section 1126.05.
- (4) Apartment hotels, lodging houses, boarding houses for any number of guests, but not primarily for transients; dormitories.
- (5) Clinics for human care, convalescent homes, nursing homes, homes for the aged, group retirement homes, children's nurseries and preschool facilities.

EXHIBIT C

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Residence Districts

1123.04

- (6) Professional offices, and offices of financial, insurance, real estate, civic, educational, religious, and philanthropic establishments or organizations, funeral homes, when located only on premises that front on an officially designated state or federal highway, or on a street designated as a primary or secondary thoroughfare under the Thoroughfare Plan.
- (7) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.
- (8) Dwelling groups.
- (9) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.
- (10) Attached single-family dwellings
- (11) Patio homes.

(c) Accessory Uses. Any accessory use or structure permitted and as regulated in the R-2 district, and any accessory use or structure customarily incident to accessory to a principal permitted use or conditionally permitted use in the R-3 District.

(d) Height Regulations. No principal structure shall exceed three stories or forty feet in height and no accessory structure shall exceed two stories or twenty-five feet in height except as provided in Section 1137.02.

(e) Lot Area, Frontage and Yard Requirements.

| | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Lot Area Per Family (Sq. Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|--|-----------------------|--------------------------|-------------------------------------|------------------------------|----------------------|-----------------------|--------------------------|
| | | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| One and Two-Family Dwellings and Dwelling Groups | Same as R-2 | | | | | | |
| Attached Single Family Dwellings | 3,500 | 35 | 3,500 | 25 | 0* | 0* | 30 |
| Patio Homes | 3,500 | 50 | 3,400 | 25 | 0* | 16** | 10 |
| Multi-Family Dwellings Stories 1-1 ½ | 8,000 | 60 | 3,000 | 25 | 6 | 16 | 40 |
| 2-2 ½ | 8,000 | 60 | 3,000 | 25 | 10 | 20 | 40 |
| 3 | 8,000 | 60 | 3,000 | 25 | 12 | 25 | 45 |
| In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum width of the lot shall be sixty feet measured at the building setback lines, provided, however, that the frontage at the street shall be not less than thirty feet. | | | | | | | |

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| | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Lot Area Per Family (Sq. Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|------------|-----------------------|--------------------------|-------------------------------------|------------------------------|----------------------|-----------------------|--------------------------|
| | | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| Motels | 10,000 | 80 | - | 25 | 10 | 20 | 40 |
| Other Uses | Same as R-2 | | | | | | |

* Zero-lot-line; minimum of 10 feet at end units.

** 16 feet minimum between buildings where not zero-lot-line.

(Ord. 2010-42. Passed 12-14-10.)

**CHAPTER 1123
Residence Districts**

| | |
|---|---|
| 1123.01 R-1 One-Family Residence District. | 1123.03 R-2 One and Two-Family Residence District. |
| 1123.02 R-1-A One-Family Residence District. | 1123.04 R-3 Multi-Family Residence District. |

CROSS REFERENCES

Animal and fowl - see GEN. OFF. Ch. 505
Home sales in residential districts - see BUS. REG. Ch. 741
Districts established; boundaries; general regulations - see
P. & Z. Ch. 1121
Special provisions - see P. & Z. Ch. 1126
Exceptions and modifications - see P. & Z. Ch. 1137

1123.01 R-1 ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses except as provided in Section 1121.07:

- (1) One-family detached dwellings.
- (2) Churches and other places of worship and Sunday school buildings located not less than twenty feet from any other lot in and R-District; schools and colleges for academic instruction, located not less than forty feet, and public libraries, public museums, public art galleries and similar public cultural uses, located not less than twenty feet from any other lot in any R-District; cemeteries.
- (3) Public parks, playgrounds, golf courses or country clubs, provided that any principal building used therefore shall be located not less than forty feet from any other lot in any R-District.
- (4) Nurseries, greenhouses, and general farming, not including commercial animal farms or kennels, provided any lot or tract in such use shall be not less than five acres in area and provide that any greenhouse heating plant or any building in which farm animals are kept shall be distant not less than 200 feet from every lot line.
- (5) Essential services as defined in Section 1121.04.
- (6) Licensed adult family homes as defined in Ohio R.C. 3722.01.
- (7) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests. (Ord. 1990-20. Passed 11-26-90.)

- A. “Residential Premises” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.
- B. “Transient Guests” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.
(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

- (1) Private noncommercial recreation areas and facilities not listed above including tennis courts and club swimming pools, provided that no such swimming pool is located nearer than 100 feet from any other lot in any R-District.
- (2) Static transformer stations, booster stations and other utility stations when operating requirements necessitate locating in an R-1 District in order to serve the neighborhood; provided there is no yard or garage for service or storage and provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.
- (3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R-District.
- (4) Seasonal dormitories for human habitation in publicly owned school buildings.
- (5) Planned development projects, subject to the provisions of Section 1126.05.
(Ord. 1990-20. Passed 11-26-90.)
- (6) Any nonprofit fraternal organization, but not to include residential uses.
(Ord. 1993-7. Passed 5-24-93.)

(c) Accessory Uses. Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected or constructed, provided that such accessory uses do not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity, or any billboard, sign or poster other than hereinafter authorized, and not including the boarding of animals or the keeping of fowl or farm animals except in a building at least 100 feet distant from every lot line. Accessory uses may include the following:

- (1) Gardening, the raising of fruits or vegetables, including an incidental roadside stand offering for sale produce grown on the premises, the keeping of domestic or farm animals exclusively for the use of residents of the premises and not for commercial purposes, provided that any heating plant and any structures in which farm animals are kept are located at least 100 feet from every lot line.
- (2) Home occupations, which by definition shall be limited to occupations remunerative in nature carried on in a dwelling solely by persons residing on the premises, such activity not involving the conduct of a retail business or manufacturing business. In connection with such home occupation, there shall be no sign or display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; no commodity shall be sold upon the premises; no parking space or spaces shall be provided or designated

to accommodate the home occupation use; no bulk delivery or sending of goods shall be permitted to service the home occupation use, all materials being delivered and sent are required to be so transported within the confines of a normal passenger automobile; not more than twenty-five percent (25%) of the total actual floor area of only one story shall be utilized for such home occupation; there shall be no exterior storage of equipment or materials used in connection with such home occupation; no mechanical or electrical equipment shall be used except such as is permissible for purely domestic or household purposes; no objectionable odor, noise, radio interference or other nuisance shall be created; and no accessory building shall be used for such home occupation. A professional person may use his residence for infrequent consultation, emergency treatment or performance of religious rites, but not for the general practice of his profession.

- (3) Garages, carports or other parking spaces for the exclusive use of residents of the premises.
- (4) Swimming pools, exclusively for the use of residents and their guests provided that such pool or premises or part thereof whereon such pool is located shall be completely enclosed by a protective fence, wall or other enclosure, not less than four feet in height.
- (5) Real estate, small announcement and professional signs subject to the provisions of Chapter 1126, and such other applicable provisions of the Zoning Code.
- (6) Moorages for private pleasure watercraft for the exclusive use of the residents of the premises. Moorage for no more than five pleasure watercraft per dwelling unit is permitted. Rental of moorage or pleasure watercraft in a residential zone is strictly prohibited, as is use by other than blood relatives of the residents of the premises for periods totaling more than ten days in any one calendar year. (Moorage of occupied houseboats, or other lived-in watercraft, is not permitted where the moorage is not a part of a residential site containing a residence with full cooking and sanitary facilities.) Moorage of occupied houseboats or other lived-in watercraft, is not permitted where the occupants of the craft, plus the occupants of the on-shore residence or residences, result in occupation of the site by a number of families in excess of that permitted in that residential zone and the occupants are not blood relatives, for periods in excess of ten days and/or totaling more than twenty days of houseboat unit use in any one calendar year.
(Ord. 1990-20. Passed 11-26-90.)

(d) Height Regulations. No principal structure shall exceed thirty-five feet in height, and no detached accessory structure shall exceed one story or fifteen feet in height, except as provided in Section 1137.02.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided in this Zoning Ordinance:

| Dwelling (Stories) | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|-----------------------|-----------------------|--------------------------|---------------------------------|-------------------------|--------------------------|--------------------------------|
| | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| 1 | 9,000 | 75 | 30 | 7 | 15 | 30 |
| 2 | 9,000 | 75 | 30 | 8 | 20 | 30 |

In the case of cul-de-sac turnaround or curvilinear streets or where usual circumstances force irregular lots, the minimum width of the lot shall be seventy-five feet measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet.

Other permitted uses (except agricultural):

| | | | | | |
|-----------|--------|---------|--------|---------------|--------|
| 1 story | 16,000 | 100 ft. | 30 ft. | 12 ft. 30 ft. | 40 ft. |
| 2 stories | 16,000 | 100 ft. | 30 ft. | 15 ft. 35 ft. | 40 ft. |

(Ord. 2005-29. Passed 2-14-05.)

1123.02 R-1-A ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses, except as provided in Section 1121.07:

- (1) One-family detached dwellings;
- (2) Public parks and playgrounds;
- (3) Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District; and
(Ord. 2020-3. Passed 3-10-20.)
- (4) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests, as those terms are defined in Section 1121.04(69) and Section 1369.98 of the Codified Ordinances.
(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

- (1) Private noncommercial recreation areas and facilities including tennis courts and swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.
- (2) Static transformer stations, booster stations and other utility stations, when operating requirements necessitate locating in an R-1-A District in order to serve the neighborhood; provided there is no yard or garage for service or storage and, provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

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- (3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.
- (4) Planned development projects, subject to the provisions of Section 1126.05.

The following minimum requirements shall be observed except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided herein:

| Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|-----------------------|--------------------------|------------------------------|-------------------|--------------------|--------------------------|
| | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| 4500 | 60 | 15 | 7 | 15 | 15 |

(Ord. 1990-20. Passed 11-26-90.)

1123.03 R-2 ONE AND TWO-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 District, and as hereinafter specified in this section: Two-family dwellings.

Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Zoning and Building Appeals in accordance with the provisions of Section 1139.02; any conditionally permitted use as regulated in the R-1 District, and as hereinafter modified:

- (1) Dwelling groups.
- (2) Dwellings for any number of families located on a lot adjoining and within 100 feet of a less restricted district or on a lot abutting a primary or secondary thoroughfare as shown on the official Thoroughfare Plan of the City, provided all height, area and yard requirements for a four-family dwelling in an R-2 District are met.
- (3) Planned development projects, subject to the provisions of Section 1126.05.
- (4) Any general hospital for human care, religious and charitable institution, not less than 100 feet distant from any other in any R District.
- (5) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, provided that no such swimming pool is located nearer than 100 feet to any other lot in any R District.

(c) Accessory Uses. Accessory uses or structures permitted and as regulated in the R-1 District; except that the raising or keeping of farm animals shall not be permitted on any lands used or platted for residential purposes; the keeping of not more than three roomers or boarders by a resident family in a structure that is not a bed and breakfast residence.

(d) Height Regulations. Same as specified in R-1 District.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided herein:

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| | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Lot Area Per Family (Sq. Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|--------------------------------------|-----------------------|--------------------------|-------------------------------------|------------------------------|----------------------|-----------------------|--------------------------|
| | | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| One Family Dwelling (Stories) | | | | | | | |
| 1 and 1-1/2 | 7,000 | 60 | | 25 | 7 | 15 | 30 |
| 2 and 2-1/2 | 7,000 | 60 | | 25 | 8 | 20 | 30 |
| Two Family Dwellings (Stories) | | | | | | | |
| 1 and 1-1/2 | 7,000 | 60 | 3,500 | 25 | 8 | 20 | 30 |
| 2 and 2-1/2 | 7,000 | 60 | 3,500 | 25 | 10 | 24 | 30 |
| Dwelling Groups | 9,000 | 70 | 4,500 | 25 | 12 | 30 | 30 |

In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum width of the lot shall be sixty feet measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet. (Ord. 1990-20. Passed 11-26-90.)

1123.04 R-3 MULTI-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 and R-2 Districts and as hereinafter specified in this section: multi-family dwellings for any number of families or housekeeping units.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Building and Zoning Appeals in accordance with the provisions of Section 1139.02, any conditionally permitted use as regulated in an R-2 District and as hereinafter specified:

- (1) Motels, motor hotels and tourist homes, on premises only that front on a street officially designated as a state or federal highway or primary thoroughfare as designed on the Thoroughfare Plan, and subject to the provisions of Section 1126.02.
- (2) Fraternities, sororities, private clubs, lodges, and meeting places for other similar organizations, not including those that are ordinarily conducted as a gainful business; provided all buildings in which such organizations or activities are housed shall be located at least twenty feet from any lot in any R-1 District.
- (3) Planned development projects, subject to the provisions of Section 1126.05.
- (4) Apartment hotels, lodging houses, boarding houses for any number of guests, but not primarily for transients; dormitories.
- (5) Clinics for human care, convalescent homes, nursing homes, homes for the aged, group retirement homes, children's nurseries and preschool facilities.

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- (e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided herein:

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| | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Lot Area Per Family (Sq. Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|------------|-----------------------|--------------------------|-------------------------------------|------------------------------|----------------------|-----------------------|--------------------------|
| | | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| Motels | 10,000 | 80 | - | 25 | 10 | 20 | 40 |
| Other Uses | Same as R-2 | | | | | | |

* Zero-lot-line; minimum of 10 feet at end units.

** 16 feet minimum between buildings where not zero-lot-line.

(Ord. 2010-42. Passed 12-14-10.)

**CHAPTER 1123
Residence Districts**

| | | | |
|----------------|---|----------------|---|
| 1123.01 | R-1 One-Family Residence District. | 1123.03 | R-2 One and Two-Family Residence District. |
| 1123.02 | R-1-A One-Family Residence District. | 1123.04 | R-3 Multi-Family Residence District. |

CROSS REFERENCES

Animal and fowl - see GEN. OFF. Ch. 505
Home sales in residential districts - see BUS. REG. Ch. 741
Districts established; boundaries; general regulations - see
P. & Z. Ch. 1121
Special provisions - see P. & Z. Ch. 1126
Exceptions and modifications - see P. & Z. Ch. 1137

1123.01 R-1 ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses except as provided in Section 1121.07:

- (1) One-family detached dwellings.
- (2) Churches and other places of worship and Sunday school buildings located not less than twenty feet from any other lot in and R-District; schools and colleges for academic instruction, located not less than forty feet, and public libraries, public museums, public art galleries and similar public cultural uses, located not less than twenty feet from any other lot in any R-District; cemeteries.
- (3) Public parks, playgrounds, golf courses or country clubs, provided that any principal building used therefore shall be located not less than forty feet from any other lot in any R-District.
- (4) Nurseries, greenhouses, and general farming, not including commercial animal farms or kennels, provided any lot or tract in such use shall be not less than five acres in area and provide that any greenhouse heating plant or any building in which farm animals are kept shall be distant not less than 200 feet from every lot line.
- (5) Essential services as defined in Section 1121.04.
- (6) Licensed adult family homes as defined in Ohio R.C. 3722.01.
- (7) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests. (Ord. 1990-20. Passed 11-26-90.)

- A. “Residential Premises” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.
- B. “Transient Guests” shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.
(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

- (1) Private noncommercial recreation areas and facilities not listed above including tennis courts and club swimming pools, provided that no such swimming pool is located nearer than 100 feet from any other lot in any R-District.
- (2) Static transformer stations, booster stations and other utility stations when operating requirements necessitate locating in an R-1 District in order to serve the neighborhood; provided there is no yard or garage for service or storage and provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.
- (3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R-District.
- (4) Seasonal dormitories for human habitation in publicly owned school buildings.
- (5) Planned development projects, subject to the provisions of Section 1126.05.
(Ord. 1990-20. Passed 11-26-90.)
- (6) Any nonprofit fraternal organization, but not to include residential uses.
(Ord. 1993-7. Passed 5-24-93.)

(c) Accessory Uses. Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected or constructed, provided that such accessory uses do not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity, or any billboard, sign or poster other than hereinafter authorized, and not including the boarding of animals or the keeping of fowl or farm animals except in a building at least 100 feet distant from every lot line. Accessory uses may include the following:

- (1) Gardening, the raising of fruits or vegetables, including an incidental roadside stand offering for sale produce grown on the premises, the keeping of domestic or farm animals exclusively for the use of residents of the premises and not for commercial purposes, provided that any heating plant and any structures in which farm animals are kept are located at least 100 feet from every lot line.
- (2) Home occupations, which by definition shall be limited to occupations remunerative in nature carried on in a dwelling solely by persons residing on the premises, such activity not involving the conduct of a retail business or manufacturing business. In connection with such home occupation, there shall be no sign or display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; no commodity shall be sold upon the premises; no parking space or spaces shall be provided or designated

to accommodate the home occupation use; no bulk delivery or sending of goods shall be permitted to service the home occupation use, all materials being delivered and sent are required to be so transported within the confines of a normal passenger automobile; not more than twenty-five percent (25%) of the total actual floor area of only one story shall be utilized for such home occupation; there shall be no exterior storage of equipment or materials used in connection with such home occupation; no mechanical or electrical equipment shall be used except such as is permissible for purely domestic or household purposes; no objectionable odor, noise, radio interference or other nuisance shall be created; and no accessory building shall be used for such home occupation. A professional person may use his residence for infrequent consultation, emergency treatment or performance of religious rites, but not for the general practice of his profession.

- (3) Garages, carports or other parking spaces for the exclusive use of residents of the premises.
- (4) Swimming pools, exclusively for the use of residents and their guests provided that such pool or premises or part thereof whereon such pool is located shall be completely enclosed by a protective fence, wall or other enclosure, not less than four feet in height.
- (5) Real estate, small announcement and professional signs subject to the provisions of Chapter 1126, and such other applicable provisions of the Zoning Code.
- (6) Moorages for private pleasure watercraft for the exclusive use of the residents of the premises. Moorage for no more than five pleasure watercraft per dwelling unit is permitted. Rental of moorage or pleasure watercraft in a residential zone is strictly prohibited, as is use by other than blood relatives of the residents of the premises for periods totaling more than ten days in any one calendar year. (Moorage of occupied houseboats, or other lived-in watercraft, is not permitted where the moorage is not a part of a residential site containing a residence with full cooking and sanitary facilities.) Moorage of occupied houseboats or other lived-in watercraft, is not permitted where the occupants of the craft, plus the occupants of the on-shore residence or residences, result in occupation of the site by a number of families in excess of that permitted in that residential zone and the occupants are not blood relatives, for periods in excess of ten days and/or totaling more than twenty days of houseboat unit use in any one calendar year.
(Ord. 1990-20. Passed 11-26-90.)

(d) Height Regulations. No principal structure shall exceed thirty-five feet in height, and no detached accessory structure shall exceed one story or fifteen feet in height, except as provided in Section 1137.02.

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(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided in this Zoning Ordinance:

| Dwelling (Stories) | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Front Yard Depth (Ft.) | <u>Side Yards</u> | | Rear Yard Depth (Ft.) |
|-----------------------|-----------------------|--------------------------|---------------------------------|-------------------------|--------------------------|--------------------------------|
| | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| 1 | 9,000 | 75 | 30 | 7 | 15 | 30 |
| 2 | 9,000 | 75 | 30 | 8 | 20 | 30 |

In the case of cul-de-sac turnaround or curvilinear streets or where usual circumstances force irregular lots, the minimum width of the lot shall be seventy-five feet measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet.

Other permitted uses (except agricultural):

| | | | | | |
|-----------|--------|---------|--------|---------------|--------|
| 1 story | 16,000 | 100 ft. | 30 ft. | 12 ft. 30 ft. | 40 ft. |
| 2 stories | 16,000 | 100 ft. | 30 ft. | 15 ft. 35 ft. | 40 ft. |

(Ord. 2005-29. Passed 2-14-05.)

1123.02 R-1-A ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses, except as provided in Section 1121.07:

- (1) One-family detached dwellings;
- (2) Public parks and playgrounds;
- (3) Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District; and
(Ord. 2020-3. Passed 3-10-20.)
- (4) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests, as those terms are defined in Section 1121.04(69) and Section 1369.98 of the Codified Ordinances.
(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

- (1) Private noncommercial recreation areas and facilities including tennis courts and swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.
- (2) Static transformer stations, booster stations and other utility stations, when operating requirements necessitate locating in an R-1-A District in order to serve the neighborhood; provided there is no yard or garage for service or storage and, provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

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- (3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.
- (4) Planned development projects, subject to the provisions of Section 1126.05.

The following minimum requirements shall be observed except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided herein:

| Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|-----------------------|--------------------------|------------------------------|-------------------|--------------------|--------------------------|
| | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| 4500 | 60 | 15 | 7 | 15 | 15 |

(Ord. 1990-20. Passed 11-26-90.)

1123.03 R-2 ONE AND TWO-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 District, and as hereinafter specified in this section: Two-family dwellings.

Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Zoning and Building Appeals in accordance with the provisions of Section 1139.02; any conditionally permitted use as regulated in the R-1 District, and as hereinafter modified:

- (1) Dwelling groups.
- (2) Dwellings for any number of families located on a lot adjoining and within 100 feet of a less restricted district or on a lot abutting a primary or secondary thoroughfare as shown on the official Thoroughfare Plan of the City, provided all height, area and yard requirements for a four-family dwelling in an R-2 District are met.
- (3) Planned development projects, subject to the provisions of Section 1126.05.
- (4) Any general hospital for human care, religious and charitable institution, not less than 100 feet distant from any other in any R District.
- (5) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, provided that no such swimming pool is located nearer than 100 feet to any other lot in any R District.

(c) Accessory Uses. Accessory uses or structures permitted and as regulated in the R-1 District; except that the raising or keeping of farm animals shall not be permitted on any lands used or platted for residential purposes; the keeping of not more than three roomers or boarders by a resident family in a structure that is not a bed and breakfast residence.

(d) Height Regulations. Same as specified in R-1 District.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided herein:

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| | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Lot Area Per Family (Sq. Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|--------------------------------------|-----------------------|--------------------------|-------------------------------------|------------------------------|----------------------|-----------------------|--------------------------|
| | | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| One Family Dwelling (Stories) | | | | | | | |
| 1 and 1-1/2 | 7,000 | 60 | | 25 | 7 | 15 | 30 |
| 2 and 2-1/2 | 7,000 | 60 | | 25 | 8 | 20 | 30 |
| Two Family Dwellings (Stories) | | | | | | | |
| 1 and 1-1/2 | 7,000 | 60 | 3,500 | 25 | 8 | 20 | 30 |
| 2 and 2-1/2 | 7,000 | 60 | 3,500 | 25 | 10 | 24 | 30 |
| Dwelling Groups | 9,000 | 70 | 4,500 | 25 | 12 | 30 | 30 |

In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum width of the lot shall be sixty feet measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet. (Ord. 1990-20. Passed 11-26-90.)

1123.04 R-3 MULTI-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 and R-2 Districts and as hereinafter specified in this section: multi-family dwellings for any number of families or housekeeping units.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Building and Zoning Appeals in accordance with the provisions of Section 1139.02, any conditionally permitted use as regulated in an R-2 District and as hereinafter specified:

- (1) Motels, motor hotels and tourist homes, on premises only that front on a street officially designated as a state or federal highway or primary thoroughfare as designed on the Thoroughfare Plan, and subject to the provisions of Section 1126.02.
- (2) Fraternities, sororities, private clubs, lodges, and meeting places for other similar organizations, not including those that are ordinarily conducted as a gainful business; provided all buildings in which such organizations or activities are housed shall be located at least twenty feet from any lot in any R-1 District.
- (3) Planned development projects, subject to the provisions of Section 1126.05.
- (4) Apartment hotels, lodging houses, boarding houses for any number of guests, but not primarily for transients; dormitories.
- (5) Clinics for human care, convalescent homes, nursing homes, homes for the aged, group retirement homes, children's nurseries and preschool facilities.

EXHIBIT D

- (6) Professional offices, and offices of financial, insurance, real estate, civic, educational, religious, and philanthropic establishments or organizations, funeral homes, when located only on premises that front on an officially designated state or federal highway, or on a street designated as a primary or secondary thoroughfare under the Thoroughfare Plan.
- (7) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.
- (8) Dwelling groups.
- (9) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.
- (10) Attached single-family dwellings
- (11) Patio homes.

(c) Accessory Uses. Any accessory use or structure permitted and as regulated in the R-2 district, and any accessory use or structure customarily incident to accessory to a principal permitted use or conditionally permitted use in the R-3 District.

(d) Height Regulations. No principal structure shall exceed three stories or forty feet in height and no accessory structure shall exceed two stories or twenty-five feet in height except as provided in Section 1137.02.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as to the minimum front yard depth as modified in accordance with 1137.03 or as otherwise provided herein:

[illegible]

EXHIBIT D

1123.04

PLANNING AND ZONING CODE

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| | Lot Area (Sq. Ft.) | Lot Frontage (Ft.) | Lot Area Per Family (Sq. Ft.) | Front Yard Depth (Ft.) | Side Yards | | Rear Yard Depth (Ft.) |
|------------|-----------------------|--------------------------|-------------------------------------|------------------------------|----------------------|-----------------------|--------------------------|
| | | | | | Least Width (Ft.) | Sum of Width (Ft.) | |
| Motels | 10,000 | 80 | - | 25 | 10 | 20 | 40 |
| Other Uses | Same as R-2 | | | | | | |

* Zero-lot-line; minimum of 10 feet at end units.

** 16 feet minimum between buildings where not zero-lot-line.

(Ord. 2010-42. Passed 12-14-10.)



TO: Mayor Tapp and City Council
FROM: Matthew Lasko
RE: Ordinance No. 2024-48 (*submitted by Matt Lasko*)
DATE: November 12, 2024

Subject Matter/Background

Building Code Amendments- Sections 1301- Ohio Building Code

These code sections reference the adoption of the Ohio Building Code, Residential Code of Ohio, and the International Property Maintenance Code. During recent discussion and review on a Property Maintenance Case with our Prosecutor, we noticed the code lacked language to automatically adopt the most current versions of these codes.

If an effort to ensure that future changes to these codes are recognized and to avoid the need to monitor and amend the city code each time a new version is issued, staff would like to add language to automatically include such changes in Sections 1301 and 1307. Staff found a code section within 1305-Residential Code of Ohio which already contained such a section:

1305.03 FUTURE DWELLING CODE CHANGES.

All revisions and additions to the Residential Code of Ohio by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. The Zoning Inspector shall file such changes or amendments with the Clerk of Council immediately upon receipt of same. (Ord. 2012-34. Passed 7-24-12.)

Staff prepared draft amendments to each Section based on the 1305.03 language and made some minor changes relative to access of these codes. Legal has reviewed and made the final recommended changes. Redline and Clean copies are attached.

Financial Review

There is no financial impact relating to this legislation.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Ordinance No. 2024-48 as an emergency measure is in order.

[Ordinance No. 2024-48 AMENDED Chapter 1301- Exhibit B SSEG REDS.pdf](#)
[Ordinance No. 2024-48 AMENDED Chapter 1301- Exhibit B SSEG CLEAN.pdf](#)
[Ordinance No. 2024-48 Amending Chp 1301 to add 1301.12\(1223514.3\).docx](#)

EXHIBIT B

CHAPTER 1301 – OHIO BUILDING CODE

Proposed New Section

1301. XX- FUTURE CODE CHANGES

All revisions and additions to the Ohio Building Code (as amended, “OBC”), by the appropriate governing body, shall automatically become part of the City’s Building Code. Access to the current version of the ~~code~~OBC shall be available through the Clerk of Council for inspection and for distribution to the public, at cost.

(Ord. No. 2024-XX. Passed xx-xx-xxxx)

Commented [CG1]: Are we required to have a spare hard copy available and Sandusky Bay Law Library? If not, can we just have the availability of the link on the website and/or a hard copy available?

CHAPTER 1301 – OHIO BUILDING CODE

Proposed New Section

1301. XX- FUTURE CODE CHANGES

All revisions and additions to the Ohio Building Code (as amended, “OBC”), by the appropriate governing body, shall automatically become part of the City’s Building Code. Access to the current version of the OBC shall be available through the Clerk of Council for inspection and for distribution to the public, at cost.

(Ord. No. 2024-XX. Passed xx-xx-xxxx)

ORDINANCE NO. 2024-48

Introduced by: Sam Artino

AN ORDINANCE AMENDING CHAPTER 1301 (OHIO BUILDING CODE) OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO, BY ADDING SECTION 1301.12, FUTURE CODE CHANGES, TO ALLOW FUTURE MODIFICATIONS TO THE OHIO BUILDING CODE TO AUTOMATICALLY BECOME PART OF THE CODIFIED ORDINANCES OF THE CITY OF HURON AND TO PROVIDE FOR THE AVAILABILITY OF A COPY OF THE OHIO BUILDING CODE FOR INSPECTION BY THE PUBLIC; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Building Code ("Ohio Building Code") has been adopted throughout the State of Ohio by the Ohio Board of Building Standards, Department of Industrial Relations and published in Division 4101:1 et seq. of the Ohio Administrative Code in order to establish uniform minimum requirements for the erection, construction, repair, alteration, and maintenance of buildings, including construction of industrialized units in order to provide a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions, and to provide a reasonable level of safety for fire fighters and emergency responders during emergency operations, and to promote the conservation of energy, safety, and sanitation of buildings for their intended use and occupancy.

WHEREAS, the City of Huron ("City") has adopted the Ohio Building Code in its entirety and incorporated it into the Codified Ordinances of the City at Chapter 1301 to establish uniform minimum requirements pertaining to the erection, construction, repair, alteration, and maintenance of buildings and industrialized units within the corporate limits of the City to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the City and ensure consistency with the uniform building requirements throughout Ohio; and

WHEREAS, Chapter 1301 of the Codified Ordinances currently does not provide for automatic adoption and inclusion of changes to the Ohio Building Code nor for the availability of a copy of the Ohio Building Code to be available for inspection by the public; and

WHEREAS, the immediate adoption and inclusion of changes to the Ohio Building Code is necessary to meet the intent of its inclusion within the Codified Ordinances; and

WHEREAS, the City desires to ensure that all future changes to the Ohio Building Code will be automatically adopted by the City and incorporated into Chapter 1301 of the Codified Ordinances without the need to monitor and amend the Codified Ordinances each time such changes are made in furtherance of the intent of the City's adoption of the Ohio Building Code; and

WHEREAS, the Council believes it is in the best interests of the City to amend Chapter 1301 (Ohio Building Code) of the Huron Codified Ordinances to add Section 1301.12, Future Code Changes, to permit the automatic inclusion and incorporation into the Huron Codified Ordinances all changes made to the Ohio Building Code and to provide for the availability of a copy of the Ohio Building Code for inspection by the public.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF HURON, OHIO:

Section 1: That Chapter 1301 (Ohio Building Code) of the Codified Ordinances of the City of Huron, Ohio is hereby amended to include Section 1301.12 Future Code Changes, which shall read as follows:

1301. 12 - FUTURE CODE CHANGES

All revisions and additions to the Ohio Building Code (as amended, "OBC"), by the appropriate governing body, shall automatically become part of the City's Building Code. Access to the current version of the OBC shall be available through the Clerk of Council for inspection and for distribution to the public, at cost.

(Ord. No. 2024-48. Passed 11/12/2024)

Section 2: That it is 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 of any of its committees that resulted in such formal actions 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 declared to be an emergency measure, the emergency being the necessity to ensure that changes to the Ohio Building Code are made in a timely and efficient matter in order to promote the health, safety, and general welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



TO: Mayor Tapp and City Council
FROM: Jen Kilbury
RE: Ordinance No. 2024-49 (*submitted by Matt Lasko*)
DATE: November 12, 2024

Subject Matter/Background

Building Code Amendments- Sections 1305.03- Future Dwelling Code Changes

These code sections reference the adoption of the Ohio Building Code, Residential Code of Ohio, and the International Property Maintenance Code. During recent discussion and review on a Property Maintenance Case with our Prosecutor, we noticed the code lacked language to automatically adopt the most current versions of these codes.

If an effort to ensure that future changes to these codes are recognized and to avoid the need to monitor and amend the city code each time a new version is issued, staff would like to add language to automatically include such changes in Sections 1301 and 1307. Staff found a code section within 1305-Residential Code of Ohio which already contained such a section:

1305.03 FUTURE DWELLING CODE CHANGES.

All revisions and additions to the Residential Code of Ohio by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. The Zoning Inspector shall file such changes or amendments with the Clerk of Council immediately upon receipt of same. (Ord. 2012-34. Passed 7-24-12.)

Staff prepared draft amendments to each Section based on the 1305.03 language and made some minor changes relative to access of these codes. Legal has reviewed and made the final recommended changes. Redline and Clean copies are attached.

Financial Review

No financial impact.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Ordinance No. 2024-49 and declaring it an emergency.

[Ordinance No. 2024-49 Amending Section 1305.03\(1223713.3\).docx](#)

[Ordinance No. 2024-49 AMENDED Chapter 1305- Exhibit A & B SSEG REDS.pdf](#)

[Ordinance No. 2024-49 AMENDED Chapter 1305- Exhibit A & B SSEG CLEAN.pdf](#)

ORDINANCE NO. 2024-49

Introduced by: Sam Artino

AN ORDINANCE AMENDING AND RESTATING SECTION 1305.03, FUTURE DWELLING CODE CHANGES, OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO TO ALLOW FOR FUTURE MODIFICATIONS TO THE RESIDENTIAL CODE OF OHIO TO AUTOMATICALLY BECOME PART OF THE CODIFIED ORDINANCES OF THE CITY OF HURON; AND DECLARING AN EMERGENCY.

WHEREAS, the Residential Code of Ohio has been adopted throughout the State of Ohio by the Ohio Board of Building Standards, Department of Industrial Relations and published in Division 4101:8 of the Ohio Administrative Code ("Residential Code of Ohio") in order to establish uniform minimum requirements for the erection, construction, repair, alteration, and maintenance of residential buildings, including construction of industrialized units.

WHEREAS, the City of Huron ("City") has adopted the Residential Code of Ohio in its entirety and incorporated it into the Codified Ordinances of the City at Chapter 1305 to establish rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of one, two, and three family dwellings and appurtenant structures within the corporate limits of the City to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the City and ensure consistency with the uniform building requirements throughout Ohio; and

WHEREAS, Chapter 1305 of the Codified Ordinances currently does not provide for automatic adoption and inclusion of changes to the Residential Code of Ohio; and

WHEREAS, the immediate adoption and inclusion of changes to the Residential Code of Ohio is necessary to meet the intent of its inclusion within the Codified Ordinances; and

WHEREAS, the City desires to ensure that all future changes to the Residential Code of Ohio will be automatically adopted by the City and incorporated into Chapter 1305 of the Codified Ordinances without the need to monitor and amend the Codified Ordinances each time such changes are made in furtherance of the intent of the City's adoption of the Residential Code of Ohio; and

WHEREAS, the Council believes it is in the best interests of the City to amend Chapter 1305 (Residential Code of Ohio) of the Huron Codified Ordinances by amending Section 1305.03 Future Dwelling Code Changes to permit automatic inclusion and incorporation into the Huron Codified Ordinances all changes made to the Residential Code of Ohio.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF HURON, OHIO:

Section 1: That Section 1305.03, Future Dwelling Code Changes, of the Codified Ordinances of the City of Huron, Ohio which currently reads as follows:

1305.03 FUTURE DWELLING CODE CHANGES.

All revisions and additions to the Residential Code of Ohio by the appropriate governing

body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. The Zoning Inspector shall file such changes or amendments with the Clerk of Council immediately upon receipt of same.

(Ord. 2012-34. Passed 7-24-12.)

shall be amended and restated to read as follows:

1305.03 - FUTURE DWELLING CODE CHANGES

All revisions and additions to the Residential Code of Ohio (as amended, "RCO") by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. Access to the current version of the RCO shall be available through the Clerk of Council for inspection and for distribution to the public, at cost.

(Ord. No. 2024-49. Passed 11-12-2024)

Section 2: That it is 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 of any of its committees that resulted in such formal actions 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 declared to be an emergency measure, the emergency being the necessity to ensure that changes to the Residential Code are made in a timely and efficient matter in order to promote the health, safety, and general welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

CHAPTER 1305 – RESIDENTIAL CODE OF OHIO

Exhibit A

1305.03 FUTURE DWELLING CODE CHANGES.

All revisions and additions to the Residential Code of Ohio by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. **The Zoning Inspector shall file such changes or amendments with the Clerk of Council immediately upon receipt of same.**

(Ord. 2012-34. Passed 7-24-12.)

Commented [CG1]: These can now be links to the code on the city website and/or a hard copy version for public viewing in person??

Commented [I2R1]: Yes - prefer both - and not just viewing - we can mail or hand out as needed....

Exhibit B

1305.03 - FUTURE DWELLING CODE CHANGES

All revisions and additions to the Residential Code of Ohio ([as amended, "RCO"](#)) by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. Access to the current version of the ~~code~~ [RCO](#) shall be available through the Clerk of Council [for inspection and for distribution to the public, at cost.](#)

(Ord. No. 2024-XX. Passed xx-xx-xxxx)

Commented [CG3]: Are we required to have a spare hard copy available and Sandusky Bay Law Library? If not, can we just have the availability of the link on the website and/or a hard copy available?

CHAPTER 1305 – RESIDENTIAL CODE OF OHIO

Exhibit A

1305.03 FUTURE DWELLING CODE CHANGES.

All revisions and additions to the Residential Code of Ohio by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. The Zoning Inspector shall file such changes or amendments with the Clerk of Council immediately upon receipt of same.

(Ord. 2012-34. Passed 7-24-12.)

Exhibit B

1305.03 - FUTURE DWELLING CODE CHANGES

All revisions and additions to the Residential Code of Ohio (as amended, "RCO") by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. Access to the current version of the RCO shall be available through the Clerk of Council for inspection and for distribution to the public, at cost.

(Ord. No. 2024-XX. Passed xx-xx-xxxx)



TO: Mayor Tapp and City Council
FROM: Jen Kilbury
RE: Ordinance No. 2024-50 (*submitted by Matt Lasko*)
DATE: November 12, 2024

Subject Matter/Background

Building Code Amendment- Sections 1307 Property Maintenance Code

These code sections reference the adoption of the Ohio Building Code, Residential Code of Ohio, and the International Property Maintenance Code. During recent discussion and review on a Property Maintenance Case with our Prosecutor, we noticed the code lacked language to automatically adopt the most current versions of these codes.

If an effort to ensure that future changes to these codes are recognized and to avoid the need to monitor and amend the city code each time a new version is issued, staff would like to add language to automatically include such changes in Sections 1301 and 1307. Staff found a code section within 1305-Residential Code of Ohio which already contained such a section:

1305.03 Future Dwelling Code

All revisions and additions to the Residential Code of Ohio by the appropriate governing body shall automatically become a part of the City's One, Two and Three Family Dwelling Code. The Zoning Inspector shall file such changes or amendments with the Clerk of Council immediately upon receipt of same. (Ord. 2012-34. Passed 7-24-12.)

Staff prepared draft amendments to each Section based on the 1305.03 language and made some minor changes relative to access of these codes. Legal has reviewed and made the final recommended changes. Redline and Clean copies are attached.

Financial Review

There is no financial impact relating to this legislation.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Ordinance No. 2024-50 as an emergency measure is in order.

[Ordinance No. 2024-50 AMENDED Chapter 1307- Exhibit A & B SSEG REDS.pdf](#)

[Ordinance No. 2024-50 AMENDED Chapter 1307- Exhibit A & B SSEG CLEAN.pdf](#)

[Ordinance No. 2024-50 Amending Chp 1307 to Add 1307.04 and Amend Section 1307.01\(1223726.4\).docx](#)

CHAPTER 1307 – PROPERTY MAINTENANCE CODE

Proposed Amendment to 1307.01

Exhibit A

1307.01 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

There is adopted for the purpose of establishing rules and regulations for the maintenance of property within the City of Huron that certain property maintenance code known as the International Property Maintenance Code, 2021 edition, in its entirety. A complete copy of the International Property Maintenance Code adopted herein is on file with the Clerk of Council for inspection by the public and is also on file in the Sandusky Bay Law Library. The Clerk of Council also has copies available for distribution to the public, at cost.

(Ord. 2022-7. Passed 1-25-22.)

Commented [CG1]: Are we required to have a spare hard copy available and Sandusky Bay Law Library? If not, can we just have the availability of the link on the website and/or a hard copy available?

Commented [I2R1]: Both - hard copy and website...

