

ORDINANCE NO. 108-23

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE
CITY OF AVON §210.01(g)(2)(A)(1)(a) AND ADDING
§210.01(i) DEALING WITH BUILDING PERMITS AND FEES
AND DECLARING AN EMERGENCY**

WHEREAS, after a review of §210.01(g)(2)(A)(1)(a) covering the City's "Building Permit and Inspection Fees", certain fees were inadvertently omitted from Ordinance No. 43-23, Exhibit A, which passed on March 27, 2023; and

WHEREAS, the Chief Building Official has requested that certain sections be added to the fee schedule for Building Permit and Inspection Fees contained in §210.01(g)(2)(A)(1)(a) of the Codified Ordinances of the City of Avon. In addition, it was requested that §210.01(i) be added to require additional fees when outside experts are required; and

WHEREAS, Council, having reviewed said amendments, finds them to be appropriate and in the best interests of the health, safety and welfare of the citizens of Avon and desires to adopt the fee schedule set forth in §210.01(g)(2)(A)(1)(a) and require additional fees for outside consultants as set forth in §210.01(i).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN, AND STATE OF OHIO:

Section 1 – That Section §210.01(g)(2)(A)(1)(a) of the Codified Ordinances of the City of Avon which currently reads as follows:

(2) Building Permit and Inspection Fees (Sec.1442.04). The following permit fees and inspection fees shall be paid by the applicant upon issuance of a permit:

<i>Type</i>	<i>Fee</i>
A. <u>RCO Occupancies.</u>	
1. <u>New construction:</u>	*Subject to change every six months Check with Building Department for current number
a. Engineering and grading fee/deposit:	
i. Site plan fee	\$100.00
ii. Foundation grade check fee	\$150.00
iii. Final grade inspection fee	\$170.00
iv. Engineered and grade deposit	\$300.00
v. Erosion control inspection fee	\$375.00

shall be amended to read as follows: (New language in bold print)

(2) Building Permit and Inspection Fees (Sec.1442.04). The following permit fees and inspection fees shall be paid by the applicant upon issuance of a permit:

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A. <u>RCO Occupancies.</u>	
1. <u>New construction:</u>	*Subject to change every six months Check with Building Department for current number
a. Engineering and grading fee/deposit:	
i. Site plan fee	\$100.00
ii. Foundation grade check fee	\$150.00
iii. Final grade inspection fee	\$170.00
iv. Engineering and grade deposit	\$300.00
v. Erosion control inspection fee	\$375.00
vi. Floodplain permit fee	
aa. Flood plain permit fee	\$145.00***
bb. Commercial/residential subdivision	\$350.00***
cc. Residential house	\$150.00***
dd. Residential appurtenances	\$25.00***
***See, Section 210.01(i).	

Section 2 - That Section §210.01(i) shall be added to the Codified Ordinances of the City of Avon as follows:

(i) In the event the City is required, upon recommendation of Planning Commission, Planning Coordinator, the City Engineer, or Law Director to obtain the assistance of outside professional services, including but not limited to, architectural, engineering, planning, legal, and traffic, the applicant, developer or subdivider shall reimburse the City any cost above and beyond the initial fee collected at the time of submission. From the date of billing by the City, the obligee shall have thirty (30) days to pay said costs. The costs set forth herein shall be paid regardless of approval or disapproval.

Section 3 - The Codifier is hereby instructed to insert the amendments to 210.01(g)(2)(A)(1)(a) in the appropriate order within the existing codified ordinances, renumbering and/or re-lettering anywhere applicable. All other language contained in §210.01(g)(2)(A)(1)(a) not specifically amended herein shall remain in full force and effect.

Section 4 - 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 5 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend §210.01(g)(2)(A)(1)(a) of the Avon Codified Ordinances to correct an omission of fees passed pursuant to Ordinance No. 43-23, Exhibit A, and to make them consistent with practices being utilized by the Building Department; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 23, 2023 DATE SIGNED: October 23, 2023

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: October 24, 2023

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

Posted: October 25, 2023
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 108-23, passed by the Council of said City on October 23, 2023.

IN WITNESS WHEREOF, I have on this 24th day of October, 2023, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio