

NEW LEGISLATION

May 12, 2014

Temp. No.	Introduced	Committee	Description
A-46	5/12/14	P&Z	An ordinance accepting the Planning Commission approval, findings and conditions of the major site plan for Cascade Auto Group's new Audi Terminal at 4161 State Road (Parcel 35-00914) and new detail/service facility at 4149 State Road (Parcel 35-00237) and declaring an emergency.
A-47	5/12/14	P&Z	An ordinance authorizing the Director of Community Development to apply for and enter into an agreement for the Summit County Community Grant for the creation of the Wyoga Lake Road multi-purpose trail plan; authorizing the payment of the local share, and declaring an emergency.
A-48	5/12/14	PI	An ordinance authorizing the construction of the extension of the sanitary sewer on Hidden Lake Lane in the City of Cuyahoga Falls by a private developer and accepting dedication of the same, and declaring an emergency.
A-49	5/12/14	PA	A resolution urging the Governor and the Ohio Attorney General to enforce existing state laws against predatory lending as they relate to the purveyors of "auto title loans," urging the Ohio General Assembly to repeal or amend the state statute preempting municipal regulation of "auto title loans" and other predatory lending practices, and declaring an emergency.
A-50	5/12/14	PA	An ordinance authorizing the Mayor to enter into an agreement with the International Association of Firefighters, Local 494, effective January 1, 2014, and declaring an emergency.

Please Recycle Waste Paper

A-51

5/12/14

PA

An ordinance amending Ordinance 95-2004 which implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, and established and described the boundaries of a Community Reinvestment Area in the City of Cuyahoga Falls, and declaring an emergency.

CALENDAR

May 12, 2014

The following legislation will be up for passage at the Council Meeting on May 12, 2014.

Temp. No.	Introduced	Committee	Description
------------------	-------------------	------------------	--------------------

No vote session scheduled.

PENDING LEGISLATION

May 12, 2014

Temp. No.	Introduced	Committee	Description
A-40	4/14/14	PA	An ordinance authorizing the Mayor to enter into a settlement agreement in the case of Jeffrey K. White v. City of Cuyahoga Falls, and declaring an emergency.
A-41 (Sub)	4/14/14	PI	An ordinance authorizing the Director of Public Service to execute a modification of Contract No. 6787 with Karvo Paving Company Inc., and declaring an emergency.

2
3
4
5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2014

8
9 AN ORDINANCE ACCEPTING THE PLANNING
10 COMMISSION APPROVAL, FINDINGS AND
11 CONDITIONS OF THE MAJOR SITE PLAN FOR
12 CASCADE AUTO GROUP'S NEW AUDI TERMINAL AT
13 4161 STATE ROAD (PARCEL 35-00914) AND NEW
14 DETAIL/SERVICE FACILITY AT 4149 STATE ROAD
15 (PARCEL 35-00237) AND DECLARING AN
16 EMERGENCY.

17
18
19 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions
20 made by the Planning Commission be submitted to Council, and

21
22 WHEREAS, on May 6, 2014 the Planning Commission recommended approval
23 of the site plan that includes the construction of a 11,986 square foot Audi
24 Terminal (Showroom) at 4161 State Road (Parcel 35-00941), a 7,500 square foot
25 detail/service facility at 4149 State Road (Parcel 35-00237) and overall site
26 improvements, and

27
28 WHEREAS, such approval is given subject to conditions subsequent to be
29 satisfied, and

30
31 WHEREAS, such approval is necessary to determine that the allotment is
32 satisfactory, serves the public interest, and is acceptable for recording.

33
34 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
35 Falls, County of Summit, and State of Ohio, that:

36
37 Section 1. The City Council approves the site plan that includes the
38 construction of a 12,000 square foot Audi Terminal (Showroom) at 4161 State Road
39 (Parcel 35-00941), a 7,500 square foot detail/service facility at 4149 State Road
40 (Parcel 35-00237) and overall site improvements in Cuyahoga Falls, Ohio, in
41 accordance with Cuyahoga Falls General Development Code regulations as
42 stipulated in the Codified Ordinances of the City of Cuyahoga Falls and as
43 approved by the Planning Commission as per the plans and final stipulations
44 contained in Project File MS-14-00019.

45
46 Section 2. Any other ordinances or resolutions or portions of ordinances and
47 resolutions inconsistent herewith are hereby repealed, but any ordinances and
48 resolutions not inconsistent herewith and which have not previously been repealed
49 are hereby ratified and confirmed.

50
51 Section 3. It is found and determined that all formal actions of this Council
52 concerning and relating to the adoption of this ordinance were adopted in an open
53 meeting of this Council, and that all deliberations of this Council and of any of its

54 committees that resulted in such formal action, were in meetings open to the
55 public, in compliance with all legal requirements, to the extent applicable,
56 including Chapter 107 of the Codified Ordinances.

57
58 Section 4. This ordinance is hereby declared to be an emergency measure
59 necessary for the preservation of the public peace, health, safety, convenience and
60 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
61 that it is immediately necessary to permit timely and appropriate development of
62 this property, and provided it receives the affirmative vote of two thirds of the
63 members elected or appointed to Council, it shall take effect and be in force
64 immediately upon its passage and approval by the Mayor; otherwise it shall take
65 effect and be in force at the earliest period allowed by law.

66
67
68 Passed: _____
69 _____
70 President of Council

71 _____
72 Clerk of Council

73
74 Approved: _____
75 _____
76 Mayor

77 5/12/14
78 O:\2014ords\MSP-14-00019 Cascade Auto Site Plan.doc

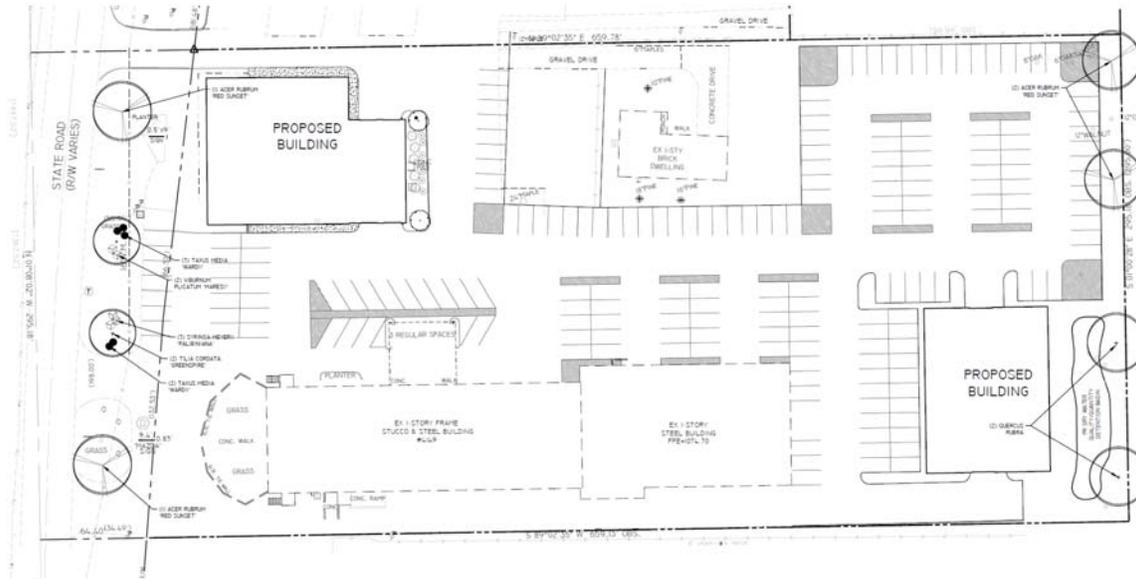


Figure 1 -- Site Plan

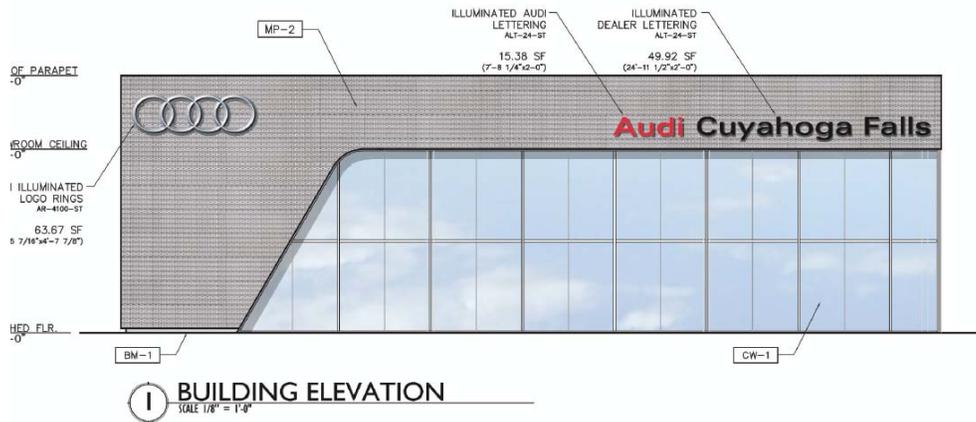


Figure 2 -- Audi Terminal -- Front Elevation

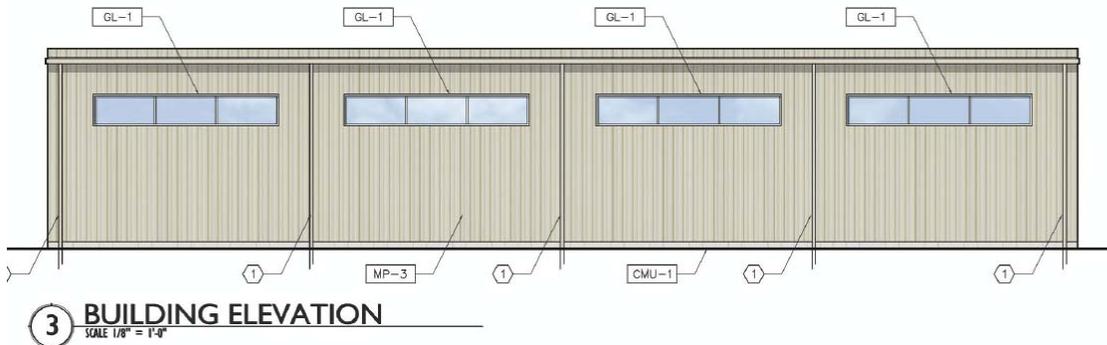


Figure 3 -- Detail/Service Building - Side Elevation

2
3
4
5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2014

8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 COMMUNITY DEVELOPMENT TO APPLY FOR AND
11 ENTER INTO AN AGREEMENT FOR THE SUMMIT
12 COUNTY COMMUNITY GRANT FOR THE CREATION OF
13 THE WYOGA LAKE ROAD MULTI-PURPOSE TRAIL
14 PLAN; AUTHORIZING THE PAYMENT OF THE LOCAL
15 SHARE, AND DECLARING AN EMERGENCY.

16
17 WHEREAS, the Ohio & Erie Canalway Coalition requires supporting legislation
18 to apply for the 2014 Summit County Community Grant Program, and

19
20 WHEREAS, on October 1, 2013, the Planning Commission recommended that
21 sidewalks or a multi-purpose trail be planned on Wyoga Lake Road within the City
22 of Cuyahoga Falls, Ohio.

23
24 WHEREAS, the Wyoga Lake Road multi-purpose trail was included in the City
25 of Cuyahoga Falls CDBG 2014-2015 Annual Action Plan and 2014-2018
26 Consolidated Plan.

27
28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
29 Falls, County of Summit, and State of Ohio, that:

30
31 Section 1. The Director of Community Development is hereby authorized to
32 submit a \$10,000 grant request to the Ohio & Erie Canalway Coalition for the
33 creation of a multi-purpose trail master plan on Wyoga Lake Road, from Seasons
34 Road to Graham Road.

35
36 Section 2. The Director of Community Development, and other City officials,
37 as appropriate are hereby authorized and directed to enter into agreements that
38 may be necessary to apply for and accept the grant mentioned herein, including
39 the expenditure of CDBG funds as a 50% grant match.

40
41 Section 3. Any other ordinances or resolutions or portions of ordinances and
42 resolutions inconsistent herewith are hereby repealed, but any ordinances and
43 resolutions not inconsistent herewith and which have not previously been repealed
44 are hereby ratified and confirmed.

45
46 Section 4. That it is found and determined that all formal actions of this
47 Council concerning and relating to the adoption of this ordinance were adopted in
48 an open meeting of this Council, and that all deliberations of this Council and of
49 any of its committees that resulted in such formal action, were in meetings open to
50 the public, in compliance with all legal requirements, to the extent applicable,
51 including Chapter 107 of the Codified Ordinances.

53 Section 5. That this ordinance is hereby declared to be an emergency
54 measure necessary for the preservation of the public peace, health, safety,
55 convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof,
56 for the reason that it is immediately necessary to permit timely and appropriate
57 development of this property, and provided it receives the affirmative vote of two
58 thirds of the members elected or appointed to Council, it shall take effect and be in
59 force immediately upon its passage and approval by the Mayor; otherwise it shall
60 take effect and be in force at the earliest period allowed by law.

61

62

63 Passed: _____

President of Council

64

65

66

67

Clerk of Council

68

69

70

71 Approved: _____

Mayor

72

73

74 5/12/14

75 O:\2014ords\Wyoga Lake Road Multi-Purpose Trail Plan Application.doc

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2014

7
8 AN ORDINANCE AUTHORIZING THE CONSTRUCTION
9 OF THE EXTENSION OF THE SANITARY SEWER ON
10 HIDDEN LAKE LANE IN THE CITY OF CUYAHOGA
11 FALLS BY A PRIVATE DEVELOPER AND ACCEPTING
12 DEDICATION OF THE SAME, AND DECLARING AN
13 EMERGENCY.

14
15 WHEREAS, residential properties exist on Hidden Lake Lane; and

16
17 WHEREAS, no sanitary sewer exists to service said properties; and

18
19 WHEREAS, a private developer has submitted plans to construct sanitary sewer
20 to said properties in accordance with City of Cuyahoga Falls specifications.

21
22 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
23 Falls, County of Summit and State of Ohio, that:

24
25 Section 1. The construction of the extension of the sanitary sewer on Hidden
26 Lake Lane in the City of Cuyahoga Falls by a private developer is hereby authorized
27 and the dedication of the same to the City is hereby accepted.

28
29 Section 2. The sanitary sewer must conform to and be in accordance with the
30 specifications and plans currently approved and on file in the Office of the City
31 Engineer.

32
33 Section 3. Any other ordinances or resolutions or portions of ordinances and
34 resolutions inconsistent herewith are hereby repealed, but any ordinances and
35 resolutions not inconsistent herewith and which have not previously been repealed
36 are hereby ratified and confirmed.

37
38 Section 4. It is found and determined that all formal actions of this Council
39 concerning and relating to the adoption of this ordinance were adopted in an open
40 meeting of this Council, and that all deliberations of this Council and of any of its
41 committees that resulted in such formal action, were in meetings open to the
42 public, in compliance with all legal requirements, to the extent applicable,
43 including Chapter 107 of the Codified Ordinances.

44
45 Section 5. This ordinance is hereby declared to be an emergency measure
46 necessary for the preservation of the public peace, health, safety, convenience and
47 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
48 that it is immediately necessary to permit timely and appropriate development of
49 this property, and provided it receives the affirmative vote of two thirds of the

50 members elected or appointed to Council, it shall take effect and be in force
51 immediately upon its passage and approval by the Mayor; otherwise it shall take
52 effect and be in force at the earliest period allowed by law.

53

54

55 Passed: _____
56 _____
57 President of Council

58

59 _____
60 Clerk of Council

61

62 Approved: _____
63 _____
64 Mayor

65

64 5/12/14

65 O:\2014ords\Sanitary sewer by developer.doc

2
3
4
5 CITY OF CUYAHOGA FALLS, OHIO

6
7 RESOLUTION NO - 2014

8
9 A RESOLUTION URGING THE GOVERNOR AND THE
10 OHIO ATTORNEY GENERAL TO ENFORCE EXISTING
11 STATE LAWS AGAINST PREDATORY LENDING AS THEY
12 RELATE TO THE PURVEYORS OF "AUTO TITLE LOANS,"
13 URGING THE OHIO GENERAL ASSEMBLY TO REPEAL
14 OR AMEND THE STATE STATUTE PREEMPTING
15 MUNICIPAL REGULATION OF "AUTO TITLE LOANS" AND
16 OTHER PREDATORY LENDING PRACTICES, AND
17 DECLARING AN EMERGENCY.
18

19 WHEREAS, in 2008 the Ohio General Assembly enacted and amended statutes
20 regulating and limiting certain predatory lending practices and operators, including
21 storefront operators offering "payday loans," which statutes now appear at Ohio Revised
22 Code ("R.C.") Sections 1321.01-48 (hereinafter the "Small Loan" and "Short Term Loan"
23 laws); and
24

25 WHEREAS, the Small Loan law governs loans less than \$5,000, while the Short
26 Term Loan law governs loans less than \$500; and
27

28 WHEREAS, the Small Loan and Short Term Loan laws generally limit payday loan
29 annual percentage interest rates ("APR") to no more than 22% on balances over \$1,000
30 and 28% on balances less than \$1,000; and
31

32 WHEREAS, beginning in earnest in 2011, payday lenders deployed a new loan
33 product known as an "auto title loan," under which payday lenders lend a small
34 amount of money, typically less than \$1,500, to a borrower pledging an auto title as
35 collateral for the loan; and
36

37 WHEREAS, auto title loans would be governed by the Small Loan and Short Term
38 Loan laws but for the fact that the purveyors of these loans have generally registered as
39 "credit service organizations" under R.C. Chapter 4712, a regulatory designation
40 intended to cover organizations that purport to assist individuals with bad credit; and
41

42 WHEREAS, one of the authorized functions of a credit service organization is to
43 "obtain an extension of credit" by a third party to the organization's customer, which in
44 the case of storefront payday lenders is the auto title borrower; and
45

46 WHEREAS, payday loan operators registered as credit service organizations evade
47 the Small Loan and Short Term Loan laws by claiming that they do not lend money, but
48 rather arrange for a third party to lend the money to an auto title loan borrower; and
49

50 WHEREAS, the evasion engaged in by the payday lenders is legally untenable,
51 because there is nothing in the Revised Code that would suggest that a credit service
52 organization that makes (or arranges for) payday or auto title loans is not subject to the
53 Small Loan and Short Term Loan laws, and in fact these laws expressly prohibit such
54 manner of subterfuge; and
55

56 WHEREAS, notwithstanding the patent subterfuge of the law engaged in by the
57 payday lenders, the Ohio Department of Commerce, which is responsible for enforcing
58 the Small Loan and Short Term Loan laws in conjunction with the Ohio Attorney
59 General, has declined to engage in any enforcement activity whatsoever; and
60

61 WHEREAS, at least 17 entities operating storefront payday loan stores in Ohio have
62 registered as credit service organizations; and
63

64 WHEREAS, the Ohio General Assembly has also enacted a law (R.C. §1.63)
65 prohibiting municipalities from regulating credit and loan transactions in any manner,
66 thus eliminating any possibility that local government could step in to protect the
67 public from predatory lending practices; and
68

69 WHEREAS, numerous analyses of the practices of auto title lenders demonstrate
70 that the effective APR on an auto title loan ranges from 350% to over 700%; and
71

72 WHEREAS, the marketing of auto title loans works to deliberately exploit the most
73 desperate and vulnerable of our citizens, very many of whom find themselves in a
74 financial crisis with no other asset to pawn other than their automobile; and
75

76 WHEREAS, a person who suffers repossession of his or her automobile because of
77 inability to pay off an auto title loan effectively loses the ability to look for and hold a
78 job; and
79

80 WHEREAS, it is critical that the Governor, the General Assembly and the Ohio
81 Attorney General act to stop the exploitation of vulnerable citizens by enforcing the
82 Small Loan and Short Term Loan laws against auto title lenders, and/or by repealing
83 R.C. §1.63 or amending the Revised Code to authorize municipalities to regulate such
84 practices or separately engage in enforcement of existing state laws.
85

86 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
87 County of Summit and State of Ohio, that:
88

89 Section 1. This Council urges the Governor to instruct the Department of
90 Commerce and the Superintendent of Financial Institutions to engage in a meaningful
91 effort to enforce the Small Loan and Short Term Loan laws as they relate to auto title
92 loans, and to ensure that purveyors of auto title loans comply with the consumer
93 protection laws that Ohioans struggled to enact in 2008. This Council also urges the
94 Ohio Attorney General to take action in conjunction with the Dept. of Commerce to
95 enforce these laws. This Council also urges the Ohio General Assembly to repeal the
96 preemption of local regulatory authority as it relates to storefront predatory lending
97 generally, and auto title loans in particular, or to amend the Code to grant local
98 governments the authority to engage in separate enforcement of existing state laws.
99

100 Section 2. The Clerk of Council is hereby instructed to send certified copies of this
101 Resolution to the Governor, the Ohio Attorney General, the President of the Ohio
102 Senate, the Speaker of the Ohio House of Representatives, State Senator Frank LaRose,
103 State Representative Anthony DeVitis, the Director of the Ohio Department of
104 Commerce, and the Superintendent of Financial Institutions.
105

106 Section 3. It is found and determined that all formal actions of this Council
107 concerning and relating to the adoption of this resolution were adopted in an open
108 meeting of this Council and that all deliberations of this Council and of any of its
109 committees that resulted in such formal action were in meetings open to the public, in

110 compliance with all legal requirements including Chapter 107 of the Codified
111 Ordinances.

112
113 Section 4. This resolution is hereby declared to be an emergency measure necessary
114 for the preservation of the public peace, health, safety, convenience and welfare of the
115 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the
116 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
117 take effect and be in force immediately upon its passage and approval by the Mayor;
118 otherwise it shall take effect and be in force at the earliest period allowed by law.

119
120
121 Passed: _____
122 _____
123 President of Council

124
125
126 _____
127 Clerk of Council

128
129 Approved: _____
130 _____
131 Mayor

132 5/12/14
133 O:\2014ords\Auto title loan reso 2.doc
134

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2014

6
7
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
9 AN AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF
10 FIREFIGHTERS, LOCAL 494, EFFECTIVE JANUARY 1, 2014,
11 AND DECLARING AN EMERGENCY.

12
13 WHEREAS, Ohio Revised Code Chapter 4117 authorizes public employees to bargain collec-
14 tively with public employers regarding wages, hours, terms and other conditions of employment
15 and to enter into collective bargaining agreements; and

16
17 WHEREAS, the Mayor and his representatives and the International Association of Fire Fight-
18 ers, Local 494 (IAFF) have bargained collectively and in good faith and said bargaining has
19 resulted in a tentative agreement on a collective bargaining agreement effective January 1, 2014;
20 and

21
22 WHEREAS, on or about May 2, 2014, the membership of the IAFF ratified said tentative col-
23 lective bargaining agreement.

24
25 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
26 of Summit and State of Ohio, that:

27
28 Section 1. The Mayor is hereby authorized to enter into a collective bargaining agreement as
29 negotiated with and ratified by the IAFF, effective January 1, 2014.

30
31 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
32 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of ordi-
33 nances and resolutions not inconsistent herewith and which have not previously been repealed
34 are hereby ratified and confirmed.

35
36 Section 3. It is found and determined that all formal actions of this Council concerning and
37 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
38 that all deliberations of this Council and of any of its committees that resulted in such formal
39 action were in meetings open to the public, in compliance with all legal requirements including
40 Chapter 107 of the Codified Ordinances.

41
42 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
43 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
44 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the
45 members elected or appointed to Council, it shall take effect and be in force immediately upon its
46 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
47 period allowed by law.

48
49
50 Passed: _____

President of Council

51
52
53
54 _____
Clerk of Council

55
56
57
58 Approved: _____

Mayor

59
60
61 5/12/14

62 O:\2014ords\IAFF.contract.doc

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2014

6
7
8
9 AN ORDINANCE AMENDING ORDINANCE 95-2004 WHICH
10 IMPLEMENTED SECTIONS 3735.65 THROUGH 3735.70 OF THE
11 OHIO REVISED CODE, AND ESTABLISHED AND DESCRIBED
12 THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA
13 IN THE CITY OF CUYAHOGA FALLS, AND DECLARING AN
14 EMERGENCY.

