

NEW LEGISLATION

March 26, 2018

Temp. No.	Introduced	Committee	Description
A-30	3/26/18	Fin	An ordinance authorizing the Mayor and/or Director of Finance to execute a contract with a Regional Council of Governments for the purpose of administration and collection of municipal income tax in the City of Cuyahoga Falls, Ohio, and declaring an emergency.
A-31	3/26/18	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for supplying and installing diesel oxidation catalyst equipment, and declaring an emergency.
A-32	3/26/18	PI	An ordinance amending appropriations for the creation of the Division of Neighborhood Excellence, Communications, and Community Outreach and to make certain other adjustments to various departments to streamline efficiencies, and declaring an emergency.
A-33	3/26/18	PA	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.
A-34	3/26/18	PA	An ordinance amending Section 777 of Title Seven, Part one of the Codified Ordinances, relating to secondhand dealers, and declaring an emergency.
A-35	3/26/18	PA	A resolution expressing support for and urging passage of Issue 35, Woodridge Local School District tax levy, at the primary election to be held on May 8, 2018, and declaring an emergency.

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A-36	3/26/18	PA	<p>An ordinance amending Chapter 133 of the Codified Ordinances and creating the Division of Neighborhood Excellence, Communications, and Community Outreach (“NECCO”) and the positions of Neighborhood Excellence, Communications, and Community Outreach Director; and Neighborhood Excellence and Downtown Administrator; renaming Public Utility Customer Advocate to Public Utilities and Community Outreach Coordinator; and abolishing the position of Riverfront Centre District Manager in the Community Development Department and amending Exhibit “A” of Ordinance 117-2015, and declaring an emergency.</p>
A-37	3/26/18	PA	<p>An ordinance re-assigning the non-bargaining positions of Tax Administrator, Deputy Service Director and Buildings and Grounds Maintenance Superintendent to the appropriate pay grade within the classification and compensation plan, and amending Exhibit “A” of ordinance 117-2015, and declaring an emergency.</p>

CALENDAR

March 26, 2018

The following legislation will be up for passage at the Council Meeting on March 26, 2018.

Temp. No.	Introduced	Committee	Description
A-24	3/12/18	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for 169 personal storage units at 310 E. Tallmadge Road (Parcel 02-19506), and declaring an emergency.
A-25	3/12/18	PZ	An ordinance authorizing and approving the Preliminary Subdivision Plat (Section 1113.03) for Woodlands Villas/Esplanade Subdivision on Parcels 35-03248, 35-03246 and 35-06575, and declaring an emergency.
A-26	3/12/18	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase of turnout gear for use by the Fire Department, and declaring an emergency.
A-27	3/12/18	Fin	An ordinance authorizing the Director of Public Service to enter into an energy purchase agreement known as the "2026-2028 Fixed Volume Energy Supply Schedule" with American Municipal Power, Inc., and declaring an emergency.
A-28	3/12/18	Fin	An ordinance authorizing the Director of Law to enter into a contract or contracts, without competitive bidding, with Roetzel & Andress, LPA for legal services related to Johnson Controls, Inc., and declaring an emergency.
A-29**	3/12/18	PA	An ordinance approving the application of Daniel Michael Lynch, Trustee, as owner of certain real property located at 643/653 West Steels Corners Road (Parcel Nos. 35-00045, 35-05391 and 35-05392), to place said property into an

agricultural district pursuant to Ohio Revised Code Chapter 929, and declaring an emergency.

** Public Hearing 3-19-18

PENDING LEGISLATION

March 26, 2018

Temp. No.	Introduced	Committee	Description
A-17*	2/26/18	PZ	An ordinance approving regulatory text amendments in Section 1146.06 G. Revitalization Signage Areas and in Section 1146 H. Downtown Signs of the Codified Ordinances of the City of Cuyahoga Falls (General Development Code), and declaring an emergency.
A-18	2/26/18	PZ	An ordinance approving the Cuyahoga Falls Downtown Historic District Revitalization Sign Criteria and Master Sign Plan, as more fully described and depicted herein, and declaring an emergency.
A-20	2/26/18	PI	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, to refinish the main pool surface at Water Works Family Aquatic Center, and declaring an emergency.
A-24	3/12/18	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for 169 personal storage units at 310 E. Tallmadge Road (Parcel 02-19506), and declaring an emergency.
A-25	3/12/18	PZ	An ordinance authorizing and approving the Preliminary Subdivision Plat (Section 1113.03) for Woodlands Villas/Esplanade Subdivision on Parcels 35-03248, 35-03246 and 35-06575, and declaring an emergency.
A-26	3/12/18	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase of turnout gear for use by the Fire Department, and declaring an emergency.

A-27	3/12/18	Fin	An ordinance authorizing the Director of Public Service to enter into an energy purchase agreement known as the “2026-2028 Fixed Volume Energy Supply Schedule” with American Municipal Power, Inc., and declaring an emergency.
A-28	3/12/18	Fin	An ordinance authorizing the Director of Law to enter into a contract or contracts, without competitive bidding, with Roetzel & Andress, LPA for legal services related to Johnson Controls, Inc., and declaring an emergency.
A-29**	3/12/18	PA	An ordinance approving the application of Daniel Michael Lynch, Trustee, as owner of certain real property located at 643/653 West Steels Corners Road (Parcel Nos. 35-00045, 35-05391 and 35-05392), to place said property into an agricultural district pursuant to Ohio Revised Code Chapter 929, and declaring an emergency.

* Public Hearing 4-9-18

** Public Hearing 3-19-18

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2018

6
7 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR
8 DIRECTOR OF FINANCE TO EXECUTE A CONTRACT WITH
9 A REGIONAL COUNCIL OF GOVERNMENTS FOR THE
10 PURPOSE OF ADMINISTRATION AND COLLECTION OF
11 MUNICIPAL INCOME TAX IN THE CITY OF CUYAHOGA
12 FALLS, OHIO, AND DECLARING AN EMERGENCY.

13
14 WHEREAS, a Regional Council of Governments was created pursuant to Chapter 167
15 of the Ohio Revised Code to foster cooperation between municipalities and to provide an
16 expedient and efficient means for the collection of municipal income tax; and

17
18 WHEREAS, the creation of a Regional Council of Governments was primarily to
19 establish a central collection facility (Regional Income Tax Agency) for the purpose of
20 administering the income tax laws of the various participating member communities; and

21
22 WHEREAS, the City of Cuyahoga Falls desires to contract with a Regional Council of
23 Governments to administer the income tax laws of Cuyahoga Falls and to act as its agent
24 in the collection of said taxes; and

25
26 WHEREAS, the City is in receipt of a proposal from the Regional Income Tax Agency for
27 the administration of these services.

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

31
32 Section 1. The Mayor and/or Director of Finance are hereby authorized to enter into a
33 contract or contracts, according to law, with a Regional Council of Governments for the
34 purpose of administration and collection of municipal income tax in the City of
35 Cuyahoga Falls, Ohio.

36
37 Section 2. The Finance Director is hereby authorized and directed to make payment
38 for same from the Municipal Income Tax Fund, line item Other Operations.

39
40 Section 3. Any other ordinances and resolutions or portions of ordinances and
41 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
42 or portions of ordinances and resolutions not inconsistent herewith and which have not
43 previously been repealed are hereby ratified and confirmed.

44
45 Section 4. It is found and determined that all formal actions of this Council
46 concerning and relating to the adoption of this ordinance were adopted in an open meeting
47 of this Council and that all deliberations of this Council and of any of its committees that
48 resulted in such formal action were in meetings open to the public, in compliance with all
49 legal requirements including Section 121.22 of the Ohio Revised Code.

50
51 Section 5. This ordinance is hereby declared to be an emergency measure necessary
52 for the preservation of the public peace, health, safety, convenience and welfare of the City

1 of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote
2 of two-thirds of the members elected or appointed to Council, it shall take effect and be in
3 force immediately upon its passage and approval by the Mayor; otherwise it shall take
4 effect and be in force at the earliest period allowed by law.
5

6
7 Passed: _____

President of Council

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11 _____
12 Clerk of Council

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15 Approved: _____

Mayor

16
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18 3/26/18
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2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2018

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO
8 ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR
9 SUPPLYING AND INSTALLING DIESEL OXIDATION CATALYST
10 EQUIPMENT, AND DECLARING AN EMERGENCY.
11

12 WHEREAS, the installation of diesel oxidation catalyst equipment is required to comply with the City's
13 EPA permit for six diesel generators which the City purchased for the purpose of peak shaving and demand
14 response; and

15 WHEREAS, running these generators for peak shaving and demand response will allow the City to
16 receive less transmission and capacity charges on the City's power supply bill.
17

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

20
21 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,
22 according to law, for supplying and installing diesel oxidation catalyst equipment on the six diesel generators
23 purchased for the purpose of peak shaving and demand response.
24

25 Section 2. The Director of Public Service is hereby authorized and directed to make payment for same
26 from the Electric Fund, line item Capital Outlay.
27

28 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent
29 herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions
30 not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.
31

32 Section 4. It is found and determined that all formal actions of this Council concerning and relating to
33 the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of
34 this Council and of any of its committees that resulted in such formal action were in meetings open to the
35 public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.
36

37 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation
38 of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants
39 thereof, and provided it receives the affirmative vote of two-thirds of the members elected or appointed to
40 Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;
41 otherwise it shall take effect and be in force at the earliest period allowed by law.
42
43

44 Passed: _____

President of Council

45
46
47
48 _____
Clerk of Council

49
50
51 Approved: _____

Mayor

2
3 CITY OF CUYAHOGA FALLS, OHIO
4
5 ORDINANCE NO. - 2018
6

7 AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CREATION
8 OF THE DIVISION OF NEIGHBORHOOD EXCELLENCE,
9 COMMUNICATIONS, AND COMMUNITY OUTREACH AND TO MAKE
10 CERTAIN OTHER ADJUSTMENTS TO VARIOUS DEPARTMENTS TO
11 STREAMLINE EFFICIENCIES, AND DECLARING AN EMERGENCY.
12

13 WHEREAS, legislation is currently pending before Council to create the Division of Neighborhood
14 Excellence, Communications, and Community Outreach which will require certain appropriations; and
15

16 WHEREAS, certain other appropriations are necessary to streamline efficiencies within the City.
17

18 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit,
19 and State of Ohio, that:
20

21 Section 1. The Director of Finance is hereby authorized and directed to amend appropriations as
22 follows:
23

Fund	Department	Appropriation Category	Amount
General	Service Director	Personal Services	\$ 4,488
General	Building & Grounds Maint.	Personal Services	\$ 135,160
General	Building & Grounds Maint.	Other Operations	\$ 179,309
General	Riverfront Centre District	Personal Services	\$(194,338)
General	Riverfront Centre District	Other Operations	\$(323,965)
General	Parks & Recreation	Transfer (Leisure Time Fund)	\$(229,696)
General	Parks & Recreation	Other Operations	\$ 65,041
General	Community/Economic Dev.	Other Operations	\$ 20,500
General	NECCO	Personal Services	\$ 160,554
General	NECCO	Other Operations	\$ 59,115
Municipal Income Tax	Municipal Income Tax	Personal Services	\$(111,126)
Leisure Time	Leisure Time	Other Operations	<u>\$ 110,000</u>
			\$(124,958)

38
39 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent
40 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have
41 not previously been repealed are hereby ratified and confirmed.
42

43 Section 3. It is found and determined that all formal actions of this Council concerning and relating to
44 the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of
45 this Council and of any of its committees that resulted in such formal action were in meetings open to the
46 public, in compliance with all legal requirements including, to the extent applicable, Section 121.22 of the
47 Ohio Revised Code.
48

49 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
50 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga falls and
51 the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the members elected or
52 appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the
53 Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.
54

55
56 Passed: _____
57 _____
58 President of Council

59
60 _____
61 Clerk of Council

62
63
64 Approved: _____
65 _____
66 Mayor

66 3/26/18

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2018

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
10 ACCORDING TO LAW, FOR THE ANNUAL RESURFACING
11 AND/OR REPAIR OF VARIOUS STREETS AS DESCRIBED IN
12 EXHIBIT 'A' ATTACHED HERETO, IN THE CITY OF
13 CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.
14

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

17
18 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
19 contracts, according to law, for the resurfacing and/or repair of various streets as
20 described in Exhibit 'A' attached hereto, in the City of Cuyahoga Falls.
21

22 Section 2. The Director of Finance is hereby authorized and directed to make payment
23 for same from the Capital Projects Fund, line item Capital Outlay.
24

25 Section 3. Any other ordinances or resolutions or portions of ordinances and
26 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
27 not inconsistent herewith and which have not previously been repealed are hereby ratified
28 and confirmed.
29

30 Section 4. It is found and determined that all formal actions of this Council concerning
31 and relating to the adoption of this ordinance were adopted in an open meeting of this
32 Council, and that all deliberations of this Council and of any of its committees that resulted
33 in such formal action, were in meetings open to the public, in compliance with all legal
34 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.
35

36 Section 5. This ordinance is hereby declared to be an emergency measure necessary for
37 the preservation of the public peace, health, safety, convenience and welfare of the City of
38 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
39 two thirds of the members elected or appointed to Council, it shall take effect and be in
40 force immediately upon its passage and approval by the Mayor; otherwise it shall take effect
41 and be in force at the earliest period allowed by law.
42

43
44 Passed: _____
45 _____
46 President of Council

47 _____
48 Clerk of Council

49
50 Approved: _____
51 _____
52 Mayor

53 3/12/18

EXHIBIT "A"
2018 Street List

Resurfacing

STREET	FROM	TO
8 th Street	Leavitt Ave	Broad Blvd
8 th Street	Portage Trail	Leavitt Ave
21 st Street	Sackett Ave	Ohio Ave
21 st Street	Ohio Ave	Valley Rd
27 th Street	Valley Rd	Shaw Ave
27 th Street	Shaw Ave	Marcia Blvd
Alameda Avenue	Hudson Dr	Bailey Rd
Broad Boulevard	Railroad tracks	Newberry St
Broad Boulevard	Front St	2 nd St
Lincoln Avenue	9 th St	13 th St
Lincoln Avenue	Oakwood Dr	9 th St
Main Street	Howe Ave	South corp line
North Haven Boulevard	Portage Trail	State Rd
Northampton Road	Hardy Rd	Theiss Rd
Northland Street	Front St	2 nd St
Norwood Street	3 rd St	Kathron Ave
Oakwood Drive	Lincoln Ave	6 th St
Purdue Street	Hollywood Ave	End
Tyler Avenue	Bailey Rd	Elmwood St
Tyler Avenue	Elmwood St	Oakwood Dr
Van Doren Drive	Bailey Rd	Purdue St
Victoria Street	Stuart Ave	Tudor St

Grinding Only

STREET	FROM	TO
6 th Street	Lincoln Ave	Otis Ave
25 th Street	Broad Blvd	Marcia Blvd
Iota Avenue	23 rd St	24 th St
Jefferson Avenue	13 th Street	North Haven Blvd

Chip/Seal

STREET	FROM	TO
Kubic Drive	End	Sand Hill Dr
Sand Hill Drive	Sourek Trl	End

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2018

7
8 AN ORDINANCE AMENDING SECTION 777 OF TITLE
9 SEVEN, PART ONE OF THE CODIFIED ORDINANCES,
10 RELATING TO SECONDHAND DEALERS, AND DECLARING
11 AN EMERGENCY.
12
13

14 WHEREAS, after the commission of certain theft offenses, violators take the
15 stolen merchandise to local secondhand dealers to sell for cash; and
16

17 WHEREAS, it is important that during police investigations the secondhand
18 dealers comply with the Ohio Revised Code Section 4737.01, as well as the local
19 regulations, by maintaining records necessary to identify the seller of stolen items; and
20

21 WHEREAS, Council finds that secondhand businesses provide a means of
22 disposing of stolen goods. Investigation by police agencies reveals that new, used, and
23 stolen property are acquired and sold by secondhand businesses. Because
24 secondhand businesses can be ready vehicles for the disposal of stolen goods, such
25 businesses should be subject to controls which will decrease the potential traffic in
26 such items; and
27

28 WHEREAS, local regulations must be amended to reflect the present-day needs
29 for proper administration; and
30

31 WHEREAS, the police department has recognized the need for additional
32 changes to Chapter 777, Secondhand Dealers, to better assist with law enforcement
33 and to assist businesses with more efficient compliance.
34

35 NOW, THEREFORE, BE IT ORDAINED by the council of the City of Cuyahoga
36 Falls, County of Summit, and State of Ohio, that:
37

38 Section 1. Chapter 777 of the Cuyahoga Falls Code of Ordinances is hereby
39 amended to provide as follows:
40

41 CHAPTER 777

42
43 Secondhand Businesses

44
45 **777.01 DEFINITIONS; SCOPE OF PROVISIONS.**

46
47 As used in this Chapter:

- 48
49 (a) Acceptable Identification means either of the following:
50

- 51 (1) A current state driver's license or identification card that includes
52 the date of birth, photograph and physical description of the person
53 offering the identification.
54
- 55 (2) Two other pieces of current identification, at least one of which is
56 issued by a government or state agency or subdivision and includes
57 the date of birth, photograph and physical description of the person
58 offering the identification.
59
- 60 (b) Application Date- The date the City receives the required application
61 from an applicant for a secondhand business license.
62
- 63 (c) Secondhand- Any item or thing which has been used or which has been
64 previously traded or sold by another retailer.
65
- 66 (d) Secondhand Business- A shop, store, enterprise, profession, activity,
67 establishment or undertaking of any nature conducted directly or
68 indirectly for profit or benefit and as a substantial means of livelihood
69 by the purchase or sale of regulated property.
70

71 The term "Secondhand Business" is not meant to include any of the
72 following:
73

- 74 (1) The activity of any federal, state or local government or
75 governmental subdivision or agency, or of any organization exempt
76 from taxation by the Internal Revenue Service as a non-profit
77 entity.
78
- 79 (2) Any person conducting a garage or yard sale.
80
- 81 (3) Any business whose inventory consists primarily of items which
82 are at least thirty years old and which are considered "antiques" or
83 "collectibles."
84
- 85 (4) Any business whose inventory consists primarily of items that are
86 not regulated property.
87
- 88 (e) Regulated Property- The following used or secondhand property:
89
- 90 (1) Precious metals, including but not limited to, any metal valued for
91 its character, rarity, beauty or quality, including gold, silver,
92 platinum or other metals, whether as a separate item or in
93 combination with other items.
94
- 95 (2) Precious gems, including but not limited to, any gem valued for its
96 character, rarity, beauty or quality, including diamonds, rubies,

- 97 emeralds, sapphires or pearls, or other precious or semi-precious
98 gems or stones, whether as a separate item or in combination with
99 other items or as a piece of jewelry.
- 100
- 101 (3) Watches and jewelry containing precious metals or precious gems,
102 including but not limited to, rings, necklaces, pendants, earrings,
103 brooches, chains, pocket watches, wrist watches, or stop watches.
104
- 105 (4) Flatware, including but not limited to, knives, forks, spoons,
106 candlesticks, coffee and tea sets, or ornamental objects which are
107 primarily made with precious metals.
108
- 109 (5) Audio equipment, including but not limited to, tape decks or
110 players, compact/digital disc players, sound metering devices,
111 tuners, amplifiers, speakers, transceivers, equalizers, receivers,
112 phonographs, turntables, stereos, radios, clock radios, car stereos,
113 car speakers, or citizen band radio/transceivers.
114
- 115 (6) Video equipment, including but not limited to, televisions,
116 videotape or videodisc recorders, videotape or videodisc players,
117 video cameras, or video monitors.
118
- 119 (7) Photographic and optical equipment, including but not limited to,
120 cameras, camera lenses, camera filters, camera motor drives,
121 camcorders, light meters, flash equipment, movie projectors, slide
122 projectors, photography processing equipment, photography
123 enlarging equipment, rifle scopes, spotting scopes, or electronic
124 sighting equipment.
125
- 126 (8) Computers, including but not limited to, telefacsimile machines,
127 word processors, printers, copiers, duplicators, calculators, cash
128 registers, transcribers, dictaphones, computers, home computers,
129 laptop computers, modems, monitors, iPads, tablets, webcams,
130 routers, hard drives or any computer equipment, accessories, or
131 components.
132
- 133 (9) Portable electronic devices, including but not limited to, cell
134 phones, smart phones, portable home phones, MP3 players, GPS
135 units or systems, radar detectors, Bluetooth devices, satellite
136 phones, iPods, iPads, tablets or similar devices, any cell phone or
137 portable electronic accessories, or components.
138
- 139 (10) Power equipment and tools, including but not limited to, air
140 hammers, air tools, nail guns, power staplers, power saws, power
141 sanders, chain saws, power drills, lathes, joiners, shop vacuums,

142 paint sprayers and accessory equipment, generators, air
143 compressors or pressure washers.

144
145 (11) Automotive hand tools, including but not limited to, wrench sets,
146 socket sets, screw driver sets, pliers, vise grips, tool boxes, auto
147 body hammers, jacks or timing lights.

148
149 (12) Power yard and garden tools, including but not limited to, garden
150 tractors, lawn mowers, rototillers, lawn sweepers, weed or brush
151 cutters, trimmers, or blowers.

152
153 (13) Video game equipment and DVD or CD items, including but not
154 limited to, any video game systems, game controllers, video games,
155 DVD movies or sets, music CD's or sets, or any video game, DVD,
156 or CD accessories or components.

157
158 (14) Musical instruments, including but not limited to, pianos, organs,
159 guitars, violins, cellos, trumpets, trombones, saxophones, flutes,
160 drums, percussion instruments, or electronic synthesizers.

161
162 (15) Sporting goods equipment, including but not limited to, bicycles,
163 golf clubs, golf bags, golf accessories or components, tennis
164 rackets, tennis accessories or components, baseball bats, baseball
165 gloves, baseball accessories or components, football accessories or
166 components, soccer accessories or components, lacrosse
167 accessories or components, snow skis, snow poles, snow skiing
168 accessories or components, treadmills, exercise equipment,
169 accessories or components.

170
171 (16) Gift cards, including but not limited to, any preloaded debit or gift
172 card that allows the cardholder to use it for the purchase of goods
173 or services for another business or retailer. This section does not
174 include gift cards which are used at the business for which they
175 were purchased.

176
177 (17) Household appliances, including but not limited to, stoves, ovens,
178 freezers, refrigerators, dish washers, trash compactors, clothes
179 washers or dryers.

180
181 (f) The term "Regulated Property" is not meant to include any of the
182 following:

183
184 (1) Vehicles required to be registered with the Ohio Bureau of
185 Motor Vehicles.

186
187 (2) Dishware or glassware.

- 188
189 (3) Household furniture
190
191 (4) Sports cards, fantasy trading cards or comic books
192
193 (5) Money or stamps authorized or adopted by a domestic or foreign
194 government.
195
196 (6) Books, magazines, newspapers or similar items.
197
198 (7) Clothing.
199
200 (g) Secondhand Business License- The license issued to a secondhand
201 business pursuant to this ordinance.
202
203 (h) Transaction- The purchase of regulated property. There are as many
204 transactions in a single purchase as the number of items acquired by the
205 buyer from the purchase.
206
207 (i) Purchase- The acquisition of or the act of acquiring title to property by a
208 buyer in exchange for valuable consideration given to the seller.
209
210 (j) Tag Number- A unique number, letter, symbol or other identification
211 mark.
212
213 (k) Chief of Police- In this Chapter, the Chief of Police means the City of
214 Cuyahoga Falls Chief of Police or his designee.
215

216 **777.02 SECONDHAND BUSINESS LICENSE REQUIRED**
217

- 218 (a) No person, shop, store, enterprise, profession, activity, establishment or
219 other entity shall operate as a secondhand business without first
220 obtaining a license from the Mayor of the City of Cuyahoga Falls or his
221 designee.
222
223 (b) Every applicant for a license shall make an application in writing to the
224 Police Department, which application shall set forth the name under
225 which the business is to be conducted, the name of each person owning
226 or having an interest in the business, the name of any person to be
227 employed in the business, the location where the business is to be
228 conducted, and the type of articles to be purchased, sold or exchanged.
229 The application must be made by the person who is conducting the
230 business.
231
232 (c) No license shall be issued to any applicant if the applicant, any of the
233 persons owning or having an interest in the business, or any employee of

234 the business has been convicted of any felony or any crime involving
235 fraud, theft, receiving or possessing stolen property in the five years
236 immediately preceding the date of the license application.
237

238 (d) Licenses issued under this Chapter shall not be transferable to any
239 person, partnership, corporation, or other entity and the business may
240 be conducted only at the location for which the license is issued. The
241 license must be so placed as to be made conspicuously visible.
242

243 (e) Every licensee shall inform the Police Department in writing, within five
244 days of any change in persons owning or having an interest in the
245 business or persons employed in the business.
246

247 **777.03 INSPECTIONS AND TESTS OF WEIGHTS AND MEASURES.**
248

249 Every license applicant must obtain an inspection and test from the
250 appropriate county fiscal officer or auditor of any scales, balances, or other
251 instruments and devices for weighing and measuring, and any appliances and
252 accessories associated with any such instruments and devices used at the
253 location indicated on the application. The applicant shall provide proof of the
254 inspection and test satisfactory to the Chief of Police, if applicable.
255

256 **777.04 RECORDS, TAGGING, AND RECORDS INSPECTIONS.**
257

258 (a) Every secondhand business under the provisions of this Chapter shall keep an
259 electronic, printed or written record, in English, which shall record the receipt
260 of any secondhand article described in Section 777.01 (e), an accurate
261 description thereof, the price paid the seller, address, name, date and hour of
262 purchase, the driver's license number or state identification card number, or
263 other personal identification of the seller. The record shall at all times be open
264 to the inspection of any member of the Police Department or the Mayor or his
265 designee. Entries shall be consecutively numbered and shall not be erased,
266 altered or removed. Copies of these records shall be made available upon
267 request of any member of the Police Department or the Mayor or his designee.
268

269 (b) Every secondhand business under the provisions of this Chapter, at the time of
270 acquiring through purchase or exchange any secondhand article, shall attach a
271 tag with a designating number thereon, legibly printed, in ink, in the English
272 language, to each article, and shall make an entry of such number in the record
273 provided in Section 777.04(a).
274

275 **777.05 REPORTING TO LEADSONLINE OR SIMILAR ENTITY**
276

277 (a) The City of Cuyahoga Falls Police Department shall enter into a contract
278 for services and maintain its contract for services with LeadsOnline or a
279 similar entity in order to enhance its investigative services to protect both
280 secondhand businesses and members of the general public. In the event

281 of a change to its electronic reporting system, the city shall notify all
282 licensed secondhand businesses in the city of the change within a
283 reasonable time prior to such change.
284

285 (b) Every secondhand business shall own, operate or maintain reliable
286 access to a functioning computer system with internet access for the
287 purposes described herein. Every secondhand business shall subscribe
288 to LeadsOnline or the city's current electronic reporting system and
289 maintain said subscription throughout the term of the secondhand
290 business' license.
291

292 (c) Every secondhand business shall furnish a report of every secondhand
293 article, as described in Section 777.01, taken in pawn, purchased, or
294 otherwise accepted by such secondhand business as soon as reasonably
295 possible after the transaction is consummated, but no later than the
296 following calendar day, by uploading such report to the LeadsOnline
297 program or the electronic system then in use by the city via a secure
298 internet connection. For every report, the secondhand business shall
299 input information to every data field supported by the LeadsOnline
300 system or the system then currently in use by the Cuyahoga Falls Police
301 Department. No entry into the system shall be erased or tampered with
302 by the secondhand business or any person.
303

304 (d) No item shall be received or accepted unless the person from whom the
305 article is acquired exhibits a driver's license or state-issued identification
306 card and the identifying numbers are recorded on the electronic report
307 submitted to LeadsOnline or the electronic system then in use by the
308 city.
309

310 (e) If any article that is left on deposit, pledged or purchased has engraved
311 thereon a number, word or initials or contains settings of any kind, the
312 description of the article in the electronic report shall contain the
313 number, word or initials engraved and shall describe the setting of the
314 item and the number of each kind.
315

316 (f) Every secondhand business shall furnish a photograph of every article of
317 jewelry, precious metal or stone, regardless of value taken in pawn,
318 purchased or accepted by such secondhand business, as soon as
319 reasonably possible after the transaction is consummated, but no later
320 than the following calendar day, by uploading the photograph to the
321 LeadsOnline or other program via a secure internet connection.
322

323 (g) In the event the electronic reporting system malfunctions or is otherwise
324 not operational, the secondhand business shall, at all times during such
325 malfunction or non-operation, keep written records of any transactions
326 that would have otherwise been entered in the electronic reporting

327 system and shall submit such records to the Cuyahoga Falls Police
328 Department within twenty-four (24) hours of such transaction during the
329 nonoperational period. The written records shall contain all information
330 required on the electronic reporting system.
331

332 **777.06 HOLDING PERIODS FOR REGULATED PROPERTY.**
333

334 (a) No business shall sell, or offer to sell, or remove, disassemble, clean,
335 repair, paint, take apart, or change the appearance or form of any
336 regulated property for a period not less than fourteen (14) days from the
337 day of acquisition.
338

339 (b) Any regulated property that is being held by the business during the
340 fourteen (14) day waiting period shall be available, during regular
341 business hours, for inspection by any sworn police officer acting in an
342 official capacity. If the business is holding the regulated property at an
343 off-site location then the business will make reasonable arrangements for
344 the regulated property to be inspected at the next business day unless
345 otherwise approved by the Chief of Police.
346

347 **777.07 POLICE HOLD FOR REGULATED PROPERTY.**
348

349 The Chief of Police and any Cuyahoga Falls police officer, working in
350 official capacity, may require a business to place a "Police Hold" on any
351 regulated property when they have reasonable grounds to believe the item is
352 associated with criminal conduct. The Police Hold will be for a period not less
353 than 30 days.
354

355 **777.08 PURCHASES FROM MINORS; HOURS OF OPERATION.**
356

357 No person shall receive, by sale, barter, exchange, or otherwise, any article
358 mentioned in this Chapter from a minor under the age of eighteen (18) years. There
359 shall not be any purchase from any person or persons between the hours of 10:00
360 p.m. and 8:00 a.m. on every day of the week.
361

362 **777.09 ADVERTISEMENT.**
363

364 No business licensed under the provisions of this Chapter shall be advertised
365 through the use of any medium, without including within the advertisement the
366 license number from the license received from the Mayor or his designee.
367

368 **777.10 RESPONSIBILITY OF THE LICENSEE.**
369

370 Every act or omission of an agent or employee which constitutes a violation of
371 any provision of this Chapter shall be deemed the act or omission of the licensee if
372 such act or omission occurs with the authorization, knowledge, or approval of the
373 licensee, or as a result of the licensee's negligent failure to supervise the agent's or

374 employee's conduct. The licensee shall also be punished for such act or omission in
375 the same manner as if the licensee committed the act or caused the omission.

376
377 **777.11 LICENSE REVOCATION; APPEALS.**
378

379 (a) The Chief of Police or his designee may at any time revoke or suspend any
380 license granted under the authority of this Chapter for failure to comply with
381 the terms of this Chapter or any law or ordinance applicable to the business so
382 licensed.

383
384 (b) The Chief of Police or his designee shall revoke any license granted under the
385 authority of this Chapter if the licensee has been convicted of receiving stolen
386 property.

387
388 (c) In case of the refusal to issue or renew a license by the Chief of Police or his
389 designee or the revocation or suspension of a license by the Chief of Police or
390 his designee, the applicant or licensee may appeal to a Review Board consisting
391 of the Chairperson of the Public Affairs Committee of Council, the Director of
392 Finance, and the Director of Law or the designees of such persons. Notice of
393 appeal shall be in writing, with the reasons for the appeal specified therein, and
394 shall be filed with the Chief of Police or his designee within ten (10) days from
395 the date of the Chief of Police's or his designee's action. Within ten (10) days
396 after the filing of such notice, the Board shall proceed to hear such appeal, at
397 which hearing all parties interested shall be afforded an opportunity to be
398 heard. The Board shall render a decision within ten (10) days of the conclusion
399 of the hearing. The Board may sustain, reverse, or modify the action of the
400 Chief of Police or his designee.

401
402 (d) In the absence of conditions posing an imminent threat to health, safety, or
403 property, as determined by the Director of Law, or unless a license has been
404 revoked by the Chief of Police or his designee because the licensee has been
405 convicted of receiving stolen property as provided in paragraph (b) herein, a
406 licensee who is lawfully operating but whose license is subject to revocation or
407 suspension, or which the Chief of Police or his designee has refused to renew,
408 may continue operating during the pendency of an appeal under this section.

