

**BEACHWOOD CITY COUNCIL  
COMMITTEE OF THE WHOLE MEETING AGENDA**

**AMENDED**

**MONDAY, SEPTEMBER 8, 2025, 6:00 PM**  
**at BEACHWOOD CITY HALL, CONFERENCE ROOM A,**  
25325 Fairmount Boulevard, Beachwood, Ohio 44122

Jillian DeLong  
Alec Isaacson  
Joshua Mintz  
Danielle Shoykhet  
Pete Smith  
Ali B. Stern  
June E. Taylor

Agenda Items

1. Mayor's Report
- 2. Executive Session**
3. Discussion regarding Ordinance No 2025-5 - An Ordinance Amending Various Sections of the City of Beachwood, Ohio Planning and Zoning Code (Proposed Zoning Code Changes)
4. Discussion regarding Ordinance No 2025-25 - An Ordinance Amending Various Sections of the City of Beachwood, Ohio Building Code (Proposed Building Code Changes)
5. Any other matters coming before the Committee of the Whole

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TO: Beachwood Planning Commission

FROM: George Smerigan, City Planner



DATE: February 10, 2025

RE: **P&Z 2025-7**      **Ordinance No. 2025-5**  
**Zoning Code Amendments**

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Based on the joint work session discussion, it is recommended that the Commission recommend to City Council adoption of Ordinance No. 2025-5 with the modification that Section 1113.09(c) Maximum Floor Area be deleted.

## EXHIBIT A

### **PROPOSED CODE AMENDMENTS**

1. AMEND SECTION 1101.08 DEFINITION OF "BUILDING HEIGHT"
2. AMEND CHAPTER 153 "ARCHITECTURAL BOARD OF REVIEW"
3. DELETE CHAPTER 1145 "YARDS AND LINES" IN ITS ENTIRETY
4. DELETE CHAPTER 1143 "LOTS" IN ITS ENTIRETY
5. AMEND CHAPTER 1146 "FENCES, LANDSCAPING, AND DRIVEWAYS" BY MOVING SOME SECTIONS TO CHAPTER 1113 U-1 AND AMENDING OTHER SECTIONS
6. AMEND CHAPTER 1113 "U-1 SINGLE FAMILY RESIDENTIAL DISTRICT" TO INCLUDE ALL APPLICABLE REGULATIONS (OTHER THAN FENCES)

**1101.08 BUILDING HEIGHT.**

"Building Height" means the vertical distance from the finished grade at the ~~centerline, six feet (6') perpendicular to the front~~front building line, to the top of the highest roof beams of a flat roof or to the ~~mean level~~peak of the highest gable or ~~slope of a~~ hip roof. When a building faces on more than one street, Commission shall determine the front. The finished grade may not be less than the average finished grade across the width of the lot measured at the front building line.

**CHAPTER 153**  
**ARCHITECTURAL BOARD OF REVIEW**

- 153.01 Established.
- 153.02 Qualifications of members.
- 153.03 Conflict of interest.
- 153.04 Organization.
- 153.05 Quorum.
- 153.06 Purpose.
- 153.07 Review and Approval Required.
- 153.08 Accessory Structures.
- 153.09 Appeals

**CROSS REFERENCES**

- Power to establish - see CHTR. Art. VI, Sec. 1
- Fee for review of plans and specifications - see BLDG. 1329.08
- Sign Permits – see Section 1141.06

**153.01 ESTABLISHED.**

(a) There is hereby established an Architectural Board of Review which shall consist of three members, who shall be the Building Commissioner, the City Planner, and one additional member who shall be appointed by the Mayor and confirmed by Council for a term of three years. Current members of the Architectural Board who are not the appointed member shall serve as alternate members until the expiration of their terms.

(b) Vacancies shall be filled for the remainder of an unexpired term in the same manner as the original appointment. Any member of the Board shall be subject to removal by the Mayor, with the consent of Council, for cause. In the event of a temporary absence or unavailability of any appointed member, an alternate member is hereby authorized to replace the appointed member during the appointed member's unavailability. Such alternate member shall possess all of the qualifications of an appointed member, shall have the same powers and perform the same duties and shall receive the same compensation as an appointed member for each meeting attended.

(Ord. 2009-152. Passed 12-7-09.)

**153.02 QUALIFICATIONS OF MEMBERS.**

The appointed member of the Architectural Board of Review shall be a registered architect, duly registered and authorized to practice architecture in and under the laws of the State of Ohio, and shall have been actively engaged in the general practice of architecture as a registered architect in the State of Ohio for a period of not less than three years prior to

appointment to the Board.  
(Ord. 2009-152. Passed 12-7-09.)

**153.03 CONFLICT OF INTEREST.**

No member of the Architectural Board of Review shall participate in the review of any work of which he or any partner or professional associate is the author, or in which he or they have any direct or indirect financial interest.  
(Ord. 2009-152. Passed 12-7-09.)

**153.04 ORGANIZATION.**

The Building Commissioner shall serve as Chairman and shall be responsible for the proper administration of the Board and for scheduling regular meetings of the Board. If the Secretary is unavailable, one of the members of the Board shall act as Secretary for the meeting. The Secretary shall keep records of each Board meeting.  
(Ord. 2009-152. Passed 12-7-09.)

**153.05 QUORUM.**

Two members of the Architectural Board of Review, one of whom shall be the appointed member, shall constitute a quorum, and its official action shall require the affirmative vote of not less than two members. It shall exercise the powers and duties herein provided for in accordance with the ordinances of the City and such laws of the State as may be applicable. The Board may adopt rules and regulations for its procedure.  
(Ord. 2009-152. Passed 12-7-09.)

**153.06 PURPOSE.**

The purpose of the Architectural Board of Review is to preserve and protect the public health, safety and welfare by maintaining the high character of community development and protecting the real estate and its value in the City from impairment or reduction of value by regulating, according to architectural principles, the design, use of materials, finished grade lines and orientation of all new buildings, and by assuring that the appearance and aesthetics of building exteriors reasonably conform to City standards found in the area of the proposed building or addition to an existing building.  
(Ord. 2009-152. Passed 12-7-09.)

**153.07 REVIEW AND APPROVAL REQUIRED.**

Each application for a building permit for:

- (a) a new principal building;
- (b) an addition to or expansion of an existing principal building;
- (c) a commercial sign; or
- (d) an accessory building of two hundred (200) square feet or greater

shall first be referred to the Architectural Board of Review for consideration. No building or sign permit for any of the above shall be issued without the prior approval of the Architectural Board of Review.

#### **153.08 ACCESSORY STRUCTURES.**

Accessory buildings of less than two hundred (200) square feet in area and accessory structures such as, but not limited to, pools, decks, pergolas, play equipment, and similar structures shall not require review and approval by the Architectural Board of Review, provided however, that the Building Commissioner may refer any such building or structure to the Architectural Board of Review for its consideration where the Commissioner has concerns as to whether such accessory building or structure fits and is appropriate in the neighborhood.

#### **153.09 APPEALS.**

Persons aggrieved by a final decision of the Architectural Board of Review with regard to approval of building plans may appeal such decision to the Planning and Zoning Commission provided that such appeal shall be filed within thirty (30) days after the date of the Architectural Board of Review's action.  
(Ord. 2009-152. Passed 12-7-09.)

**DELETE CHAPTER 1145 "YARDS AND LINES" IN ITS ENTIRETY**

**DELETE CHAPTER 1143 "LOTS" IN ITS ENTIRETY**

**CHAPTER 1146**  
**FENCES, ~~LANDSCAPING AND DRIVEWAYS~~**

- 1146.01 Definitions.
- 1146.02 Fences.
- ~~1146.03 Landscaping.~~
- ~~1146.04 Driveways in Class U-1 Districts.~~
- 1146.99 Violations and penalties.

**1146.01 DEFINITIONS.**

Terms as used in this chapter shall have the following meanings:

- (a) "Decorative or Ornamental Fence" means any type of free-standing open fence, except chain-link and wire fences.
- (b) "Fence" means an elevated partition or barrier separating one lot from another lot or parts of the same lot and includes the material used for the fence, its support members and all related parts.
- (c) "Fence Height" shall be measured from the existing predominant and prevailing ground grade level to the top of the fence. No berm, mound or base shall be created or constructed for the purpose of erecting a fence thereon so as to increase the permitted height of the fence from the level of the then existing natural grade.
- (d) "Free-standing Fence" means a fence which is not connected at any point to the main building on the property.
- (e) "Growing Landscaping" means grass, trees, bushes and other living plants.
- (f) "Hardscape" means patios, walkways, fountains, decks, and other improved surfaces.
- (g) "Open Fence" means a fence with at least twenty-five percent (25%) aggregate opening over the surface area of the fence with all openings equally distributed.
- (h) "Snow Fence" means a flexible temporary ~~wood and wire~~ barrier which has an aggregate opening of fifty percent (50%) over the surface area of the fence and is designed and used for the sole purpose of limiting snow from drifting.
- (i) "Garden Fence" means a temporary barrier which has an aggregate opening of fifty percent (50%) over the surface of the fence and which is intended and located so as to enclose and protect vegetables and other plants from animals.