15
16 BE IT ORDAINED by the City of Cuyahoga Falls, County of Summit, Ohio, that:

17
18 Section 1. Ordinance 94-2004 implemented Sections 3735.65 through 3735.70 of the
19 Revised Code and established and described the boundaries of a Community Reinvestment Area
20 in the City of Cuyahoga Falls is hereby amended as follows ((new text underlined; deleted text in
21 ~~striketrough~~):

22
23 Section 2. Based upon the survey of housing and City Council’s own knowledge of the facts
24 and conditions existing in the Cuyahoga River Community Reinvestment Area, this City Council
25 finds and determines that the area designated as the Cuyahoga River Community Reinvestment
26 Area constitutes an area in which housing facilities or structures of historical significance are
27 located, and in which new housing construction and repair of existing facilities or structures has
28 been discouraged.

29
30 Section 3. Pursuant to Ohio Revised Code Section 3735.66, the Cuyahoga River Community
31 Reinvestment Area is hereby established and is in the area described in the legal description
32 contained in Exhibit A to this Ordinance.

33
34 The Cuyahoga River Community Reinvestment Area is approximately depicted as the
35 crosshatched area on the map attached to this Ordinance, marked Exhibit B, and incorporated
36 by reference herein.

37
38 Only residential, commercial and/or industrial properties consistent with the applicable
39 zoning regulations within the designated Cuyahoga River Community Reinvestment Area will be
40 eligible for exemptions under this Program.

41
42 Section 4. All properties identified in the legal description contained in Exhibit A as being
43 within the designated Cuyahoga River Community Reinvestment Area are eligible for incentive as
44 provided in this Ordinance. Proposals shall be public/private partnerships intended to promote
45 and expand conforming uses in the Cuyahoga River area.

46
47 Section 5. Within the Cuyahoga River Community Reinvestment Area, the percentage of the
48 tax exemption on the increase in the assessed valuation resulting from improvements
49 (remodeling) to or new construction of commercial and industrial real property and the term of
50 those exemptions shall be negotiated on a case-by-case basis in advance of construction or
51 remodeling occurring according to the rules outlined in the Ohio Revised Code Section 3735.67.
52 Further, only commercial or industrial improvements upon which the cost of construction or
53 remodeling of the structure is at least \$250,000 will be eligible for exemption. The results of the
54 negotiation as approved by this Council will be set in writing in a Community Reinvestment Area
55 Agreement as outlined in Ohio Revised Code Section 3735.671. For purposes of this Ordinance,
56 all residential structures or remodeling composed of more than two units are classified as
57 commercial, including apartment and condominium units and townhouses.

58
59 For residential property (other than as provided in the preceding paragraph), a tax exemption
60 on the increase in the assessed valuation resulting from improvements as described in Ohio
61 Revised Code Section 3735.67 shall be granted upon proper application by the property owner

62 and certification thereof by the designated Housing Office for the following types of improvements
63 and for the following periods and exemption percentages. Residential applications must be filed
64 with the Housing Officer no later than 12 months after construction completion.
65

- 66 (a) Seven (7) year/seventy-five (75) percent tax exemption for the remodeling of owner-
67 occupied one- family dwelling units upon which the cost of remodeling is at least \$10,000
68 as described in Ohio Revised Code Section 3735.67. A single additional unit (only one) is
69 also eligible for this exemption if an occupying owner leases that unit and it is attached
70 to the owner-occupied unit.
71
- 72 (b) Seven (7) year/one hundred (100) percent tax exemption for the remodeling of owner-
73 occupied structures of historical or architectural significance, as defined in O.R.C.
74 Section 3735.65, upon which the cost of remodeling is at least \$10,000 as described in
75 Ohio Revised Code Section 3735.67. A single additional unit (only one) is also eligible for
76 this exemption if an occupying owner leases that unit and it is attached to the owner-
77 occupied unit.
78
- 79 (c) Seven (7) year/seventy-five (75) percent tax exemption for new construction of owner-
80 occupied single family dwelling units upon which the cost of the structure is at least
81 \$125,000 as described in Ohio Revised Code Section 3735.67. A single additional unit
82 (only one) is also eligible for this exemption if an occupying owner leases that unit and it
83 is attached to the owner-occupied unit.
84