409
410 **777.99 PENALTIES.**
411

412 Whoever violates any of the provisions of this Chapter shall be guilty of a
413 misdemeanor of the fourth degree and in addition to any other penalty provided by law
414 shall be fined not less than Two Hundred Fifty Dollars (\$250). Each day during which
415 noncompliance or a violation continues shall constitute a separate offense.

416
417 Section 2. Existing Chapter 777 is hereby repealed.
418

419 Section 3. Any ordinances or resolutions or portions of ordinances and
420 resolutions inconsistent herewith are hereby repealed, but any ordinances and
421 resolutions not inconsistent herewith and which have not previously been repealed are
422 hereby ratified and confirmed.
423

424 Section 4. It is found and determined that all formal actions of this Council
425 concerning and relating to the passage of this ordinance were taken in an open
426 meeting of this Council and that all deliberations of this Council and of any
427 committees that resulted in those formal actions were in meetings open to the public,
428 in compliance with all requirements including Chapter 107 of the Codified Ordinances.
429

430 Section 5. This ordinance is hereby declared to be an emergency measure
431 necessary for the preservation of the public peace, health, safety, convenience and
432 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
433 receives the affirmative vote of two-thirds of the members elected or appointed to
434 Council, it shall take effect and be in force immediately upon its passage and approval
435 by the Mayor; otherwise it shall take effect and be in force at the earliest period
436 allowed by law.
437

438
439 Passed: _____
440 _____
441 President of Council

442
443 _____
444 Clerk of Council

445
446
447 Approved _____
448 _____
449 Mayor

450 3/26/18
451 O:\2018ords\Amend -777 Secondhand Dealers.doc

2
3
4
5 CITY OF CUYAHOGA FALLS, OHIO
6
7 RESOLUTION NO. - 2018
8

9 A RESOLUTION EXPRESSING SUPPORT FOR AND URGING
10 PASSAGE OF ISSUE 35, WOODRIDGE LOCAL SCHOOL DISTRICT
11 TAX LEVY, AT THE PRIMARY ELECTION TO BE HELD ON MAY 8,
12 2018, AND DECLARING AN EMERGENCY.
13

14 WHEREAS, the Woodridge Local School District has caused a proposed tax levy to be placed on
15 the May 8, 2018 primary election ballot as Issue 35; and
16

17 WHEREAS, funds generated by the 8.19-mills levy are necessary to provide for the emergency
18 requirements of the school district; and
19

20 WHEREAS, this issue is critical to the district as they seek to maintain the great programming
21 and services provided to the students it serves; and
22

23 WHEREAS, the Woodridge Local School District has a tradition of being a small district with the
24 ability to provide individual attention to the students.
25

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

29 Section 1. The Council and Administration express their support for the Woodridge Local
30 School District and urge the passage of Issue 35, at the May 8, 2018 primary election.
31

32 Section 2. It is found and determined that all formal actions of this Council concerning and
33 relating to the adoption of this resolution were adopted in an open meeting of this Council and that
34 all deliberations of this Council and of any of its committees that resulted in such formal action were
35 in meetings open to the public, in compliance with all legal requirements including Chapter 107 of
36 the Codified Ordinances.
37

38 Section 3. This resolution is hereby declared to be an emergency measure necessary for the
39 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls
40 and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members
41 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
42 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by
43 law.
44
45

46 Passed: _____

President of Council

Clerk of Council

54 Approved _____

Mayor

56 3/26/18

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2018

7
8
9 AN ORDINANCE AMENDING CHAPTER 133 OF THE CODIFIED
10 ORDINANCES AND CREATING THE DIVISION OF
11 NEIGHBORHOOD EXCELLENCE, COMMUNICATIONS, AND
12 COMMUNITY OUTREACH (“NECCO”) AND THE POSITIONS OF
13 NEIGHBORHOOD EXCELLENCE, COMMUNICATIONS, AND
14 COMMUNITY OUTREACH DIRECTOR AND NEIGHBORHOOD
15 EXCELLENCE AND DOWNTOWN ADMINISTRATOR; RENAMING
16 PUBLIC UTILITY CUSTOMER ADVOCATE TO PUBLIC UTILITIES
17 AND COMMUNITY OUTREACH COORDINATOR; AND
18 ABOLISHING THE POSITION OF RIVERFRONT CENTRE
19 DISTRICT MANAGER IN THE COMMUNITY DEVELOPMENT
20 DEPARTMENT AND AMENDING EXHIBIT “A” OF ORDINANCE
21 117-2015, AND DECLARING AN EMERGENCY.
22

23
24 WHEREAS, city resources should be aligned and adjusted to focus on areas that provide
25 the greatest benefit to the residents whom the City serves; and
26

27 WHEREAS, it is extremely desirable for local government to have frequent, meaningful
28 interaction with its constituents whether in person or through other correspondence; and
29

30 WHEREAS, traditional modes of communication and correspondence have become
31 inadequate with more innovative options available to be utilized in today’s society; and
32

33 WHEREAS, the Neighborhood Excellence Initiative has laid the groundwork and inspired
34 citizen engagement and connected residents and businesses with services and activities
35 designed to reinforce strong, safe, and vibrant neighborhoods; and
36

37 WHEREAS, strong, safe and vibrant neighborhoods are the lifeblood of the City’s thriving
38 community; and
39

40 WHEREAS, the Neighborhood Excellence Initiative resulted in over 100 neighborhood
41 ambassadors that planned and organized several events throughout the community, creating a
42 greater level of engagement within the community; and
43

44 WHEREAS, the City currently provides a number of communication and outreach services
45 to the community and the Division of Neighborhood Excellence, Communications, and
46 Community Outreach (“NECCO”) will provide a higher quality and enhanced delivery of these
47 services; and
48

