

NEW LEGISLATION

March 23, 2015

Temp. No.	Introduced	Committee	Description
B-26	3/23/15	PZ	An ordinance approving the creation of an individual historic overlay landmark of 2.479 acres at 783 West Bath Road according to Section 1132.21 H, Historic Overlay in the Cuyahoga Falls General Development Code, and declaring an emergency.
B-27	3/23/15	PA	An ordinance amending various sections of the Codified Ordinances to conform to State law, approving the 2014 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.
B-28	3/23/15	CD	An ordinance approving the Community Development Block Grant Annual Action Plan for Fiscal Year 2015, and declaring an emergency.

CALENDAR

March 23, 2015

The following legislation will be up for passage at the Council Meeting on March 23, 2015.

Temp. No.	Introduced	Committee	Description
B-24	3/9/15	Fin	An ordinance amending ordinance 2-2015 authorizing the Directors of Safety and Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles for use by the City, and authorizing the Finance Director to increase appropriations in the Drug Law Enforcement Fund by \$12,000, and declaring an emergency.
B-25	3/9/15	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual resurfacing and/or repair of various streets as described in Exhibit 'A' attached hereto, in the City of Cuyahoga Falls, and declaring an emergency.

PENDING LEGISLATION

March 23, 2015

Temp. No.	Introduced	Committee	Description
B-24	3/9/15	Fin	An ordinance amending ordinance 2-2015 authorizing the Directors of Safety and Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles for use by the City, and authorizing the Finance Director to increase appropriations in the Drug Law Enforcement Fund by \$12,000, and declaring an emergency.
B-25	3/9/15	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual resurfacing and/or repair of various streets as described in Exhibit 'A' attached hereto, in the City of Cuyahoga Falls, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2015

8
9 AN ORDINANCE APPROVING THE CREATION OF AN
10 INDIVIDUAL HISTORIC OVERLAY LANDMARK OF
11 2.479 ACRES AT 783 WEST BATH ROAD ACCORDING
12 TO SECTION 1132.21 H, HISTORIC OVERLAY IN THE
13 CUYAHOGA FALLS GENERAL DEVELOPMENT CODE,
14 AND DECLARING AN EMERGENCY.
15

16
17 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions
18 made by the Planning Commission be submitted to Council, and
19

20 WHEREAS, on March 17, 2015 the Planning Commission recommended
21 approval for the designation of 2.479 acres of Keyser Park as an individual historic
22 overlay landmark according to Section 1132.21 H, Historic Overlay of the
23 Cuyahoga Falls General Development Code and as outlined in this legislation and
24 in File HIS-15-00005, and
25

26 WHEREAS, the Planning Commission acted with the recommendation and
27 approval of the Cuyahoga Falls Design and Historic Review Board, and
28

29 WHEREAS, the proposed 2.479 acre individual historic landmark is considered
30 historically significant because it includes the Keyser-Best farmhouse and barn,
31 and
32

33 WHEREAS, the Planning Commission based its individual historic overlay
34 landmark designation for on Section 1132.21 H, Historic Overlay and Ordinance
35 18-2014, and
36

37 WHEREAS, the Planning Commission is recommending that City Council
38 approve this 2.479 acre individual historic overlay landmark designation at 783
39 West Bath Road because the former Northampton Township Keyser-Best
40 farmhouse and barn have special historic and architectural value to the City of
41 Cuyahoga Falls.
42

43 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
44 Falls, County of Summit, and State of Ohio, that:
45

46 Section 1. The City Council approves, the creation of an individual historic
47 overlay landmark of 2.479 acres at 783 West Bath Road according to Section
48 1132.21 H, Historic Overlay in the Cuyahoga Falls General Development Code and

49 as approved by the Planning Commission as per the plans and final stipulations
50 contained in File HIS-15-00005.

51
52 Section 2. It is found and determined that all formal actions of this Council
53 concerning and relating to the adoption of this ordinance were adopted in an open
54 meeting of this Council, and that all deliberations of this Council and of any of its
55 committees that resulted in such formal action, were in meetings open to the
56 public, in compliance with all legal requirements including, to the extent
57 applicable, Chapter 107 of the Codified Ordinances.

58
59 Section 3. This ordinance is hereby declared to be an emergency measure
60 necessary for the preservation of the public peace, health, safety, convenience and
61 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
62 that it is immediately necessary to create this Keyser Park area as a historic
63 overlay landmark and provided it receives the affirmative vote of two thirds of the
64 members elected or appointed to Council, it shall take effect and be in force
65 immediately upon its passage and approval by the Mayor; otherwise it shall take
66 effect and be in force at the earliest period allowed by law.

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69 Passed: _____
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71 President of Council

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74 Clerk of Council

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77 Approved: _____
78 _____
79 Mayor

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81 3/23/15
82 O:\2015 ords\HIS-15-00005 Keyser-Best Farmsted-Individual Historic
83 LandmarkHope (1).doc

PROPOSED INDIVIDUAL HISTORIC LANDMARK AREA



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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. -2015

6
7 AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
8 CODIFIED ORDINANCES TO CONFORM TO STATE LAW,
9 APPROVING THE 2014 REPLACEMENT PAGES TO THE
10 CODIFIED ORDINANCES OF THE CITY OF CUYAHOGA FALLS,
11 AND DECLARING AN EMERGENCY.
12

13 WHEREAS, Article XVIII, Section 3 of the Ohio Constitution provides that municipalities shall
14 have the authority to enforce local police, sanitary and other similar regulations as are not in
15 conflict with general laws, and
16

17 WHEREAS, certain provisions within the Codified Ordinances of the City of Cuyahoga Falls
18 should be amended to conform to current State laws that have been amended, so as to avoid
19 conflict in matters that are not subject to the City’s powers of local self-government; and
20

21 WHEREAS, various ordinances and ordinance amendments of a general and permanent
22 nature have been passed by this Council which should be included in the published Codified
23 Ordinances; and
24

25 WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane
26 Company to prepare and publish such revisions as are approved by this Council,
27

28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
29 of Summit and State of Ohio, that:
30

31 Section 1. The Ordinances of the City of Cuyahoga Falls, Ohio, of a general and permanent
32 nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters
33 and sections within the 2014 Replacement Pages to the Codified Ordinances, are hereby approved
34 and adopted.
35

36 Section 2. The following sections and chapters are hereby added, amended or repealed as
37 respectively indicated in order to comply with current State law.
38

39 Traffic Code

- 40
- 41 301.161 Highway Maintenance Vehicle. (Added)
- 42 301.162 Highway Traffic Signal. (Added)
- 43 303.02 Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
- 44 333.01 Driving or Physical Control While Under the Influence. (Amended)
- 45 333.03 Maximum Speed Limits. (Amended)
- 46 333.031 Approaching a Stationary Public Safety, Emergency or Road Service
47 Vehicle. (Amended)
- 48 337.16 Number of Lights; Limitations on Flashing. (Amended)
- 49 337.17 Focus and Aim of Headlights. (Amended)
- 50 339.01 Oversize or Overweight Vehicle on State Routes. (Amended)
- 51 351.04 Parking Near Curb; Handicapped Parking. (Amended)
- 52 373.02 Riding Upon Seats; Handle Bars; Helmets and Glasses. (Amended)
- 53

54 General Offenses Code

- 55
- 56 505.081 Cruelty to Companion Animals. (Amended)
- 57 525.01 Law Enforcement and Public Office Definitions. (Amended)

58	525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
59	529.01	Liquor Control Definitions. (Amended)
60	529.07	Open Container Prohibited. (Amended)
61	533.09	Soliciting. (Amended)
62	533.14	Unlawful Advertising of Massage. (Added)
63	537.03	Assault. (Amended)
64	537.05	Aggravated Menacing. (Amended)
65	537.051	Menacing by Stalking. (Added)
66	537.06	Menacing. (Amended)
67	537.12	Misuse of 9-1-1 System. (Amended)
68	537.16	Illegal Distribution of Cigarettes, Other Tobacco Products or Alternate Nicotine Products. (Amended)
69		
70	537.18	Criminal Child Enticement. (Amended)
71	545.01	Theft and Fraud Definitions. (Amended)
72	545.02	Determining Property Value in Theft Offense. (Amended)
73	545.05	Petty Theft. (Amended)
74	545.15	Securing Writings by Deception. (Amended)
75	553.03	Duties of Locomotive Engineer. (Amended)

76

77 Section 3. The complete text of the sections listed above are set forth in full in the current
78 replacement pages to the Codified Ordinances which are hereby attached to this ordinance as
79 Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient
80 publication of new matter contained therein.

81

82 Section 4. It is found and determined that all formal actions of this Council concerning and
83 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
84 that all deliberations of this Council and any of its committees that resulted in such formal action
85 were in meetings open to the public, in compliance with all legal requirements including Chapter
86 107 of the Codified Ordinances.

87

88 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
89 preservation of the public peace, health and safety of the Municipality and its inhabitants for the
90 reason that there exists an imperative necessity for the earliest publication and distribution of
91 current Replacement Pages to the officials and residents of the Municipality, so as to facilitate
92 administration, daily operation and avoid practical and legal entanglements, and provided that it
93 receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall
94 take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it
95 shall take effect and be in force at the earliest period allowed by law.

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98 Passed: _____

President of Council

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Clerk of Council

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106 Approved: _____

Mayor

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3/23/15

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE APPROVING THE COMMUNITY DEVELOPMENT
9 BLOCK GRANT ANNUAL ACTION PLAN FOR FISCAL YEAR 2015,
10 AND DECLARING AN EMERGENCY.
11

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13 WHEREAS, Subpart C of Part 91, Title 24 of the Code of Federal Regulations requires that the
14 City submit, as a part of the annual submission of its consolidated plan, an action plan that includes
15 a certification that the consolidated plan is authorized under state and local law and that the City
16 possesses the legal authority to carry out the programs for which it is seeking funding,
17

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

20
21 Section 1. The 2015 Community Development Block Grant Annual Action Plan, and the
22 programs contained in the City’s consolidated plan, are hereby approved, and the Community
23 Development Department is authorized to carry out the programs contained in these documents.
24

25 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions
26 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
27 herewith and which have not previously been repealed are hereby ratified and confirmed.
28

29 Section 3. It is found and determined that all formal actions of this Council concerning and
30 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that
31 all deliberations of this Council and of any of its committees that resulted in such formal action, were
32 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,
33 including Chapter 107 of the Codified Ordinances.
34

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

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47 _____
48 Clerk of Council

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51 Approved: _____
52 _____
53 Mayor

54
55 3/23/15