Exhibit B

1307.01 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

There is adopted for the purpose of establishing rules and regulations for the maintenance of property within the City of Huron that certain property maintenance code known as the International Property Maintenance Code ~~6~~, 2021 edition (as amended, "IPMC"), in its entirety. A complete copy of the IPMC adopted herein is on file with the Clerk of Council for inspection by the public and is also on file in the Sandusky Bay Law Library. The Clerk of Council also has copies available for distribution to the public, at cost. ~~Access to the current version of the code shall be available through the Clerk of Council.~~

(Ord. No. 2024-XX. Passed xx-xx-xxxx)

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New Code Section

1307. XX

All revisions and additions to the International Property Maintenance Code (as amended, "IPMC"), by the appropriate governing body, shall automatically become part of the City's Building Code. Access to the current version of the ~~code~~ IPMC shall be available through the Clerk of Council for inspection and for distribution to the public, at cost.

(Ord. No. 2024-XX. Passed xx-xx-xxxx)

Commented [CG4]: Are we required to have a spare hard copy available and Sandusky Bay Law Library? If not, can we just have the availability of the link on the website and/or a hard copy available?

CHAPTER 1307 – PROPERTY MAINTENANCE CODE

Proposed Amendment to 1307.01

Exhibit A

1307.01 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

There is adopted for the purpose of establishing rules and regulations for the maintenance of property within the City of Huron that certain property maintenance code known as the International Property Maintenance Code, 2021 edition, in its entirety. A complete copy of the International Property Maintenance Code adopted herein is on file with the Clerk of Council for inspection by the public and is also on file in the Sandusky Bay Law Library. The Clerk of Council also has copies available for distribution to the public, at cost.

(Ord. 2022-7. Passed 1-25-22.)

Exhibit B

1307.01 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

There is adopted for the purpose of establishing rules and regulations for the maintenance of property within the City of Huron that certain property maintenance code known as the International Property Maintenance Code , 2021 edition (as amended, “IPMC”), in its entirety. A complete copy of the IPMC adopted herein is on file with the Clerk of Council for inspection by the public and is also on file in the Sandusky Bay Law Library. The Clerk of Council also has copies available for distribution to the public, at cost.

(Ord. No. 2024-XX. Passed xx-xx-xxxx)

New Code Section

1307. XX

All revisions and additions to the International Property Maintenance Code (as amended, “IPMC”), by the appropriate governing body, shall automatically become part of the City’s Building Code. Access to the current version of the IPMC shall be available through the Clerk of Council for inspection and for distribution to the public, at cost .

(Ord. No. 2024-XX. Passed xx-xx-xxxx)

ORDINANCE NO. 2024-50

Introduced by: Sam Artino

AN ORDINANCE AMENDING CHAPTER 1307 (PROPERTY MAINTENANCE CODE) OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO, TO ADD SECTION 1307.04, FUTURE PROPERTY MAINTENANCE CODE CHANGES, TO ALLOW FOR FUTURE MODIFICATIONS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE TO AUTOMATICALLY BECOME PART OF THE CODIFIED ORDINANCES OF THE CITY OF HURON AND BY AMENDING SECTION 1307.01, INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED, TO CLARIFY THE AVAILABILITY OF A COPY OF THE CURRENT INTERNATIONAL PROPERTY MAINTENANCE CODE FOR REVIEW AND INSPECTION BY THE PUBLIC; AND DECLARING AN EMERGENCY.

WHEREAS, the International Property Maintenance Code ("IPMC") is published by the International Code Council and has been adopted throughout the State of Ohio by various municipalities and government entities.

WHEREAS, the City of Huron ("City") has adopted the IPMC in its entirety and incorporated it into the Codified Ordinances of the City at Chapter 1307 to establishing rules and regulations for the maintenance of property within the City of Huron to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the City and ensure consistency with the uniform property maintenance requirements throughout Ohio; and

WHEREAS, Chapter 1307 of the Codified Ordinances currently does not provide for automatic adoption and inclusion of changes to the IPMC and allow for reference to the latest version of the IPMC available for public inspection; and

WHEREAS, the immediate adoption and inclusion of changes to the IPMC is necessary to meet the intent of its inclusion within the Codified Ordinances; and

WHEREAS, the City desires to ensure that all future changes to the IPMC will be automatically adopted by the City and incorporated into Chapter 1307 of the Codified Ordinances without the need to monitor and amend the Codified Ordinances each time such changes are made, in furtherance of the intent of the City's adoption of the IPMC; and

WHEREAS, the Council believes it is in the best interests of the City to amend Chapter 1307 (Residential Code of Ohio) of the Huron Codified Ordinances by adopting 1307.04, Future Property Maintenance Code Changes, to permit the automatic inclusion and incorporation into the Huron Codified Ordinances all changes made to the IPMC; and

WHEREAS, the Council believes it is in the best interests of the City to amend Section 1307.01, International Property Maintenance Code Adopted, to clarify that the current version of the IPMC is available for inspection by the public.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF HURON, OHIO:

Section 1: That Chapter 1307 (Property Maintenance Code) of the Codified Ordinances of the City of Huron, Ohio is hereby amended to include Section 1307.04, Future Property Maintenance Code Changes, which shall read as follows:

1307.04 FUTURE CODE CHANGES.

All revisions and additions to the International Property Maintenance Code (as amended, "IPMC"), by the appropriate governing body, shall automatically become part of the City's Building Code. Access to the current version of the IPMC shall be available through the Clerk of Council for inspection and for distribution to the public, at cost.

(Ord. No. 2024-50. Passed 11-12-2024)

Section 2: That Section 1307.01 International Property Maintenance Code Adopted, which currently reads as follows:

1307.01 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

There is adopted for the purpose of establishing rules and regulations for the maintenance of property within the City of Huron that certain property maintenance code known as the International Property Maintenance Code, 2021 edition, in its entirety. A complete copy of the International Property Maintenance Code adopted herein is on file with the Clerk of Council for inspection by the public and is also on file in the Sandusky Bay Law Library. The Clerk of Council also has copies available for distribution to the public, at cost.

(Ord. 2022-7. Passed 1-25-22.)

shall be amended and restated to read as follows:

1307.01 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

There is adopted for the purpose of establishing rules and regulations for the maintenance of property within the City of Huron that certain property maintenance code known as the International Property Maintenance Code, 2021 edition (as amended, "IPMC"), in its entirety. A complete copy of the IPMC adopted herein is on file with the Clerk of Council for inspection by the public and is also on file in the Sandusky Bay Law Library. The Clerk of Council also has copies available for distribution to the public, at cost.

(Ord. No. 2024-50. Passed 11-12-2024)

Section 3: That it is 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 of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to ensure that changes to the Property Maintenance Code are made in a timely and efficient matter in order to promote the health, safety, and general welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



TO: Mayor Tapp and City Council
FROM: Jack Evans
RE: Resolution No. 80-2024 (*submitted by Jack Evans*)
DATE: November 12, 2024

Subject Matter/Background

The combined purchasing power of the City of Sandusky, the City of Huron, and Erie County in the purchase of water treatment chemicals allows for a decreased expense as opposed to the cost should each entity purchase the identical product on their own. Therefore, on behalf of the City of Huron and other entities, the City of Sandusky conducted a bid for the purchase of Water Treatment Chemicals and has provided all entities with the final bid tabulation indicating the apparent low bidders for each chemical. The City of Huron Water Filtration Plant will purchase a total of six chemicals from **4** vendors through this bid.”

Resolution No. 80-2024 Bonded Chemicals Inc.: For the purchase of 12 tons of Powdered Activated Carbon in an amount not to exceed \$32,160.00, and the purchase of 6,000 Gallons of Hydrofluosilicic Acid at an amount not to exceed \$20,280.00, and the purchase of 4,000 gallons of liquid sodium permanganate at an amount not to exceed \$39,560.00. Grand total for this vendor is \$92,000.00.

A copy of the 2025 Chemical Bid Form and Tabulation is attached hereto as Exhibit 1.

Financial Review

The 2025 budget will include the total cost not to exceed \$260,782 for all chemical contracts in the Water Fund (Fund 604). For comparison purposes, 2021 actual cost was approximately \$107,000, 2022 actual cost was approximately \$145,000, 2023 actual cost was approximately \$163,000, 2024 projected cost is approximately \$217,000, and 2025 projections are expected to total approximately \$225,000.

Account: 604-5210-54042

Legal Review

The matter has been reviewed, follows normal administrative procedure, and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 80-2024 is in order.

[Resolution No. 80-2024 Bonded Chemicals Inc \\$92,000.docx](#)
[Resolution No. 80, 81, 82, 83 -2024 Exh 1 Bid Tabulation.pdf](#)

RESOLUTION NO. 80-2024

Introduced by Matt Grieves

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID TO AND ENTER INTO AN AGREEMENT WITH BONDED CHEMICALS INC. FOR THE PURCHASE OF WATER TREATMENT CHEMICALS IN AN AMOUNT NOT TO EXCEED NINETY-TWO THOUSAND AND XX/100 DOLLARS (\$92,000.00).