49 WHEREAS, NECCO’s communication and outreach services, will include, but are not
50 limited to, maintaining consistent communications with Neighborhood Ambassadors, creating
51 networking platforms to encourage ideas for new programs in the City, updating relevant
52 printed materials and website content related to City programs and developing and
53 administering advertising campaigns that promote customer-owned municipal utility strengths
54 and benefits; and
55

56 WHEREAS, NECCO will assist with the planning and implementing of public events and
57 meetings that benefit neighborhoods, including the newly revitalized and vibrant Downtown
58 Cuyahoga Falls; and
59

60 WHEREAS, the Mayor announced at the 2018 State of the City, the creation of the Division
61 of Neighborhood Excellence, Communications, and Community Outreach to continue the
62 important work of the Neighborhood Excellence Initiative and other important City programs.
63

64 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
65 of Summit, and State of Ohio, that:
66

67 Section 1. Chapter 133 of the Codified Ordinances is hereby amended as follows:
68

69 133.02 DIVISION OF NEIGHBORHOOD EXCELLENCE, COMMUNICATIONS, AND
70 COMMUNITY OUTREACH
71

- 72 (a) There is hereby created the Division of Neighborhood Excellence, Communications, and
73 Community Outreach consisting of a Neighborhood Excellence, Communications, and
74 Community Outreach Director; Neighborhood Excellence and Downtown Administrator;
75 Public Utilities and Community Outreach Coordinator; Administrative Specialist and
76 such other positions established by Council and/or collective bargaining agreements.
77
- 78 (b) The Division of Neighborhood Excellence, Communications, and Community Outreach
79 shall perform the functions of planning, marketing, organizing and administering the
80 Neighborhood Excellence Initiative; planning and implementing events in Downtown
81 Cuyahoga Falls in collaboration with community partners; marketing, branding,
82 community relations, media relations, and community event management; and
83 promoting citizen engagement and neighborhood empowerment within the City to build
84 stronger neighborhoods with increased community involvement, communications, and
85 community outreach.
86

87 Section 2. The Division of Neighborhood Excellence, Communications, and Community
88 Outreach personnel shall be in the following grades:
89

<u>Position</u>	<u>Grade</u>
92 Neighborhood Excellence, Communications, and 93 Community Outreach Director	N31
94 Neighborhood Excellence and Downtown Administrator	N28
95 Public Utilities and Community Outreach Coordinator	N24
96 Administrative Specialist	N21

97

98 Section 3. The positions of Neighborhood Excellence, Communications, and Community
99 Outreach Director; Neighborhood Excellence and Downtown Administrator; and Administrative
100 Specialist shall be non-bargaining, unclassified positions.
101

102 Section 4. The position of Public Utility Customer Advocate is hereby renamed Public
103 Utilities and Community Outreach Coordinator.
104

105 Section 5. The position of Riverfront Centre District Manager is hereby abolished.
106

107 Section 6. The Exhibit "A" to Ordinance 117-2015 is hereby amended to reflect the changes
108 in position and pay grade classifications as set forth in this ordinance.
109

110 Section 7. Any ordinances or resolutions or portions of ordinances and resolutions
111 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
112 herewith and which have not previously been repealed are hereby ratified and confirmed.
113

114 Section 8. It is found and determined that all formal actions of this Council concerning and
115 relating to the passage of this ordinance were taken in an open meeting of this Council and
116 that all deliberations of this Council and of any committees that resulted in those formal
117 actions were in meetings open to the public, in compliance with all legal requirements
118 including Chapter 107 of the Codified Ordinances.
119

120 Section 9. This ordinance is hereby declared to be an emergency measure necessary for the
121 preservation of the public peace, health, safety, convenience and welfare of the City of
122 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
123 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
124 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be
125 in force at the earliest period allowed by law.
126

127
128 Passed: _____
129 _____
130 President of Council

131
132 _____
133 Clerk of Council

134
135
136 Approved _____
137 _____
138 Mayor

139 3/26/18
140 O:\2018ords\Amen 133.02 NECCO.doc

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2018

6
7 AN ORDINANCE RE-ASSIGNING THE NON-BARGAINING POSITIONS OF
8 TAX ADMINISTRATOR, DEPUTY SERVICE DIRECTOR AND BUILDINGS
9 AND GROUNDS MAINTENANCE SUPERINTENDENT TO THE
10 APPROPRIATE PAY GRADE WITHIN THE CLASSIFICATION AND
11 COMPENSATION PLAN, AND AMENDING EXHIBIT "A" OF ORDINANCE
12 117-2015, AND DECLARING AN EMERGENCY.

13
14 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State of Ohio,
15 that:

16
17 Section 1. The classified, non-exempt positions listed below are hereby amended and placed in non-
18 bargaining pay grades as follows:

19		
20	Tax Administrator	N29
21	Deputy Service Director	N32
22	Buildings and Grounds Maintenance Superintendent	N31
23		

24
25 Section 2. The Exhibit "A" to Ordinance 117-2015 is hereby amended to reflect the changes in
26 position and pay grade classifications as set forth in this ordinance.

27
28 Section 3. Any ordinances and resolutions, or portions of ordinances and resolutions inconsistent
29 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which
30 have not previously been repealed are hereby ratified and confirmed.

31
32 Section 4. It is found and determined that all formal actions of this Council concerning and relating
33 to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of
34 this Council and of any committees that resulted in those formal actions were in meetings open to the
35 public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

36
37 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
38 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and
39 the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the members elected
40 or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by
41 the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

42
43 Passed: _____
44 _____
45 President of Council

46
47 _____
48 Clerk of Council

49 Approved: _____
50 _____
51 Mayor

52 3/26/18