85 If remodeling qualifies for an exemption, during the period of the exemption, the exempted
86 percentage of the dollar amount of the increase in market value of the structure shall be exempt
87 from real property taxation. If new construction qualifies for an exemption the exempted
88 percentage of the structure shall not be considered to be an improvement on the land on which it
89 is located for the purpose of real property taxation.
90

91 Section 6. All commercial and industrial projects are required to comply with the state
92 application fee requirements of Ohio Revised Code Section 3735.672 (C) for each agreement.
93

94 Section 7. To administer and implement the provisions of this Ordinance, the Director of
95 Community Development is designated as the Housing Officer as described in Sections 3735.65
96 through 3735.70.
97

98 Section 8. As described in Ohio Revised Code Section 3735.69, a A "Community
99 Reinvestment Area Housing Council" shall be created, consisting of two members appointed by
100 the Mayor, two members appointed by the City Council and one member appointed by the
101 Planning Commission. The majority of the members shall then appoint two additional members
102 who shall be residents of the City. Terms of the members of the Council shall be for three years.
103 An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as
104 the initial appointment was made. The Mayor of the City, the City Council and the Planning
105 Commission are hereby authorized and directed to make their respective appointments to the
106 Housing Council and those five appointed members are authorized to appoint the final two
107 members. Terms of the members of the council shall be for three years. An unexpired term
108 resulting from a vacancy in the council shall be filled in the same manner as the initial
109 appointment was made. The Housing Council shall make an annual inspection of the properties
110 within the CRA for which an exemption has been granted and shall hear appeals under Ohio
111 Revised Code Section 3735.70 from property owners whose CRA applications have been denied or
112 tax exemptions revoked by the Housing Officer.
113

114 Section 9. A Tax Incentive Review Council (TIRC) shall be established for the Cuyahoga
115 River Community Reinvestment Area pursuant to Ohio Revised Code Section ~~58709~~.85. The TIRC
116 shall review annually the compliance of all agreements involving the grant of exemptions for real
117 property improvements under Ohio Revised Code Section 3735.671 and shall make written
118 recommendations to the City Council as to the continuation, modification or termination of said
119 agreements based upon the performance of those agreements.
120

121 Section 10. City Council reserves the right to re-evaluate the designation of the Cuyahoga
122 River Community Reinvestment Area anytime after December 31, 2007, at which time the Council

123 may direct the Housing Officer not to accept any new applications for exemptions as described in
124 Section 3735.67 of the Ohio Revised Code, except for exemptions which have been approved in
125 Community Reinvestment Agreements entered into prior to that date.
126

127 Section 11. The Mayor of Cuyahoga Falls is hereby directed and authorized to petition the
128 Director of Development to confirm the findings contained in this Ordinance.
129

130 Section 12. A copy of this Ordinance shall be forwarded to the Summit County Fiscal Officer;
131 and a copy of this Ordinance shall also be published in a newspaper of general circulation in the City
132 once a week for two consecutive weeks immediately following its passage.
133

134 Section 13. That any ordinances or resolutions or portions of ordinances and resolutions
135 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
136 herewith and which have not previously been repealed are hereby ratified and confirmed.
137

138 Section 14. The Council hereby finds and determines that all formal actions relative to the
139 passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of
140 this Council and of its committees, if any, which resulted in formal action were taken in meetings
141 open to the public, in compliance with the law.
142

143 Section 15. This Ordinance is declared to be an emergency measure necessary for the
144 immediate preservation of the public peace, health and safety of the City, and for the further
145 reason that the immediate effectiveness of this Ordinance is required in order to designate the
146 Cuyahoga River Community Reinvestment Area in order to induce projects to go forward that will
147 create jobs and employment opportunities, enhance the availability of adequate housing and
148 improve the economic welfare of the people, wherefore, this Ordinance shall be in full Ohio
149 Revised Code and effect immediately upon its passage and approval by the Mayor.
150

151
152 Passed: _____
153 _____
154 President of Council
155

156 _____
157 Clerk of Council
158

159
160 Approved: _____
161 _____
162 Mayor
163

164 5/12/14
165 O:\2014ords\CRA Legislation.doc