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City of Sandusky having advertised for bids on behalf of the City of Huron and other entities, has provided a final bid tabulation indicating the lowest and best bid for each chemical and that based on that tabulation, the City Manager is authorized and directed to award the bid to and enter into an agreement with Bonded Chemicals Inc. for the purchase of 12 tons of Powdered Activated Carbon (in an amount not to exceed Thirty-Two Thousand One Hundred Sixty and 00/100 Dollars (\$32,160.00), 6,000 Gallons of Hydrofluosilicic Acid (in an amount not to exceed Twenty Thousand Two Hundred Eighty and 00/100 Dollars (\$20,280.00)) and 4,000 gallons of Liquid Sodium Permanganate (in an amount not to exceed Thirty-Nine Thousand Five Hundred Sixty and xx/100 Dollars (\$39,560.00)) , for an aggregate total of Ninety Two Thousand and xx/100 Dollars (\$92,000.00). The City of Sandusky bid tabulation is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

Monty Tapp, Mayor

ATTEST:

Clerk of Council

ADOPTED:

| Contract | Chemical | Unit | Quantity | Alexander Chemicals Kingsbury, IN | Applied Specialities Avon Lake, OH | Bonded Chemicals Columbus, OH | Brenntag Mid- South Hebron, OH | Chemrite, Inc. Buford, GA | Chemtrade Chemicals Parisppany, NJ | JCI Jones Chemicals Barberton, OH | Penccco, Inc. Sealy, TX | Shannon Chemical Exton, PA | Univar Solutions Trenton, OH | Water Solutions Unlimited Camby, IN |
|----------|--|---------|----------|---|--|-------------------------------------|--------------------------------------|------------------------------|--|---|----------------------------|----------------------------------|------------------------------------|--|
| 15 | Liquid Chlorine (CL ₂) (Bid 2 of 2) | Pounds | 28,000 | \$ 1.3600 | | \$ 1.532 | \$ 1.57 | | | \$ 177.00 | | | | |
| | | | | \$ 38,080.000 | | \$ 42,896.00 | \$ 43,960.00 | | | \$ 33,099.00 | | | | |
| 16 | Powdered Activated Carbon (PAC) (Bid 3 of 3) | Tons | 12 | | | \$ 2,680.00 | | \$ 2,664.00 | | | | | | |
| | | | | | | \$ 32,160.00 | | \$ 31,968.00 | | | | | | |
| 17 | Sodium Hydroxide Liquid (NaOH) (Bid 2 of 2) | Gallons | 15,000 | \$ 3.800 | | \$ 1.66 | \$ 1.59 | | | \$ 2.44 | | | \$ 1.1655 | |
| | | | | \$ 57,000.000 | | \$ 24,900.00 | \$ 23,850.00 | | | \$ 36,000.00 | | | \$ 17,482.50 | |
| 18 | Aluminum Chlorhydrate Polymer Blend - Liquid (Al ₂ (OH) ₅ Cl) | Gallons | 12,000 | | \$ 9.850 | | | | \$ 6.600 | | | | | |
| | | | | | \$ 118,200.00 | | | | \$ 79,200.00 | | | | | |
| 19 | Hydrofluosilicic Acid (H ₂ SiF ₆) (Bid 3 of 3) | Gallons | 6,000 | \$ 3.660 | | \$ 3.38 | \$ 4.55 | | | | \$ 3.67 | | \$ 3.75 | |
| | | | | \$ 21,960.000 | | \$ 20,280.00 | \$ 27,300.00 | | | | \$ 22,020.00 | | \$ 22,500.00 | |
| 20 | Liquid Sodium Permanganate (NaMnO ₄) (Bid 2 of 2) | Gallons | 4,000 | | | \$ 9.89 | \$ 18.35 | \$ 10.44 | | | | \$ 10.370 | | \$ 12.00 |
| | | | | | | \$ 39,560.00 | \$ 73,400.00 | \$ 41,760.00 | | | | \$ 41,480.00 | | \$ 48,000.00 |



TO: Mayor Tapp and City Council
FROM: Jack Evans
RE: Resolution No. 81-2024 (*submitted by Jack Evans*)
DATE: November 12, 2024

Subject Matter/Background

The combined purchasing power of the City of Sandusky, the City of Huron, and Erie County in the purchase of water treatment chemicals allows for a decreased expense as opposed to the cost should each entity purchase the identical product on their own. Therefore, on behalf of the City of Huron and other entities, the City of Sandusky conducted a bid for the purchase of Water Treatment Chemicals and has provided all entities with the final bid tabulation indicating the apparent low bidders for each chemical. The City of Huron Water Filtration Plant will purchase a total of six chemicals from **4** vendors through this bid.”

Resolution No. 81-2024 JCI Jones Chemicals Inc.: For the purchase of 14 tons of Chlorine in an amount not to exceed \$33,099.00.

A copy of the 2025 Chemical Bid Form and Tabulation is attached hereto as Exhibit 1.

Financial Review

The 2025 budget will include the total cost not to exceed \$260,782 for all chemical contracts in the Water Fund (Fund 604). For comparison purposes, 2021 actual cost was approximately \$107,000, 2022 actual cost was approximately \$145,000, 2023 actual cost was approximately \$163,000, 2024 projected cost is approximately \$217,000, and 2025 projections are expected to total approximately \$225,000.

Account: 604-5210-54042

Legal Review

The matter has been reviewed, follows normal administrative procedure, and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 81-2024 is in order.

[Resolution No. 81-2024 JCI Jones Chemicals Inc \\$33,099.docx](#)

[Resolution No. 80, 81, 82, 83 -2024 Exh 1 Bid Tabulation.pdf](#)

RESOLUTION NO. 81-2024

Introduced by Matt Grieves

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID TO AND ENTER INTO AN AGREEMENT WITH JCI JONES CHEMICALS INC. FOR THE PURCHASE OF WATER TREATMENT CHEMICALS IN AN AMOUNT NOT TO EXCEED THIRTY-THREE THOUSAND NINETY-NINE XX/100 DOLLARS (\$33,099.00).

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City of Sandusky having advertised for bids on behalf of the City of Huron and other entities, has provided a final bid tabulation indicating the lowest and best bid for each chemical and that based on that tabulation, the City Manager is authorized and directed to award the bid to and enter into an agreement with to JCI Jones Chemicals for the purchase of 14 Tons of Chlorine in an amount not to exceed Thirty-Three Thousand Ninety-Nine and 00/100 Dollars (\$33,099.00). The City of Sandusky bid tabulation is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

Monty Tapp, Mayor

ATTEST:

Clerk of Council

ADOPTED:

| Contract | Chemical | Unit | Quantity | Alexander Chemicals Kingsbury, IN | Applied Specialities Avon Lake, OH | Bonded Chemicals Columbus, OH | Brenntag Mid- South Hebron, OH | Chemrite, Inc. Buford, GA | Chemtrade Chemicals Parisppany, NJ | JCI Jones Chemicals Barberton, OH | Penccco, Inc. Sealy, TX | Shannon Chemical Exton, PA | Univar Solutions Trenton, OH | Water Solutions Unlimited Camby, IN |
|----------|--|---------|----------|---|--|-------------------------------------|--------------------------------------|------------------------------|--|---|----------------------------|----------------------------------|------------------------------------|--|
| 15 | Liquid Chlorine (CL ₂) (Bid 2 of 2) | Pounds | 28,000 | \$ 1.3600 | | \$ 1.532 | \$ 1.57 | | | \$ 177.00 | | | | |
| | | | | \$ 38,080.000 | | \$ 42,896.00 | \$ 43,960.00 | | | \$ 33,099.00 | | | | |
| 16 | Powdered Activated Carbon (PAC) (Bid 3 of 3) | Tons | 12 | | | \$ 2,680.00 | | \$ 2,664.00 | | | | | | |
| | | | | | | \$ 32,160.00 | | \$ 31,968.00 | | | | | | |
| 17 | Sodium Hydroxide Liquid (NaOH) (Bid 2 of 2) | Gallons | 15,000 | \$ 3.800 | | \$ 1.66 | \$ 1.59 | | | \$ 2.44 | | | \$ 1.1655 | |
| | | | | \$ 57,000.000 | | \$ 24,900.00 | \$ 23,850.00 | | | \$ 36,000.00 | | | \$ 17,482.50 | |
| 18 | Aluminum Chlorhydrate Polymer Blend - Liquid (Al ₂ (OH) ₅ Cl) | Gallons | 12,000 | | \$ 9.850 | | | | \$ 6.600 | | | | | |
| | | | | | \$ 118,200.00 | | | | \$ 79,200.00 | | | | | |
| 19 | Hydrofluosilicic Acid (H ₂ SiF ₆) (Bid 3 of 3) | Gallons | 6,000 | \$ 3.660 | | \$ 3.38 | \$ 4.55 | | | | \$ 3.67 | | \$ 3.75 | |
| | | | | \$ 21,960.000 | | \$ 20,280.00 | \$ 27,300.00 | | | | \$ 22,020.00 | | \$ 22,500.00 | |
| 20 | Liquid Sodium Permanganate (NaMnO ₄) (Bid 2 of 2) | Gallons | 4,000 | | | \$ 9.89 | \$ 18.35 | \$ 10.44 | | | | \$ 10.370 | | \$ 12.00 |
| | | | | | | \$ 39,560.00 | \$ 73,400.00 | \$ 41,760.00 | | | | \$ 41,480.00 | | \$ 48,000.00 |



TO: Mayor Tapp and City Council
FROM: Jack Evans
RE: Resolution No. 82-2024 (*submitted by Jack Evans*)
DATE: November 12, 2024

Subject Matter/Background

The combined purchasing power of the City of Sandusky, the City of Huron, and Erie County in the purchase of water treatment chemicals allows for a decreased expense as opposed to the cost should each entity purchase the identical product on their own. Therefore, on behalf of the City of Huron and other entities, the City of Sandusky conducted a bid for the purchase of Water Treatment Chemicals and has provided all entities with the final bid tabulation indicating the apparent low bidders for each chemical. The City of Huron Water Filtration Plant will purchase a total of six chemicals from **4** vendors through this bid.”

Resolution No. 82-2024 Univar Solutions: For the purchase of 15,000 gallons of sodium hydroxide in an amount not to exceed \$17,482.50.

A copy of the 2025 Chemical Bid Form and Tabulation is attached hereto as Exhibit 1.

Financial Review

The 2025 budget will include the total cost not to exceed \$260,782 for all chemical contracts in the Water Fund (Fund 604). For comparison purposes, 2021 actual cost was approximately \$107,000, 2022 actual cost was approximately \$145,000, 2023 actual cost was approximately \$163,000, 2024 projected cost is approximately \$217,000, and 2025 projections are expected to total approximately \$225,000.

Account: 604-5210-54042

Legal Review

The matter has been reviewed, follows normal administrative procedure, and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 82-2024 is in order.

[Resolution No. 82-2024 Univar Solutions Water Chemicals \\$17,482.50.docx](#)

[Resolution No. 80, 81, 82, 83 -2024 Exh 1 Bid Tabulation.pdf](#)

RESOLUTION NO. 82-2024

Introduced by Joel Hagy

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID TO AND ENTER INTO AN AGREEMENT WITH UNIVAR SOLUTIONS FOR THE PURCHASE OF WATER TREATMENT CHEMICALS IN AN AMOUNT NOT TO EXCEED SEVENTEEN THOUSAND FOUR HUNDRED EIGHTY-TWO AND 50/100 DOLLARS (\$17,482.50).

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City of Sandusky having advertised for bids on behalf of the City of Huron and other entities, has provided a final bid tabulation indicating the lowest and best bid for each chemical and that based on that tabulation, the City Manager is authorized and directed to award the bid to and enter into an agreement with Univar Solutions for the purchase of 15,000 Gallons of Sodium Hydroxide in an amount not to exceed Seventeen Thousand Four Hundred Eighty-Two and 50/100 Dollars (\$17,482.50). The City of Sandusky bid tabulation is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

Monty Tapp, Mayor

ATTEST:

Clerk of Council

ADOPTED:

| Contract | Chemical | Unit | Quantity | Alexander Chemicals Kingsbury, IN | Applied Specialities Avon Lake, OH | Bonded Chemicals Columbus, OH | Brenntag Mid- South Hebron, OH | Chemrite, Inc. Buford, GA | Chemtrade Chemicals Parisppany, NJ | JCI Jones Chemicals Barberton, OH | Penccco, Inc. Sealy, TX | Shannon Chemical Exton, PA | Univar Solutions Trenton, OH | Water Solutions Unlimited Camby, IN |
|----------|--|---------|----------|---|--|-------------------------------------|--------------------------------------|------------------------------|--|---|----------------------------|----------------------------------|------------------------------------|--|
| 15 | Liquid Chlorine (CL ₂) (Bid 2 of 2) | Pounds | 28,000 | \$ 1.3600 | | \$ 1.532 | \$ 1.57 | | | \$ 177.00 | | | | |
| | | | | \$ 38,080.000 | | \$ 42,896.00 | \$ 43,960.00 | | | \$ 33,099.00 | | | | |
| 16 | Powdered Activated Carbon (PAC) (Bid 3 of 3) | Tons | 12 | | | \$ 2,680.00 | | \$ 2,664.00 | | | | | | |
| | | | | | | \$ 32,160.00 | | \$ 31,968.00 | | | | | | |
| 17 | Sodium Hydroxide Liquid (NaOH) (Bid 2 of 2) | Gallons | 15,000 | \$ 3.800 | | \$ 1.66 | \$ 1.59 | | | \$ 2.44 | | | \$ 1.1655 | |
| | | | | \$ 57,000.000 | | \$ 24,900.00 | \$ 23,850.00 | | | \$ 36,000.00 | | | \$ 17,482.50 | |
| 18 | Aluminum Chlorhydrate Polymer Blend - Liquid (Al ₂ (OH) ₅ Cl) | Gallons | 12,000 | | \$ 9.850 | | | | \$ 6.600 | | | | | |
| | | | | | \$ 118,200.00 | | | | \$ 79,200.00 | | | | | |
| 19 | Hydrofluosilicic Acid (H ₂ SiF ₆) (Bid 3 of 3) | Gallons | 6,000 | \$ 3.660 | | \$ 3.38 | \$ 4.55 | | | | \$ 3.67 | | \$ 3.75 | |
| | | | | \$ 21,960.000 | | \$ 20,280.00 | \$ 27,300.00 | | | | \$ 22,020.00 | | \$ 22,500.00 | |
| 20 | Liquid Sodium Permanganate (NaMnO ₄) (Bid 2 of 2) | Gallons | 4,000 | | | \$ 9.89 | \$ 18.35 | \$ 10.44 | | | | \$ 10.370 | | \$ 12.00 |
| | | | | | | \$ 39,560.00 | \$ 73,400.00 | \$ 41,760.00 | | | | \$ 41,480.00 | | \$ 48,000.00 |



TO: Mayor Tapp and City Council
FROM: Jack Evans
RE: Resolution No. 83-2024 (*submitted by Jack Evans*)
DATE: November 12, 2024

Subject Matter/Background

The combined purchasing power of the City of Sandusky, the City of Huron, and Erie County in the purchase of water treatment chemicals allows for a decreased expense as opposed to the cost should each entity purchase the identical product on their own. Therefore, on behalf of the City of Huron and other entities, the City of Sandusky conducted a bid for the purchase of Water Treatment Chemicals and has provided all entities with the final bid tabulation indicating the apparent low bidders for each chemical. The City of Huron Water Filtration Plant will purchase a total of six chemicals from **4** vendors through this bid.

Resolution No. 83-2024 Applied Specialties: For the purchase of 12,000 gallons of aluminum chlorhydrate polymer blend in an amount not to exceed \$118,200.00.

A copy of the 2025 Chemical Bid Form and Tabulation is attached hereto as Exhibit 1.

Financial Review

The 2025 budget will include the total cost not to exceed \$260,782 for all chemical contracts in the Water Fund (Fund 604). For comparison purposes, 2021 actual cost was approximately \$107,000, 2022 actual cost was approximately \$145,000, 2023 actual cost was approximately \$163,000, 2024 projected cost is approximately \$217,000, and 2025 projections are expected to total approximately \$225,000.

Account: 604-5210-54042

Legal Review

The matter has been reviewed, follows normal administrative procedure, and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 83-2024 is in order.

[Resolution No. 83-2024 Applied Specialties Water Chemicals \\$118,200.docx](#)

[Resolution No. 80, 81, 82, 83 -2024 Exh 1 Bid Tabulation.pdf](#)

RESOLUTION NO. 83-2024

Introduced by Joel Hagy

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID TO AND ENTER INTO AN AGREEMENT WITH APPLIED SPECIALTIES FOR THE PURCHASE OF WATER TREATMENT CHEMICALS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTEEN THOUSAND TWO HUNDRED AND XX/100 DOLLARS (\$118,200.00).

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City of Sandusky having advertised for bids on behalf of the City of Huron and other entities, has provided a final bid tabulation indicating the lowest and best bid for each chemical and that based on that tabulation, the City Manager is authorized and directed to award the bid to and enter into an agreement with Applied Specialties for the purchase of 12,000 Gallons of Aluminum Chlorhydrate Polymer Blend in an amount not to exceed One Hundred Eighteen Thousand Two Hundred and XX/100 Dollars (\$118,200.00). The City of Sandusky bid tabulation is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

Monty Tapp, Mayor

ATTEST:

Clerk of Council

ADOPTED:

| Contract | Chemical | Unit | Quantity | Alexander Chemicals Kingsbury, IN | Applied Specialities Avon Lake, OH | Bonded Chemicals Columbus, OH | Brenntag Mid- South Hebron, OH | Chemrite, Inc. Buford, GA | Chemtrade Chemicals Parisppany, NJ | JCI Jones Chemicals Barberton, OH | Penccco, Inc. Sealy, TX | Shannon Chemical Exton, PA | Univar Solutions Trenton, OH | Water Solutions Unlimited Camby, IN |
|----------|--|---------|----------|---|--|-------------------------------------|--------------------------------------|------------------------------|--|---|----------------------------|----------------------------------|------------------------------------|--|
| 15 | Liquid Chlorine (CL ₂) (Bid 2 of 2) | Pounds | 28,000 | \$ 1.3600 | | \$ 1.532 | \$ 1.57 | | | \$ 177.00 | | | | |
| | | | | \$ 38,080.000 | | \$ 42,896.00 | \$ 43,960.00 | | | \$ 33,099.00 | | | | |
| 16 | Powdered Activated Carbon (PAC) (Bid 3 of 3) | Tons | 12 | | | \$ 2,680.00 | | \$ 2,664.00 | | | | | | |
| | | | | | | \$ 32,160.00 | | \$ 31,968.00 | | | | | | |
| 17 | Sodium Hydroxide Liquid (NaOH) (Bid 2 of 2) | Gallons | 15,000 | \$ 3.800 | | \$ 1.66 | \$ 1.59 | | | \$ 2.44 | | | \$ 1.1655 | |
| | | | | \$ 57,000.000 | | \$ 24,900.00 | \$ 23,850.00 | | | \$ 36,000.00 | | | \$ 17,482.50 | |
| 18 | Aluminum Chlorhydrate Polymer Blend - Liquid (Al ₂ (OH) ₅ Cl) | Gallons | 12,000 | | \$ 9.850 | | | | \$ 6.600 | | | | | |
| | | | | | \$ 118,200.00 | | | | \$ 79,200.00 | | | | | |
| 19 | Hydrofluosilicic Acid (H ₂ SiF ₆) (Bid 3 of 3) | Gallons | 6,000 | \$ 3.660 | | \$ 3.38 | \$ 4.55 | | | | \$ 3.67 | | \$ 3.75 | |
| | | | | \$ 21,960.000 | | \$ 20,280.00 | \$ 27,300.00 | | | | \$ 22,020.00 | | \$ 22,500.00 | |
| 20 | Liquid Sodium Permanganate (NaMnO ₄) (Bid 2 of 2) | Gallons | 4,000 | | | \$ 9.89 | \$ 18.35 | \$ 10.44 | | | | \$ 10.370 | | \$ 12.00 |
| | | | | | | \$ 39,560.00 | \$ 73,400.00 | \$ 41,760.00 | | | | \$ 41,480.00 | | \$ 48,000.00 |



TO: Mayor Tapp and City Council
FROM: Jen Kilbury
RE: Ordinance No. 2024-46 (*submitted by Ed Widman*)
DATE: November 12, 2024

Subject Matter/Background

Ordinance No. 2024-46 requests the Council's authorization for changes to the annual budget appropriations. Please refer to Exhibit "A" of the ordinance for the detailed breakdown.

Financial Review

See Exhibit "A" for financial review and details of supplemental appropriations and cash transfers.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Ordinance no. 2024-46 is in order.

[Ordinance_No_2024-46_Appropriations_Ordinance.docx](#)

[Ordinance No. 2024-46 Exhibit A.PDF](#)

ORDINANCE NO. 2024-46
Introduced by Joel Hagy

AN ORDINANCE AMENDING ORDINANCE NO. 2023-49, ADOPTED ON DECEMBER 12, 2023, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES.

WHEREAS, pursuant to Ordinance No. 2023-49, adopted December 12, 2023, Huron City Council adopted the annual budget for the fiscal year ending December 31, 2024 for the operations of all City departments and offices; and

WHEREAS, Council has established various funds for the financial operation of the City, and through the current fiscal year certain funds have been determined to have insufficient funds and certain Funds have been determined to have excess funds; and

WHEREAS, it is necessary to amend the budget to reflect supplemental appropriations, and appropriation transfers to accommodate the operational needs of certain City departments and offices and to assure all funds of the City are in proper balance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That Exhibit "A" of Ordinance 2023-49, adopted on the 12th day of December 2023, as amended by Ordinance No. 2024-3 adopted on February 13, 2024, as amended by Ordinance No. 2024-6 adopted on February 27, 2024, amended by Ordinance No. 2024-23 adopted on June 11, 2024, and as amended by Ordinance No. 2024-36 adopted on July 23, 2024, as amended by Ordinance No. 2024-41 adopted on August 27, 2024, as amended by Ordinance No. 2024-43 adopted on September 8, 2024, and as amended by Ordinance No. 2024-44 adopted on October 22, 2024, is hereby amended to provide for supplemental appropriations and appropriation transfers as to each fund set forth in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That the Director of Finance and the City Manager are hereby authorized to expend the funds herein appropriated for the purpose of paying the operating expenses of the City for the fiscal year ending December 31, 2024, and to make the necessary entries on the accounting records of the City to reflect the appropriations and expenditures herein authorized to properly balance the various funds of the City.

SECTION 3. 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 that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. That in accordance with Section 3.06 of the Charter of the City of Huron, appropriation ordinances shall take effect immediately; WHEREFORE, this Ordinance shall take effect immediately upon its adoption.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

CITY OF HURON
BUDGET APPROPRIATION ADJUSTMENTS, AND CASH TRANSFERS
SUMMARY SHEET

Exhibit A

DATE: 11/12/2024
ORDINANCE: 2024-46

Appropriation Measure

Reason for Appropriation Measure
An appropriation measure is necessary to appropriately budget for additional expenses and transfer budget dollars between line items.
The appropriation measure below is necessary for the following reasons:
1. To appropriate the donated funds that remain after the acquisition of the new Police dog. Funds can be moved from the General Fund/Police Department to the new Police K-9 Fund.
2. To appropriate funds for the repairs needed to the Building Department vehicle.
3. To appropriate funds for the cost for a Granicus program that monitors rental property within the city. This program will not be renewed in 2025.
4. To appropriate funds to replace water valves in immediate need of replacement. Superintendent has specific details.

| APPROPRIATION MEASURE | | | | |
|-----------------------|-------------|---------------------|----------------|----------------------------|
| Fund Name | Fund Number | Department/Activity | Object Level | Increase/(Decrease) Amount |
| General Fund | 110 | Operating Transfers | Transfers Out | \$ 36,725 |
| General Fund | 110 | Building Department | Other Expenses | \$ 1,500 |
| General Fund | 110 | Building Department | Other Expenses | \$ 8,400 |
| Water Fund | 604 | Water Distribution | Other Expenses | \$ 90,000 |

NET IMPACT ON TOTAL APPROPRIATIONS \$ 136,625

Cash Transfer between Funds

Reason for Cash Transfer
This cash transfer is a one-time transfer to move funds raised for the new Police Dog that remained after acquisition. This action assures the funds are available for "Jax's" care.

| CASH TRANSFER FROM: | | | |
|---------------------|-------------|-------------------|-------------|
| Cash Transfer From: | | Cash Transfer To: | |
| Fund Name | Fund Number | Fund Name | Fund Number |
| General Fund | 110 | K-9 Fund | 224 |
| | | | Amount |
| | | | \$ 36,725 |



TO: Mayor Tapp and City Council
FROM: Jack Evans
RE: Resolution No. 84-2024 (*submitted by Jack Evans*)
DATE: November 12, 2024

Subject Matter/Background

As submitted by Jack Evans, Water Superintendent:

Two valves were exercised on 10/9/24 at the intersection of Main Street and Cleveland Road East. The first valve is stuck in the open position and the second valve began leaking after it was exercised. This is due to the age of infrastructure being 52- and 62-years old, respectively. The necessary repair needed to fix this leak is quite extensive. These valves are on the major transmission line that feeds the east side of the City and the water main is under about 10' of cover. Normal water main depth is 4.5' for reference. The city does not have the capability to make this repair in-house and quotes have been procured. A temporary plug has been placed in the valve housing to prevent the leak from being visible. The repair is necessary as there is currently no feasible way to isolate the water mains in this area should there be a watermain break.

This legislation requests authorization to enter into an agreement with RA Bores Excavating Inc. in the amount of \$91,399.12 for the replacement and insertion of two (2) 16" valves.

Financial Review

The 16" valve insertion by RA Bores Exc. Inc. in the amount of \$91,399.12 will be paid out of account number 604-5220-54052 in the amount of \$45,000, and 604-5220-53324 for the remainder.

An increase in appropriations was previously passed tonight to add these additional funds.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 84-2024 is in order.

[Resolution No. 84-2024 RA Bores Excavating 16 inch valve insertion Huron.docx](#)

[Resolution 84-2024, Exhibit A RA Bores Exc. Inc. 16 valve insertion huron \\$91,399.12.pdf](#)

RESOLUTION NO. 84-2024
Introduced by Matt Grieves

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH R.A. BORES EXCAVATING, INC. FOR THE INSERTION AND REPLACEMENT OF TWO (2) 16" WATER MAIN VALVES AT THE INTERSECTION OF MAIN STREET AND CLEVELAND ROAD, EAST IN AN AMOUNT NOT TO EXCEED NINTY-ONE THOUSAND THREE HUNDRED NINTY-NINE AND 12/100 DOLLARS (\$91,399.12).

WHEREAS, a water main valve repair is required at the intersection of Main Street and Cleveland Road, East, as a result of aging infrastructure,

WHEREAS, the repair includes insertion and replacement of two (2) 16" valves on a major transmission line that feeds the east side of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City Manager shall be, and he hereby is, authorized and directed to accept the proposal and enter into an agreement with R.A. Bores Excavating Inc. for the replacement and insertion of two (2) 16" valves at the intersection of Main Street and Cleveland Road, East in an amount not to exceed Ninety-One Thousand Three Hundred Ninety-Nine and 12/100 Dollars (\$91,399.12), which agreement shall be in substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



Bid Proposal for 16" valve insertion huron

| | | |
|----------|---|--|
| CUSTOMER | R A BORES EXC INC 2819 DOGTOWN ROAD MONROEVILLE, OH 44847 | Job 16" valve insertion huron ASHLAND, OH Bid Date: 11/29/2024 Bid #: 3839178 |
| | Sales Representative Louis Kusa (T) 419-289-2506 (F) 419-281-5341 Louie.Kusa@coreandmain.com | Core & Main 220 Westlake Dr Ashland, OH 44805 (T) 4192892506 |
| CONTACT | | |
| NOTES | | |



Bid Proposal for 16" valve insertion huron

R A BORES EXC INC
Job Location: ASHLAND, OH
Bid Date: 11/29/2024
Core & Main Bid #: 3839178

Core & Main
220 Westlake Dr
Ashland, OH 44805
Phone: 4192892506
Fax: 4192815341

| Seq# | Qty | Description | Units | Price | Ext Price |
|------|-----|---|-------|-----------|-----------|
| 10 | 2 | 16" O/L AVT VALVE INSERTION | EA | 43,000.00 | 86,000.00 |
| 20 | | COMPLETE WITH VALVE | | | |
| 30 | | AND INSTALLATION | | | |
| 40 | | CUSTOMER MUST VERIFY THE SIZE | | | |
| 50 | | TYPE & CLASS OF PIPE AT TIME | | | |
| 60 | | OF ORDERING MATERIAL. GASKETS | | | |
| 70 | | ARE MADE TO MEET THE STANDARD | | | |
| 80 | | SIZES OF THE INDUSTRY. GASKETS | | | |
| 90 | | CAN BE MADE FOR PIPE WITH | | | |
| 100 | | O.D.'S OTHER THAN THE STANDARD | | | |
| 110 | | SIZES FOR AN EXTRA CHARGE | | | |
| 120 | | HOLE BY CUSTOMER | | | |
| 130 | | 6'X 6' WITH THE PIPE IN THE | | | |
| 140 | | CENTER OF THE HOLE AND 24" | | | |
| 150 | | UNDER THE PIPE THE HOLE SHALL | | | |
| 160 | | MEET OSHA SPEC. | | | |
| 170 | | | | | |
| 180 | | IF THE PIPE CLASS | | | |
| 190 | | NOT KNOWN WE CAN | | | |
| 200 | | MAKE A 2" TAP AND | | | |
| 210 | | MEASURE THE SLUG TO | | | |
| 220 | | GET THE WALL THICKNESS | | | |
| 230 | 2 | EJIW "C" VALVE BOX COMPLETE | EA | 295.00 | 590.00 |
| 280 | 2 | H15013N 2 CORP STOP CCXCTS NO LEAD BRASS | EA | 496.86 | 993.72 |
| 290 | 2 | BR2S1732CC200 SAD 16X2CC 17.32-19.19 DBL STRAP BRNZ SAD | EA | 1,432.70 | 2,865.40 |
| | | STAINLESS STEEL STRAPS | | | |
| 300 | 2 | 2" TAP 1. TRENCH ENTRY FORM MUST BE | EA | 475.00 | 950.00 |
| | | FILLED OUT BEFORE WORK BEGINS 2. THIS SERVICE HAS BEEN | | | |
| 310 | | TAP MADE WITH HOLE SAW | | | |
| 320 | | WE WILL NEED 1 - 2" | | | |
| 330 | | TAP PER 16" INSERTION | | | |
| 340 | | UNLESS YOU BELIEVE BOTH | | | |
| 350 | | LINES WILL BE THE | | | |
| 360 | | SAME CLASS | | | |



Bid Proposal for 16" valve insertion huron

Bid #: 3839178

| Seq# | Qty | Description | Units | Price | Ext Price |
|-----------|-----|-------------|-------|-------|-----------|
| 370 | | THANK YOU | | | |
| Sub Total | | | | | 91,399.12 |
| Tax | | | | | 0.00 |
| Total | | | | | 91,399.12 |

Branch Terms:

This quote represents our interpretation of the plans & specifications and is offered as an aid to bidding only. Please check for accuracy. Verify all materials & quantities prior to bidding or ordering.

Special order material or other non-stock items are non-returnable without prior written approval from manufacturer & subject to manufacturer restock/freight fees.

All special fabricated items are not returnable.

Unless otherwise noted, Copper Tubing, PVC Pipe, DIP, Erosion Fabrics/Grid, HDPE Storm Pipe, and other resin based product prices are valid if ordered within 30 days and shipped within 60 days of the quote date. Fusible HDPE pipe prices are good for 10 days from quote date. Prices beyond these terms may be subject to change and priced at time of shipment.

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>