**1146.02 FENCES.**

- (a) Permitted Materials: Fences shall be constructed of wood, steel, aluminum, or PVC (polyvinyl chloride), formulated to resist impact and approved for ultraviolet stabilization, meeting requirements of ASTM D638. All fencing shall be structurally able to withstand weather conditions.

(b) Fences Permitted In U-1, U-2A, U-3, U-3C, and U-3A Use Districts: Fences are permitted on property zoned Class U-1, U-2A, U-3, U-3C, and U-3A according to the following regulations:

- (1) Along side and rear lot lines, but not greater than six feet (6') in height where abutting land is zoned Class U-1, U-2A, U-3, U-3C or U-3A.
- (2) Along side and rear lot lines, but not greater than eight feet (8') in height where the abutting land is zoned in any non-residential Use District.
- (3) Within the rear yard, but not greater than six feet (6') in height.
- (4) Ornamental fences within front yards provided that:
  - A. ~~An No~~ ornamental fence ~~by itself, or with other structures,~~ shall ~~not completely enclose~~ exceed four (4) feet any area of a required front yard.
  - B. An ornamental fence shall not be located closer to any side lot line than the foundation wall on that side of the house.
  - C. No ornamental fence shall be erected closer than ~~twenty-ten~~ feet (20'10') from the front property line.
  - ~~D. The total of all ornamental fencing within the required front yard setback shall be less than fifty percent (50%) of the width of the lot.~~
- (5) ~~Ornamental fences~~ Fences in the street side yard of corner lots, but not greater than six (6) feet in height or closer than ~~twenty-twelve (20'12)~~ feet from the right-of-way line.

(c) Fences Permitted in Non-Residential Use Districts:

- (1) Along side and rear lot lines, but not greater than eight feet (8') in height.
- (2) Within the rear yard, but not greater than eight feet (8') in height.
- (3) Within front yard setbacks only as specifically authorized by the Commission.

(d) Prohibited Fences: The following fences are prohibited in the City:

- (1) Wire fences constructed of material less than #11 AWG.
- (2) Barbed wire fences.
- (3) Fences charged with electricity.
- (4) Fences forward of the required front yard setback, except for ornamental fences as regulated in subsection (b)(4) hereof or within non-residential districts as provided in subsection (c)(3) hereof.
- (5) Snow fences greater than four feet (4') in height or used during the months of April through and including October.
- ~~(6) Fences located less than fifteen feet (15') from any driveway where the driveway is closer than fifteen feet (15') from a side lot line.~~
- ~~(7) Fences not specifically permitted by this Chapter.~~
- ~~(8) Fences not having a uniform color, material and design except as specifically authorized by the Commission Building Commissioner.~~
- ~~(9) Any solid fence or any fence that does not comply with the definition of an Open Fence as set forth in Section 1146.01(g), provided however, that solid fences may be permitted in non-residential districts for screening and buffering as approved by the Commission.~~

(e) Construction Or Replacement; Permit Required: Before constructing or replacing any fence, except ~~a snow fences or garden fences that enclose an area of less than two hundred (200) square feet~~, the owner shall apply for and be issued a permit by the Building

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Commissioner. Fences for land zoned other than Class U-1 Single-Family District shall also require the approval of the Planning and Zoning Commission.

(f) Maintenance Of Fences: Fences shall be maintained with the same standards required of new fences, and the owner shall:

- (1) Replace or repair any part that is rusted or rotted.
- (2) Re-paint or re-stain any part where the paint or stain is faded, cracked or peeling.
- (3) Repair or replace any part that is loose, bent, bowed or leaning.

(g) Nonconforming Fences: A nonconforming fence is defined as a fence which was constructed prior to the enactment of legislation regulating fences. Nonconforming fences shall be repaired and maintained, and shall be replaced with conforming fences if more than fifty percent (50%) of any such fence requires replacement, is destroyed or removed.

(h) Fences shall be designed, constructed and maintained so that the finished side faces the neighbor or the structure is equally attractive from the side of the adjoining property owner.

(i) Fences may be placed adjacent to the property line, but shall not be placed on the property line.

#### **1146.03 — LANDSCAPING.**

~~—(a) Height Of Hedges And Shrubbery: Shrubs, hedges or bushes adjacent to side yard lines in front of the building line and shrubs, hedges or bushes adjacent to and parallel with the public sidewalk for a distance of fifteen feet (15') from any driveway shall be planted and maintained so as not to exceed a height of two feet (2'). Prior to any prosecution for the violation of this section, the property owner shall be given ten (10) days written notice by the Chief of Police or his duly authorized representative.~~

~~—(b) Shade Tree Planting: Any owner or builder of a house or other building which is constructed and erected within the City shall deposit seventy-five dollars (\$75.00) with the Public Works Department to cover all expenses for the planting of shade trees on the tree lawn abutting such house or other building. One shade tree shall be planted for each multiple of thirty feet (30') to fifty feet (50') of frontage, depending on the tree lawn and type of tree to be planted, as determined by the Public Works Director. Corner lots require trees on both streets. A minimum of one (1) shade tree shall be planted for each house or other building, regardless of the frontage of the lot. The Building Commissioner shall not issue a building permit to any person engaged in the construction of houses or buildings for resale until such person has complied with this section.~~

~~—(c) Landscaping of Residential Lots Required: Growing and/or non-growing landscaping is required on the entire lot, except for such portions as are occupied by the house, garage, driveway or other permitted improvements. Council hereby finds and determines that the required landscaping is necessary for the public peace, health, safety and welfare, to protect pedestrians, to prevent deterioration of property values and to prevent the wash-down of mud and other debris across sidewalks and into catch basins. Not more than fifteen percent (15%) of the total lot area shall consist of hardscape, parking areas, and driveways.~~

~~—(d) Tree Lawns: Tree lawn areas shall only be planted with grass and/or City authorized street trees. No other improvements or landscaping shall be permitted within the tree lawn. No retaining walls, landscape timbers, or other landscape features shall be placed within twelve inches (12") of a public sidewalk. Damage to landscape features located within twelve inches (12") of a public sidewalk from snow plowing or sidewalk maintenance shall be the responsibility of the homeowner.~~

~~—(e) Completion of Landscaping: Landscaping shall be completed within one hundred twenty (120) days following issuance of a certificate of occupancy unless such date occurs after October 1 of a year. In that event, the time for completion shall be extended to June 1 of the following year. However, should a certificate of occupancy not be issued within two hundred forty (240) days of the issuance of a building permit, then the builder or owner shall install the front yard landscaping within ninety additional days unless such date occurs after October 1 of a year. In that event, the time for completion shall be extended to June 1 of the following year.~~

~~—(f) Emergency Improvements: The City may, as a condition of any building permit, enter upon single-family lots and make temporary emergency improvements required for the protection of the building, land or neighboring property. The City shall give reasonable notice to the person issued the building permit or others. The City may suspend the building permit until the cost for such emergency improvements is reimbursed to the City and/or it may assess such costs against the property.~~

~~—(g) Maintenance of Landscaping in Single Family Residential Districts: The person who applies for and is issued required building permits or certificates of occupancy shall cause the landscaping required by this section to be installed as set forth in this section, and the continuing owners of the property shall maintain the lot in compliance with this Building Code. After it is installed as required, the original landscaping may be altered by the owner without an additional permit, provided that such alteration meets the standards of this Building Code. Owners of single-family homes shall install and maintain landscaping by planting, replanting or installing all of the growing things and maintaining other permitted landscaping features in good maintenance and repair, with the grass cut to a height not to exceed eight inches (8").~~

~~—(h) Notice of Violations: The Building Commissioner shall give written notice to the owner, owner-tenant or person in charge of a single-family home found in violation of the Building Code. Such notice shall direct the installation and/or maintenance of landscaping and landscaping features as required by this section to be completed within five (5) days from the date the notice is to be delivered. If the owner, owner-tenant or person in charge cannot be located, the notice shall be delivered to the house occupying such lot and posted thereon, which delivery shall constitute sufficient notice under this subsection. A separate offense under this subsection shall be deemed committed each day a violation continues, but no additional notice, after the first notice, shall be required.~~

#### **1146.04 — DRIVEWAYS IN CLASS U-1 DISTRICTS.**

Excluding the tree lawn, not more than forty percent (40%) of the required front yard area may be improved with driveways, parking areas, sidewalks, and other hardscape surfaces.

**1146.99 VIOLATIONS AND PENALTIES.**

Any person who fails to comply with any provision of the Chapter shall be guilty of a misdemeanor of the first degree and upon conviction thereof shall be subject to the penalties set forth in Section 101.99 of these Codified Ordinances.

**CHAPTER 1113**  
**U-1 SINGLE-FAMILY RESIDENTIAL DISTRICT**

- 1113.01 Permitted Uses.
- 1113.02 Accessory Uses.
- ~~1113.03 Lot Area Per Dwelling Unit~~
- ~~1113.04 Lot Width~~
- ~~1113.05 Lot Depth~~
- ~~1113.04-06 Location of building line~~Building Setback Line.
- ~~1113.05-07 Side Yards~~
- ~~1113.03-08 Rear Yards~~
- ~~1113.06-09 House Size~~~~districts.~~
- ~~1113.07-10 Projections into and uses of required yards.~~
- ~~1113.08-11 Maximum Height~~~~regulations.~~
- ~~1113.12 Frontage Required~~
- ~~1113.13 Landscaping~~
- ~~1113.14 Driveways~~
- ~~1113.15 Fences~~
- ~~1113.09-16 Cluster Development Alternate.~~

1113.01 PERMITTED USES.

In a Class U-1 District, no building or premises shall be used, and no building shall be erected which is designed, constructed or used, for any purpose other than a single-family detached dwelling, occupied and used by one family as defined in Section 1101.22, or a residential care facility as ~~set forth herein~~defined in Section 1101.347.

1113.02 ACCESSORY USES.

~~An~~The following accessory uses ~~is~~may be permitted in a Class U-1 District, provided that such accessory use is located upon the same lot or use to which it is accessory.

(a) Garages. Each dwelling shall have an enclosed garage space for at least ~~one (1)~~two (2) vehicles, but the total garage floor area for any dwelling shall not exceed 1,050 square feet of gross floor area.

(b) Home Occupations. Home occupations are permitted for professional and business offices where each person employed in such business or profession actually resides at the residence. Such business or professional office shall not have any signage. No residence

may be used as a store, trade or business for the sale or storage of any merchandise or other property ~~declared unlawful by the laws of the United States, the State and/or the City.~~ The sale of personal furniture and furnishings owned and used by the occupants may be sold as is otherwise regulated by City ordinance.

(c) Parking. The parking or storage of any truck, bus or other commercial vehicle is prohibited unless the vehicle is in actual use, performing a service or delivering or picking up merchandise or persons from the property, or unless such vehicle is parked entirely within an enclosed accessory garage located on the same lot as the residence. Motor vehicles shall be parked only within an enclosed garage or on a paved driveway. A motor vehicle which is not capable of operation on a public street or highway shall not be parked or permitted to remain outside of an enclosed garage. Parking spaces in U-1 Districts shall comply with the provisions of Chapter 1144.

(d) Roomers. Each residence may rent not more than one (1) bedroom to not more than two (2) persons as roomers.

(e) Accessory Recreation Structures. Accessory recreation structures, such as children's play equipment and fenced courts, may be permitted provided such accessory recreation structures:

- (1) Are located in the rear yard behind the principal building;
- (2) Are located a minimum of ten feet (10') from the rear lot line;
- (3) Comply with the side yard setbacks contained in Section 1113.05.

Tree houses and accessory recreation structures are not included in the definition of "building" or "structure" as set forth in Section 1101.07.

#### 1113.03 LOT AREA PER DWELLING UNIT.

(a) In a Class A-1 Area District, no Dwelling shall be erected or altered to accommodate or make provision for more than one (1) Dwelling Unit for each 18,000 square feet of lot area, and further provided that not more than one (1) Single Family Detached Dwelling may be erected on any lot separately owned prior to May 18, 1953, or on any numbered lot in a recorded subdivision that was on record in the office of the County Recorder at the time of the passage of this section, a dedication of the streets of which subdivision was accepted for public use by Council.

(b) In a Class A-2 Area District, no Dwelling Unit shall be erected or altered to accommodate or make provision for more than one (1) family for each 9,000 square feet of area of the lot, provided that one Single Family Detached Dwelling may be erected on any lot separately owned at the time of the passage of this section, or on any numbered lot in a recorded subdivision that was on record in the office of the County Recorder at the time of the passage of this section, a dedication of the streets of which subdivision was accepted for public use by Council.

(c) There shall not be more than one Dwelling Unit on any individual building lot.

1113.04 LOT WIDTH.

(a) In a Class A-1 Area District, no Dwelling Unit shall be erected on a lot having an average width of less than one hundred feet (100') unless such lot was separately owned prior to May 18, 1953, or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

(b) In a Class A-2 Area District, no Dwelling Unit shall be erected on a lot having an average width of less than sixty feet (60') unless such lot was separately owned prior to May 18, 1953, or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

1113.05 LOT DEPTH.

(a) In a Class A-1 Area District, no Dwelling Unit shall be erected on a lot having an average depth of less than one hundred eighty feet (180') unless such lot was separately owned prior to May 18, 1953, or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

(b) In Class A-1 and in Class A-2 Area Districts, no Dwelling Unit shall be erected on a lot having an average depth of more than three and one-half times (3.5) the average width. These provisions shall not apply if such lot was separately owned prior to May 18, 1953, or if such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section and for which a dedication of the streets in such allotment was made for public use and accepted by Council.

1113.0406 LOCATION OF BUILDING SETBACK LINE.

On any street frontage in a Class U-1 District, the location of the building line shall be as follows:

(a) On a street frontage other than the side line of a corner lot, the distance of the building line back from the street right-of-way line shall be twenty percent (20%) of the average depth of the lot or thirty-five feet (35') whichever is greater.

(b) In a Class U-1 District along the side line of a corner lot, the distance of the building line back from the street right-of-way line shall be twenty percent (20%) of the average width of such lot, or twenty feet (20') whichever is greater.

(c) No building or portion of a building extending above the established finished grade shall be erected between the Building Line and the street right-of-way line.

1113.0507 SIDE YARDS.

Side yards are required in Single-Family House Districts as follows:

Lot <del>Frontage-Width</del> (ft.)	Combined Open Side Yard (ft.)	Minimum Side Yard (ft.)
100 and over	28	14
80 to 99	24	12
60 to 79	15	7
50 to 59	11	3
<del>49-40 to 5949</del>	11	3

Building permits shall be issued wherever possible to alternate minimum side yards to avoid abutting minimum side yards.

1113.0308 REAR YARDS.

(a) In a Class U-1 District, every building erected shall have a rear yard. The least dimension of such rear yard shall be thirty percent (30%) of the average depth of the lot, but such least dimension need not be more than forty feet (40'), ~~provided such least dimension shall be in no case less than one-half of the height of the building.~~

(b) Decks and similar unenclosed structures, or portions thereof, ~~may extend into said rear yards, but no such structure shall extend closer to the rear lot line than a least dimension of~~ shall have a minimum rear setback equal to twenty percent (20%) of the average depth of the lot. ~~Decks shall have a minimum side yard setback of five (5) feet.~~

(c) ~~Twenty-five percent (2520%)~~ of the area of ~~such the rear~~ yard may be occupied by a one-story accessory building not more than fifteen feet (15') in height. Accessory buildings on interior lots shall be located a minimum of five feet (5') from the side and rear lot lines.

(d) On a corner lot the rear line of which is identical with the side line of an interior lot, no accessory building, if detached from the main building, shall be erected within twenty-five feet (25') of any street line or within ten feet (10') of the rear lot line.

1113.0609 HOUSE SIZE ~~DISTRICTS~~.

(a) Purpose and Intent. House size regulations are established to insure long-term compatibility within neighborhoods, preserve and protect residential property values,

balance the size and bulk of housing with available lot area, avoid over building of residential lots, and provide appropriate housing opportunities within the City.

(b) Minimum Floor Area. Each house shall have a minimum gross floor area excluding basements, as defined in Section 1101.05, and garages based upon the Area District in which it is located as set forth herein:

- A-1 Area Districts      2,400 Square Feet
- A-2 Area Districts      1,800 Square Feet

(c) Maximum Floor Area. Each house shall have a maximum gross floor area excluding basements, as defined in Section 1101.05, and garages in accordance with the following table:

- (1) On lots that are 9000 square feet in area and greater and which have a lot width of 80 feet or greater, the maximum gross floor area shall be 5,000 square feet.
- (2) On any lot that is less than 9000 square feet in area or which has a lot width of less than 80 feet, the maximum gross floor area shall be 4,000 square feet.

<del>Lot Area</del>	<del>Minimum Side Yard</del>	<del>Maximum House Size</del>
<del>Less than 10,000 Sq. Ft.</del>	<del>Less than 10 Feet</del>	<del>2.0 X Buildable Area</del>
<del>Less than 10,000 Sq. Ft.</del>	<del>10 Feet or Greater</del>	<del>2.2 X Buildable Area</del>
<del>10,001 to 15,000 Sq. Ft.</del>	<del>Less Than 10 Feet</del>	<del>1.5 X Buildable Area</del>
<del>10,001 to 15,000 Sq. Ft.</del>	<del>10 Feet or Greater</del>	<del>1.7 X Buildable Area</del>
<del>15,001 to 24,000 Sq. Ft.</del>	<del>10 Feet or Greater</del>	<del>1.25 X Buildable Area</del>
<del>Greater Than 24,000 Sq. Ft.</del>	<del>10 Feet or Greater</del>	<del>1.1 X Buildable Area</del>

~~For purposes of compliance with this section, Buildable Area shall be that portion of a lot behind the required Front, Side and Rear Set-Back Lines for the Use District within which a building may be constructed in conformance with this chapter. All Required Yards shall be deducted from the lot area to determine the Buildable Area.~~

#### ~~1113.0710~~ PROJECTIONS INTO AND USES OF REQUIRED YARDS.

(a) There shall be no parking or storage of any motor vehicle in a side or rear yard or in front of any building setback line except upon an approved driveway or apron. No commercial vehicle shall be parked or stored on an unenclosed portion of a residentially zoned property except as specifically authorized in Section 452.14 of the Traffic Code.

(b) No commercial materials or equipment shall be stored on the exterior area of any residentially zoned property.

(c) The following building features may extend not more than twenty-four inches (24") into any front, side, or rear yard setback:

- (1) Cornices, canopies, eaves, overhangs and similar features;
- (2) Chimneys;
- (3) Bow windows, bay windows, and similar features.

(d) Steps from required exit doors may extend not more than three feet (3') into any required front, side, or rear yard setback.

(e) Accessibility ramps for disabled persons which meet Americans with Disabilities Act guidelines may extend into required front, side or rear yard setbacks subject to a determination by the Building Commissioner that the design of such facilities is reasonable and constitutes the least possible intrusion into the required setback. Such structures shall be considered temporary and any permit issued by the Building Commissioner shall contain a written agreement by the applicant to remove same upon termination of the accessibility need.

(f) Driveways, patios, and other hardscape surfaces shall be setback a minimum of two (2) feet from any side lot line and five (5) feet from any rear lot line.

(g) On a corner lot between the building line and the street line, and within the triangular space included between the street line, for a distance of twenty-five feet (25') from their point of intersection, no fence or other structure more than three feet (3') in height above the plane of the established grade shall hereafter be erected, and no shrubs or foliage shall be maintained that, in the judgment of the Building Commissioner, will materially obstruct the view of a driver of a vehicle approaching the intersection and within seventy-five feet (75') of the center of such intersection, of approaching cross traffic which is within seventy-five feet (75') of the center of such intersection.

#### ~~1113.0811~~ MAXIMUM HEIGHT REGULATIONS.

Each dwelling shall have a maximum height of thirty-five feet (35').

#### 1113.12 LANDSCAPING.

(a) Height Of Hedges And Shrubbery. Shrubs, hedges or bushes adjacent to side yard lines in front of the building line and shrubs, hedges or bushes adjacent to and parallel with the public sidewalk for a distance of fifteen feet (15') from any driveway shall be planted and maintained so as not to exceed a height of three feet (3').

(b) Shade Tree Planting. Any owner or builder of a house which is constructed and erected within the City shall deposit two hundred fifty dollars (\$250.00) per tree with the Public Works Department to cover all expenses for the planting of shade trees on the tree lawn abutting such house or other building. One shade tree shall be planted for each forty feet (40') of frontage, depending on the tree lawn and type of tree to be planted, as determined by the Public Works Director. Corner lots require trees on both streets. A minimum of one (1) shade tree shall be planted for each house or other building, regardless

of the frontage of the lot. The Building Commissioner shall not issue a building permit to any person until this deposit has been filed.

(c) Landscaping of Residential Lots Required. Growing and/or non-growing landscaping is required on the entire lot, except for such portions as are occupied by the house, garage, driveway or other permitted improvements to prevent the wash-down of mud and other debris across sidewalks and into catch basins. Not less than thirty percent (30%) of the total lot area shall consist of Growing Landscaping. "Growing Landscaping" means grass, trees, bushes and other living plants.

(d) Tree Lawns. Tree lawn areas shall only be planted with grass and/or City authorized street trees. No other improvements or landscaping shall be permitted within tree lawns.

(e) Front Yard Landscaping Restrictions. No retaining walls, landscape timbers, or other landscape features shall be placed within twelve inches (12") of a public sidewalk. Damage to landscape features located within twelve inches (12") of a public sidewalk from snow plowing or sidewalk maintenance shall be the responsibility of the homeowner.

(f) Completion of Landscaping. Landscaping shall be completed within ninety (90) days following issuance of a certificate of occupancy unless such date occurs after November 1 of a year. In that event, the time for completion shall be extended until June 1 of the following year; provided, that the site has been stabilized with temporary seeding or other City approved method of controlling erosion and sedimentation.

(g) Temporary Stabilization. All disturbed areas, including stockpiles, must be stabilized with temporary seeding, mulching, erosion matting, or other method in accordance with City standards within thirty (30) days of disturbance.

(h) Emergency Improvements. The City may, as a condition of any building permit, enter upon single-family lots and make temporary emergency improvements required for the protection of the building, land or neighboring property. The City shall give reasonable notice to the person issued the building permit or others. The City may suspend the building permit until the cost for such emergency improvements is reimbursed to the City and/or it may assess such costs against the property.

(i) Maintenance of Landscaping in Single Family Residential Districts. The person who applies for and is issued required building permits or certificates of occupancy shall cause the landscaping required by this section to be installed as set forth in this section, and the continuing owners of the property shall maintain the lot in compliance with this Building Code. After it is installed as required, the original landscaping may be altered by the owner without an additional permit, provided that such alteration meets the standards of this Code. Owners of single-family homes shall install and maintain landscaping by planting, replanting or installing all of the growing things and maintaining other permitted landscaping features in good maintenance and repair, with the grass cut to a height not to exceed eight inches (8").

(j) Notice of Violations. The Building Commissioner shall give written notice to the owner, owner-tenant or person in charge of a single-family home found in violation of this

section. Such notice shall direct the installation and/or maintenance of landscaping and landscaping features as required by this section to be completed within five (5) days from the date the notice is to be delivered. If the owner, owner-tenant or person in charge cannot be located, the notice shall be delivered to the house occupying such lot and posted thereon, which delivery shall constitute sufficient notice under this subsection. A separate offense under this subsection shall be deemed committed each day a violation continues, but no additional notice, after the first notice, shall be required.

#### 1113.13 FRONTAGE REQUIRED.

No permit shall be issued for a building or a use on a lot unless such lot has a frontage upon a public highway or upon a public street which has been duly dedicated and accepted for public use and which meets minimum City standards of improvement so as to insure adequate and satisfactory access to such lots, according to specifications approved by Council.

#### 1113.14 DRIVEWAYS.

Excluding the tree lawn, not more than thirty percent (30%) of the required front yard area may be improved with driveways, parking areas, sidewalks, or any other hardscape surfaces. All driveways shall be provided with an asphalt, concrete or other similar hard surface designed in accordance with criteria established by the Engineer. All drive aprons shall be concrete. All driveways shall be graded and drained to provide positive drainage away from buildings, to prevent runoff onto adjacent properties, and to direct storm water to an approved inlet.

#### 1113.15 FENCES.

Fences in U-1 Districts shall conform to the provisions of Chapter 1146.

#### 1113.0916 CLUSTER DEVELOPMENT ALTERNATE.

In lieu of compliance with the standard provisions of Sections 1113.03 through 1113.08 hereof this Chapter, property owners in a Class U-1 Single-Family House District may choose to design and develop a group of single-family detached dwellings as a Cluster Development in conformance with the provisions of Chapter 1114. Where duly approved by the Commission pursuant to the provisions of Chapter 1114, the Cluster Development plan and standards shall apply and take precedence over the provisions of Sections 1113.01 through 1113.08 this Chapter.

# Tactical Planning, LLC

P.O. Box 3163  
Cuyahoga Falls, Ohio 44223  
Ph: 440-725-1886  
geosmerigan@gmail.com

TO: Justin Berns, Mayor  
Alec Isaacson, President of Council

FROM: George Smerigan, City Planner

DATE: June 18, 2025

RE: **Request for Legislation  
Building Fees**



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On behalf of myself and Building Commissioner Roenigk, I am requesting the preparation of an ordinance to amend several chapters of the Codified Ordinances pertaining to building permit fees and related matters. These proposed amendments are intended to update the City's current permit fee schedule, clarify the registration of contractors, and adjust the fee for special Planning and Zoning Commission meetings.

The changes involve amendments to the following chapters:

- Chapter 151 Planning and Zoning Commission
- Chapter 705 License, Registration and Permit Fees
- Chapter 737 Electrical Contractors
- Chapter 915 Registering Plumbers and Sewer Builders
- Chapter 1329 Permits, Fees and Deposits

It is requested that the legislation be drafted to make the amendments effective upon the launch of the City's new permitting software. That way the new fees and deposits can be incorporated into the new software making the transition easier for both the Building Department and the Finance Department. The software launch date is expected to be January 2, 2026.

cc: Todd Hunt, Law Director  
Brian Roenigk, Building Commissioner  
Whitney Crook, Clerk of Council

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### 151.03 Meetings; rules and regulations.

- (a) The Planning and Zoning Commission shall provide for regular and special meetings, to be determined by the Commission. Special meetings may be called by the Commission, or by the Chairperson, upon at least twenty-four (24) hours written or actual notice. The Chairperson or, in the Chairperson's absence, any two (2) members of the Commission may either cancel or extend a regular or special meeting date upon being notified by the Clerk of the Commission that a quorum will not be present or that there are no agenda items to review.
- (b) Every meeting, whether regular or special, shall conform to the following regulations:
- (1) Agenda. The agenda shall be prepared by the Clerk under the direction of the Chairperson, and the Chairperson shall be responsible for the orderly business of the Commission. A decision of the Chairperson may be overruled only by a majority vote of the Commission. In the absence of the Chairperson, the Commission shall elect an Acting Chairperson.
  - (2) Quorum. There shall be seven (7) members of the Commission and a quorum shall consist of four (4) members, but a lesser number may recess, adjourn or informally work as a committee. All formal action shall be made by motion. Motions shall be made in the affirmative, wherever possible, and all motions shall be seconded before a roll call.
  - (3) Voting. All voting of the Commission shall be taken by roll call, the Clerk calling the names of each of the members in alphabetical order and recording the vote in the minutes of the meeting. Every motion shall require at least four (4) yes votes to pass. All votes shall be recorded as either "yes" or "no." A member voting to abstain shall have his or her vote recorded as counting with the majority of those voting, either yes or no. If the vote of those voting results in a tie, a vote to abstain shall not be counted. A member who does not vote due to a conflict shall so state and shall leave the meeting for the purpose of such vote.
  - (4) Plats. All plats for the subdivision or resubdivision of land shall first be filed with the Commission and shall meet the zoning requirements of the City. The Commission shall recommend to Council, for Council's approval the location of all streets, in order to provide for the most efficient movement of vehicles and the safety of persons and property. Prior to final approval, each plat shall also be submitted to the City Engineer for his or her report and approval. After final review, each plat shall be forwarded to Council. The Commission shall approve or reject all plats submitted to it within ninety (90) days and Council shall approve or reject all plats within sixty (60) days, unless either body determines a necessity to extend the time for good cause. Any plat not approved within these times shall be considered rejected.
  - (5) Other rules. The Commission shall adopt such other rules as it requires for its orderly business, not inconsistent with this section.
  - (6) Rezoning. Applications for the rezoning of land must be filed in accordance with Section 1107.03 of the Planning and Zoning Code.
  - (7) Site plan approval. Applications for site plan approval may be made for preliminary or final approval. Preliminary approval will be granted, in the discretion of the Commission, where the applicant is unable to finalize plans. A preliminary approval is nonbinding on the City.
  - (8) Variances. When an applicant's plans on file with the City do not meet a requirement of the Zoning Code, the Commission shall, upon request, consider recommending or not recommending the granting of a variance to Council. A variance may be recommended if the Commission finds, from the totality of the applicable circumstances and evidence presented it, that:
    - A. Substantial hardship or practical difficulty prevents compliance with a zoning standard.
    - B. The variance, if granted, will not work an undue hardship on other properties.

- 
- C. The resulting development, with the approved variance, will not be contrary to the spirit, intent and purpose of the Zoning Code and a more harmonious and useful development will result and substantial justice will be done.

The Commission shall make its recommendation to Council and Council shall review each decision of the Commission on a case-by-case basis in order that the City will achieve the best quality development and the integrity of its Zoning Code will be preserved. Council may accept, modify or reject any recommendation of the Commission.

Since each parcel of real estate is unique and each circumstance is different, the granting of any variance shall not be considered a precedent which is necessarily applicable to any other property. Where a variance is granted, it shall be the least variance which is found to be reasonable under all the circumstances, and the decision of Council shall be final.

- (9) Administrative appeals. Where specifically authorized, decisions of City officials made in the administration and enforcement of these Codified Ordinances may be appealed to the Planning and Zoning Commission by any person or persons claiming to be adversely affected by such decisions. Any such appeal shall be taken within five (5) days from the date of the administrative decision or enforcement action being appealed by filing with the Clerk of the Commission a notice of appeal. Such appeal shall be heard at the next regularly scheduled meeting of the Commission occurring not less than twenty-one (21) days after the appeal has been filed. On appeal, the Commission shall examine the facts of each case fully, shall hear all persons desiring to be heard and claiming to be affected by the decision appealed from and shall affirm, reverse or modify the decision or action of the City official in conformity with the provisions of these Codified Ordinances and the laws of the State.
- (10) General procedure. An application to the Commission shall be in the following form and shall contain, at a minimum, the following information, accompanied by a minimum of fourteen (14) copies, filed at least fourteen (14) days before the meeting:
- A. A letter containing a full and complete statement, signed by a principal of the corporation, partnership or individual requesting approval, explaining the purpose of the application and other relevant information; and
- B. A proposed site development plan locating the building and improvements intended to be developed. Printed on the site plan shall be a box score and other information demonstrating compliance with these Codified Ordinances and applicable State law in a form to be approved by the Building Commissioner.
- C. In the event that a special meeting or work session is called at the request of the property owner or developer, then the property owner or developer shall prepay the costs to the City for the members' compensation and any other administrative expenses at the rate of ~~three hundred dollars (\$300.00)~~ one thousand dollars (\$1000.00) per meeting.

## 705.01 Fee schedule.

No person shall engage in any of the activities, trades, businesses or professions for which licenses, registrations or permits are required by this Part Seven - Business Regulation Code or by any other ordinance or provisions of these Codified Ordinances without first paying the appropriate license, registration or permit fee prescribed in the schedule set out below to the authorized official issuing such license, registration or permit:

Classification	C.O. Section	Fee
Admissions tax-certificate of registration	191.05	\$ 5.00 per calendar year
Air conditioning/Heating/ Ventilation contractor		<del>75.00</del> <u>100.00</u> per calendar year
Building permits		As prescribed in Part Thirteen-The Building Code
Cemetery, sale of lots, other services	921.01	As prescribed in Section 921.01
Electrical contractor	737.04	<del>75.00</del> <u>100.00</u> per calendar year
General contractor		100.00 per calendar year
Landscaper	735.02	10.00 per calendar year
Masonry / <u>concrete</u> contractor		<del>75.00</del> <u>100.00</u> per calendar year
Peddler:		
On foot	717.02	5.00
Using a truck or other vehicle and carrying his wares/materials for sale	717.02	10.00
Plumber or Sewer <del>Builder</del> <u>contractor</u>	915.04	<del>50.00</del> <u>100.00</u> per calendar year
Police charge to check records only as specifically authorized in the Codified Ordinances		30.00
Street opening	901.02	1,000.00
Tree lawn opening	901.02	500.00
<u>Hyponic Contractor</u>		<u>\$100.00</u>
<u>Fire Alarm Contractor</u>		<u>\$100.00</u>
<u>Sprinkler Contractor</u>		<u>\$100.00</u>
<u>Medical Gas Contractor</u>		<u>\$100.00</u>

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## CHAPTER 737. Electrical Contractors

### 737.01 Registration required.

No person shall hereafter engage in work as an electrical contractor or electrician in the City until such person has first been issued a registration therefor from the City in accordance with this chapter.

(Ord. 2016-45. Passed 3-7-16)

### 737.02 Evidence of qualifications and competence.

An electrical contractor's registration shall be issued only to those persons ~~holding an electrical contractor's registration issued by one (1) of the following: the City of Cleveland, the City of Akron, the City of Painesville, the City of Willoughby or Geauga County, Ohio.~~ Having evidence of a State license.

### 737.03 Period of registration.

Upon showing evidence of meeting the requirements of Section 737.02, a person shall be issued a registration to engage in electrical contractor work in the City. Such registration shall be valid for a period of one (1) year, from January 1 of the year of issuance, and shall be renewable on January 1 of each succeeding year of the use of such registration.

(Ord. 2016-45. Passed 3-7-16)

### 737.04 Issuance of registration; fee.

- (a) All registrations shall be issued by the Building Commissioner.
- (b) A fee prescribed in Section 705.01 shall be charged for each registration issued in accordance with the provisions of this chapter.

(Ord. 2016-45. Passed 3-7-16)

### 737.05 Revocation of registration.

Any registration issued under the provisions of this chapter may be revoked by the Mayor for a violation of any provision of these Codified Ordinances, State law or any regulation adopted by either government, directly by reference, regulating electrical connection. Prior to any order of revocation, a person may have his registration temporarily suspended for a period not to exceed five (5) days by the Building Commissioner, pending a hearing by the Mayor.

(Ord. 2016-45. Passed 3-7-16)

### 737.99 Penalty.

Editor's note(s)—See Section 101.99 for general Code penalty if no specific penalty is provided.

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## **CHAPTER 915. Registering Plumbers and Sewer ~~Builders~~Contractors**

### **915.01 Registration required.**

No person shall engage in or work at the trade or occupation of plumbing or sewer building in the City until such person has first been issued a registration therefor from the City in accordance with the provisions of this chapter.

(Ord. 2016-45. Passed 3-7-16)

### **915.02 Evidence of qualifications and competence.**

A plumber's or sewer builder's registration shall be issued to only those persons ~~holding a plumber's or sewer builder's registration in good standing, issued by the City of Cleveland, the City of Akron, the City of Painesville or the City of Willoughby, Ohio.~~ With evidence of a State license.

### **915.03 Period of registration.**

Upon showing evidence of meeting the requirements of Section 915.02, a person shall be issued a registration to engage in plumbing contractor work within the City. Such registration shall be valid for a period of one (1) year, from January 1 of the year of issuance, and shall be renewable on January 1 of each succeeding year of the use of such registration.

### **915.04 Issuance of registration; fee.**

- (a) All registrations shall be issued by the Building Commissioner.
- (b) The fee prescribed in Section 705.01 shall be charged for each registration issued in accordance with the provisions of this chapter.

(Ord. 2016-45. Passed 3-7-16)

### **915.05 Revocation of registration.**

Any registration issued under the provisions of this chapter may be revoked by the Mayor for a violation of any provision of these Codified Ordinances, state law or any regulation adopted by either government, directly by reference, regulating sewer connections. Prior to any order of revocation, a person may have his registration temporarily suspended for a period not to exceed five (5) days by the Building Commissioner, pending a hearing by the Mayor.

(Ord. 2016-45. Passed 3-7-16)

### **915.99 Penalty.**

Editor's note(s)—See Section 101.99 for general Code penalty if no specific penalty is provided.

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### 1329.02 Effective period of permits.

- (a) If, after a permit has been issued, the operation called for by it is not begun within six (6) months of the date thereof, such permit shall be void. Before operation can begin, a new permit shall be taken out by the owner or by his agent, contractor or architect, and fees fixed in this chapter for the original permit shall be paid therefor.
- (b) If after work has commenced, there is a cessation of the work for a period of six (6) months, then, upon notice to the holder of a building permit, which notice may be posted upon the premises, the permit shall expire. Before work may be continued, the permit must be renewed by the payment of a fee herein fixed for an original permit. Upon the cessation of work for any length of time, the Building Commissioner may order the filling in of any excavation, the protection of property or materials, or the abatement of any condition of nuisance or danger. The Building Commissioner shall have the authority to allow for reasonable extensions of the timelines herein.
- (c) After work has been commenced, all work to be performed under such permit, including finish grading leveling of all excavations, provision for motor vehicle access to any main building and adequate enclosing and preservation from the elements shall be completed in accordance with plans and specifications within ~~two (2) years~~ **one (1) year** from the date of such permit. Such completion must be sufficient to permit use of any building for which it may be designed, sufficient to prevent the creation of nuisances or dangerous conditions or the unnecessary deterioration of materials, and sufficient to prevent a continuing adverse effect upon surrounding property values. Such ~~two-year~~ **one (1) year** period shall run regardless of the issuance of a stop-work order issued by the Building Commissioner for a failure to comply with or for a violation of any of the provisions of this Building Code.
- (d) Failure to complete any operation or work for which a permit has been issued within ~~two (2) years~~ **one (1) year** from date thereof, as provided herein, shall be deemed a violation of this section by the owner of any property upon which such condition exists.
- (e) Upon the failure of any owner of property to complete any operation or work for which a permit has been issued within ~~two (2) years~~ **one (1) year** from date thereof, as provided herein, the Building Commissioner may institute an injunction suit in the Court of Common Pleas of Cuyahoga County for an order of Court ordering such property owner to complete such operation or work within a specified time, to remove any incomplete building or structure, to fill or grade any excavation, to abate any condition of nuisance or danger, or for other relief appropriate to the enforcement of this Building Code.
- (f) Failure to obtain a permit within ~~two (2) years~~ **one (1) year** after final site development plan approval or final approval of the Architectural Board of Review shall void all approval previously given. Thereafter, a new application must be made and another fee paid.
- (g) A permit shall be obtained from the Building Commissioner for all items listed in this chapter. No work may commence unless the proper permit listed in this chapter is first obtained by the owner of a property or his or her authorized agent.

### 1329.03 Building fees.

(a) General Fee Regulations		
(1)	Permits which are to be issued for Commercial Occupancies, governed by the OBC, shall pay an additional assessment of 3% in accordance with 4101:2-1-50.	
(2)	Permits which are to be issued for Residential Alterations, governed by the OBC, shall pay an additional assessment of 1% in accordance with the Board of Building Standards.	
(3)	The Building Commissioner shall issue the permit required by this Building Code, fix and collect and give receipts for the same according to the following schedule:	
(4)	Any inspections required after normal work hours, including Saturday and Sunday, require a one-hundred-dollar (\$100.00) fee in addition to required permit.	
(b) Building Permit Fees		
(1)	Additions to dwelling structure (1 & 2 Fam.) as regulated by Chapter 1303 (RCO) per sq. ft. of gross area of all stories	\$ <del>40</del> <u>1.03</u>
(2)	Additions to structure as regulated by Chapter 1307 (OBC) per sq. ft. of gross floor area	\$ <del>0.75</del> <u>2.00</u>
(3)	Alterations to dwelling structure (Interior and Exterior) and/or exterior site alterations - Includes fixed equip., damage repair and fire damage repair and roof replacement. as regulated by Chapter 1303 (RCO) * <del>per \$1,000 valuation per sq. ft. of area</del>	\$ <del>8.500</del> <u>6.60 with a minimum of \$400.00</u>
(4)	Alterations - structure (Interior and Exterior) and/or exterior site alterations - Includes fixed equip., damage repair and fire damage repair and roof replacement. as regulated by Chapter 1307 (OBC) * per \$1,000 valuation	\$25.00
(5)	All new dwelling structures (1 & 2 Fam.) as regulated by Chapter 1303 (RCO) per sq. ft. gross floor area all stories	\$ <del>0.35</del> <u>0.72</u>
(6)	New Building or Structure as regulated by Chapter 1307 (OBC) per sq. ft. of gross floor area	\$ <del>1.00</del> <u>2.00</u>
(7)	Medical Gas and Vacuum Systems Plan Review	\$200.00
(8)	Medical Gas Piping Systems per system	\$153.00 plus 1% of cost
(For each reinspection necessary due to faulty or incomplete work .... \$ 50.00)		
(Any request for refund of permit fees....\$50.00 Administrative Fee)		

### 1329.04 Fees for plumbing and sewer work.

In addition to the fees for building permits provided in Section 1329.03, the following fees shall be collected by the Building Commissioner for plumbing and sewer work:

(a)	For a Plumber's Registration for a maximum of one year, expiring on December 31st of the year, in order to issue a permit, it is required that the licensee holds a Master Plumber or journeyman's registration from the State of Ohio		\$ 75.00
(b)	A base fee for each permit for new work, alterations or repairs to plumbing, including water lines or plumbing fixtures, or both, or a replacement thereof, and sewers and fire lines (Additional work performed as an addendum to a recently issued permit shall not require an additional base fee)		40.00
(c)	Hot water tank/water heater contractors must schedule an inspection within 72 hours or an administrative fee will be charged of		100.00
(d)	The following sums in addition to the base fee provided by subsection (b) hereof, where applicable:		
			<b>Residential</b> <b>Commercial</b>
	(1)	Air admittance valves (each)	\$ 5.00    \$ 20.00
	(2)	Area drains	5.00    6.00
	(3)	Backflow devices	5.00    10.00
	(4)	Bar sink	5.00    6.00
	(5)	Base fee	40.00    40.00
	(6)	Bath tub	5.00    6.00
	(7)	Bidet	5.00    6.00
	(8)	Catch basin	5.00    10.00
	(9)	Contractor registration	50.00    50.00
	(10)	Dishwasher	5.00    6.00
	(11)	Downspouts	5.00    6.00
	(12)	Drain tile (new or replacement)	5.00    20.00
	(13)	Drinking fountain	5.00    6.00
	(14)	Expansion tank	10.00    20.00
	(15)	FM-200 Fire extinguishing systems for commercial cooking hoods—(No base fee)	
	(16)	Fire line—underground	50.00    200.00
	(17)	Fire pump	
	(18)	Fire protection sprinkler system per head, (No base fee)	50.00+    50.00+ 2.00/head    5.00/head
	<b>Note: #15, 16, 17, and 18 require only state certification by the State Fire Marshal's Office or Designee—no plumbing registration required.</b>		
	(19)	Floor drain	5.00    6.00
	(20)	Garage drains (detached)	5.00    10.00
	(21)	Garage floor drains	5.00    6.00
	(22)	Garbage disposal	5.00    6.00

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	(23)	Gas lines	10.00	15.00
	(24)	Grease interceptor—interior		-100.00
	(25)	Grease interceptor—exterior		-200.00
	(26)	Ice makers	5.00	6.00
	(27)	Instant hot water	5.00	6.00
	(28)	Kitchen sink	5.00	6.00
	(29)	Laundry tray	5.00	6.00
	(30)	Lavatory	5.00	6.00
	(31)	Lawn irrigation system—including backflow device	25.00	50.00
	(32)	Lawn Irrigation System—NOT including backflow device (*No Plumbing Registration Required)-	25.00	50.00
	(33)	Lift station	25.00	50.00
	(34)	Medical Gas and Vacuum Systems Plan review -One Medical Gas Piping System (per system)		-200.00 -153.00+ (1% × cost)
	(35)	Oil interceptor		-25.00
	(36)	Pressure regulator (water)	10.00	10.00
	(37)	Post light, gas	25.00	50.00
	(38)	Plumbing Repair	\$ 5.00	\$ 20.00
	(39)	Pumps, misc.	5.00	10.00
	(40)	Roof Drain		-10.00
	(41)	Sewage ejector pump	60.00	100.00
	(42)	Sewer alteration—No Base Fee	5.00	25.00
	(43)	Sewer—New—No Base Fee	10.00	100.00
	(44)	Sewer repair—No Base Fee	5.00	25.00
	(45)	Sewer replacement—No Base Fee	5.00	25.00
	(46)	Shower	5.00	6.00
	(47)	Slop sink	5.00	6.00
	(48)	Steam bath	5.00	6.00
	(49)	Storage tanks (water)—less than 40 gal.	5.00	10.00
	(50)	Storage tanks (water)—40 gal. or more	10.00	50.00
	(51)	Sump pump	15.00	30.00
	(52)	Tempering Valve	10.00	20.00
	(53)	Therapeutic tub/spa	10.00	20.00
	(54)	Thermo expansion tank	5.00	10.00
	(55)	Trench drain	5.00	10.00
	(56)	Urinal	5.00	6.00
	(57)	Utility sink	5.00	6.00
	(58)	Washing machine	5.00	6.00
	(59)	Water line (exterior/main)	20.00	75.00
	(60)	Water closet	5.00	6.00
	(61)	Waterproofing (*No Plumbing Registration Required)	100.00	

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		*Less than 100 linear feet		-150.00
		*More than 100 linear feet		-250.00
	(62)	Hot Water Tank/Water Heater	10.00	20.00
	(63)	Whirlpool tub/hot tub—connected direct or indirect to a sanitary sewer	5.00	10.00
	(64)	Yard drains	5.00	6.00
	(65)	Any item not included above requiring inspectional service	5.00	75.00
(For each reinspection necessary due to faulty or incomplete work \$50.00) (Any request for refund of permit fees \$50.00 Administrative Fee)				

**1329.05 Fees for HVAC work.**

In addition to the fees for building permits provided in Section 1329.03, the following fees shall be collected by the Building Commissioner for heating work:

(a)	For an Air Conditioning and Heating Contractor's Registration, for a maximum of one year, expiring on December 31st of the year, the licensee is to hold a State of Ohio HVAC Contractor's Registration:			\$75.00
(b)	A Base Fee for each permit for new work, alterations, installation of any HVAC, cooling, heating appliance systems, or similar devices:			40.00
(c)	Furnace/AC contractor must schedule an inspection within 72 hours or an administrative fee will be charged of:			100.00
(d)	The following sums in addition to the base fee provided by subsection (b) hereof, where applicable:			
			<b>Residential</b>	<b>Commercial</b>
	(1)	Air Handlers in Attics	\$ 5.00	\$ 15.00
	(2)	Central air conditioning (each compressor unit)	50.00	100.00
	(3)	Chillers		-200.00
	(4)	Clothes dryer	5.00	50.00
	(5)	Commercial cooking hood (refer to 1329.04(c)(13) & 1329.06(c)(6))		-200.00
	(6)	Cooling tower		-150.00
	(7)	Decorative appliances	25.00	25.00
	(8)	Diffusers (supply and return)	2.00	5.00
	(9)	Duct work (additional)	20.00	60.00
	(10)	Electronic air filter	8.00	20.00
	(11)	Emergency recovery units		-100.00
	(12)	Energy vent damper	20.00	30.00
	(13)	Fan-coil units		-100.00
	(14)	Fans	5.00	20.00
	(15)	Fire dampers		-20.00
	(16)	Fireplace (factory built)	55.00	100.00

	(-17)	Furnace (new/replacement)	50.00	75.00
	(-18)	Gas grills	5.00	30.00
	(-19)	Heat exchangers		-100.00
	(-20)	Heating systems (1st 180,000 BTU)		-100.00
		Each additional 1,000 BTU (after 1st 180,000)		-1.00
	(-21)	Heat pumps	25.00	75.00
	(-22)	Humidifier	8.00	15.00
	(-23)	Hydronic radiant heat system (int./ext)	20.00	100.00
	(-24)	Log lighters	25.00	50.00
	(-25)	New or innovative systems for heating, hot water, and/or A/C (need Bldg. Comm. Approval)	50.00	150.00
	(-26)	Power operated dampers	10.00	25.00
	(-27)	Refrigeration Equipment		-100.00
	(-28)	Rooftop unit		-150.00
	(-29)	Space heater	30.00	50.00
	(-30)	Smoke evacuation system		-200.00
	(-31)	Steam boiler	35.00	100.00
	(-32)	Stoves (heating)	50.00	100.00
	(-33)	Variable air volume (VAV)	2.00	4.00
	(-34)	Any item not included above requiring inspectional service	5.00	75.00
(For each reinspection necessary due to faulty or incomplete work \$ 50.00) (Any request for refund of permit fees \$50.00 Administrative Fee)				

(Ord. 2020-72. Passed 5-18-20)

**1329.06 Fees for electrical work.**

In addition to the fees for building permits provided in Section 1329.03, the following fees shall be collected by the Building Commissioner for electrical work:

(a)	For an Electrical Contractor's Registration for a maximum of one year, expiring on December 31st of the year, the licensee is to hold a State of Ohio Electrical Contractor's Registration:		\$75.00
(b)	A base fee for any electrical work, whether new, replacement, or temporary, a minimum of:		40.00
(c)	The following sum, in addition to the base fee provided in subsection (b) hereof, where applicable:		
(d)	Electrical contractor must schedule an inspection within 72 hours or an administrative fee will be charged of:		100.00
		<b>Residential</b>	<b>Commercial</b>
	(-1) A/C compressor (each) additional to the unit HVAC permit	\$ 15.00	\$ 15.00
	(-2) Clothes dryer	7.50	10.00

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(Republication)

	(3)	C/O detector system		-150.00
	(4)	Co-generation systems & assoc. equip.	200.00	200.00
	(5)	Commercial hood protection wiring (no base fee)		-50.00
	* Electrical Registration not required unless electrical connection is required.			
	(6)	Compactor	7.50	20.00
	(7)	Dishwashers	7.50	20.00
	(8)	Disposals	7.50	10.00
	(9)	Electric base board heat (per unit)	10.00	25.00
	(10)	Electric furnace—additional to unit heating permit	10.00	15.00
	(11)	Electric heat treating or tempering		-20.00
	(12)	Emergency lighting battery pack		-2.00
	(13)	Exit lighting	1.00	2.00
	(14)	Fans	10.00	15.00
	(15)	Fire alarm system (1329.06(d)) (Example: strobes, smoke detectors, pull stations)	50.00	100.00+ 2.00 per device
	Note: #15 Certification required from State Fire Marshal's Office or Designee No electrical registration required -- (no base fee)			
	(16)	Garage door opener	\$ 10.00	\$ 15.00
	(17)	Generator 0—400 kw	25.00	50.00
	(18)	Generator 401kw & up	50.00	200.00
	(19)	Inverter	20.00	40.00
	(20)	Hair dryer (salon)	7.50	20.00
	(21)	Heat cables—roof snow removal	7.50	20.00
	(22)	Heat trace cables	10.00	50.00
	(23)	Hi intensity lights 1000 watts or more	10.00	20.00
	(24)	Hot tubs	10.00	20.00
	(25)	Hot water heater	10.00	20.00
	(26)	Humidifiers	7.50	10.00
	(27)	Instant hot water	10.00	20.00
	(28)	Lighting fixtures	1.00	2.00
	(29)	Motor controllers		-15.00
	(30)	Medical Equipment—* per unit, under 125 volts	20.00	50.00
	(31)	Medical Equipment—* per unit, over 125 volts	30.00	100.00
	(32)	Meter install	20.00	40.00
	(33)	Motors 1 ½ H.P. or less	5.00	5.00
	(34)	Motors over 1 ½ H.P. to 10 H.P.	20.00	20.00
	(35)	Motors over 10 H.P.	50.00	75.00
	(36)	Motor starter		-15.00
	(37)	MRI, CT scan or any similar device		-200.00
	(38)	Nurse call station		-100.00
	(39)	Panel board -- Less than 800	20.00	40.00
		-800 Amp and larger		-75.00

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(Republication)

		-(including dimmer & lighting control panels)		
	-(40)	Parking lot lighting standards (over 8' in height)		-30.00
	-(41)	Photovoltaic Module	50.00	50.00+ 2.00 per Module
	-(42)	Pre-engineered systems	50.00	100.00
	-(43)	Post lights & pathway lighting fixtures	10.00	15.00
	-(44)	Ranges	10.00	15.00
	-(45)	Receptacles 240-volt	10.00	15.00
	-(46)	Receptacles under 240-volt	1.00	2.00
	-(47)	Security system (no base fee)	50.00	150.00
		*No Electrical Registration required if using existing grounded receptacle.		
	-(48)	Service - New (re-energize)	20.00	40.00
	-(49)	Sign illumination		-20.00
	-(50)	Smoke detector system (no base fee)	50.00	50.00+ 2.00 per S.D.
	-(51)	Snow melting system—below grade	50.00	100.00
	-(52)	Swimming Pool	20.00	75.00
	-(53)	Switches	1.00	2.00
	-(54)	Temporary electrical service	20.00	30.00
	-(55)	Track lighting (each section)	2.00	5.00
	-(56)	Transfer Switch	10.00	25.00
	-(57)	Transformers		-25.00
	-(58)	Underground wiring	25.00	35.00
	-(59)	Window or through the wall A/C units—1 horsepower or more (direct wired)	7.50	10.00
	-(60)	Wind turbine	50.00	50.00
	-(61)	X-Ray machines	50.00	50.00
	-(62)	Any item not including above requiring inspectional service	5.00	75.00
		-(For each reinspection necessary due to faulty or incomplete work \$ 50.00) -(Any request for refund of permit fees \$50.00 Administrative Fee)		

(Ord. 2020-72. Passed 5-18-20)

**1329.04 Miscellaneous Commercial Permit Fees**

<b>COMMERCIAL FEE TYPE</b>	<b>CURRENT</b>	<b>PROPOSED</b>
<u>BOILER</u>	<u>\$35.00</u>	<u>\$200.00</u>
<u>CELL TOWER (new work)</u>	<u>\$3,000.00</u>	<u>\$3,000.00</u>
<u>GENERATOR</u>	<u>\$240.00</u>	<u>\$250.00</u>
<u>KIOSK</u>	<u>\$150.00</u>	<u>\$150.00</u>
<u>MOVE BUILDING</u>	<u>\$2,500.00</u>	<u>\$2,500.00</u>
<u>OCCUPANCY</u>	<u>\$50.00</u>	<u>\$50.00</u>
<u>P.V./WIND</u>	<u>± \$130</u>	<u>\$250.00</u>
<u>POOL</u>	<u>\$500.00</u>	<u>\$500.00</u>
<u>ROOF REPLACEMENT</u>	<u>\$250.00</u>	<u>\$250.00</u>
<u>STAGE</u>	<u>\$100.00</u>	<u>\$100.00</u>
<u>TENT</u>	<u>\$50.00</u>	<u>\$50.00</u>
<u>LOW VOLTAGE</u>	<u>± \$80</u>	<u>\$100.00</u>
<u>R.T.U.</u>	<u>\$190.00</u>	<u>\$200.00</u>
<u>HOT WATER TANK</u>	<u>\$90.00</u>	<u>\$100.00</u>
<u>LAWN IRRIGATION/BACKFLOW</u>	<u>\$90.00</u>	<u>\$100.00</u>
<u>DEMO (interior / building)</u>	<u>\$100 / \$250</u>	<u>\$100 / \$250</u>
<u>FENCE</u>	<u>\$150.00</u>	<u>\$200.00</u>
<u>PARKING RESURFACE</u>	<u>\$100.00</u>	<u>\$100.00</u>
<u>PATIO</u>	<u>\$100.00</u>	<u>\$100.00</u>
<u>RAIN BARREL</u>	<u>\$0.00</u>	<u>\$50.00</u>
<u>SIGN (new)</u>	<u>per sq. ft.</u>	<u>\$200.00</u>
<u>SIGN (temp, replace, reface)</u>	<u>\$3 per ft</u>	<u>\$150.00</u>
<u>ACCESSORY STRUCTURE</u>	<u>Per sq. ft.</u>	<u>\$200.00</u>

**1329.05 Miscellaneous Residential Permits**

<b>RESIDENTIAL FEE TYPE</b>	<b>CURRENT</b>	<b>PROPOSED</b>
<u>A.C./FURNACE</u>	<u>\$90/\$90</u>	<u>\$100/\$100</u>
<u>GENERATOR</u>	<u>\$90.00</u>	<u>\$150.00</u>
<u>P.V.</u>	<u>\$90.00</u>	<u>\$200.00</u>
<u>ABOVE GROUND POOL/HOT TUB</u>	<u>\$150.00</u>	<u>\$200.00</u>
<u>ROOF REPLACEMENT</u>	<u>\$100.00</u>	<u>\$100.00</u>
<u>WATER CONTROL (interior or exterior)</u>	<u>\$100.00</u>	<u>\$150.00</u>
<u>WATERPROOFING</u>	<u>\$100.00</u>	<u>\$150.00</u>
<u>LOW VOLTAGE</u>	<u>\$50.00</u>	<u>\$50.00</u>
<u>FIREPLACE INSERT</u>	<u>\$95.00</u>	<u>\$100.00</u>
<u>BOILER</u>	<u>\$75.00</u>	<u>\$100.00</u>
<u>HOT WATER TANK</u>	<u>\$50.00</u>	<u>\$50.00</u>
<u>LAWN IRRIGATION/BACKFLOW</u>	<u>\$65.00</u>	<u>\$75.00</u>
<u>DEMO HOUSE</u>	<u>\$150.00</u>	<u>\$150.00</u>
<u>FENCE (per lineal feet)</u>	<u>\$40.00</u>	<u>\$50.00</u>
<u>GARAGE/DRIVEWAY/APRON REPLACEMENT</u>	<u>\$50.00</u>	<u>\$50.00</u>
<u>MOVE HOUSE</u>	<u>\$2,500.00</u>	<u>\$2,500.00</u>
<u>PATIO</u>	<u>\$50.00</u>	<u>\$50.00</u>
<u>RAIN BARREL</u>	<u>\$0.00</u>	<u>\$0.00</u>
<u>SIDING</u>	<u>\$45.00</u>	<u>\$50.00</u>
<u>INGROUND POOL</u>	<u>\$150.00</u>	<u>\$250.00</u>
<u>DECK</u>	<u>Per sq. ft.</u>	<u>\$200.00</u>
<u>ACCESSORY STRUCTURE</u>	<u>Per sq. ft.</u>	<u>\$100.00</u>
<u>TENT</u>	<u>\$25.00</u>	<u>\$25.00</u>

**1329.07 Fees for inspections.**

For each extra inspection in connection with the installation, alteration, removal, addition or demolition of any building pursuant to a building permit issued where such extra inspection is made necessary by faulty or incomplete work, whether construction, plumbing, heating, electrical or otherwise, the Building Commissioner shall require the payment of a fifty dollar (\$50.00) fee.

(Ord. 2019-123. Passed 11-4-19)

**1329.08 Submission of plans to architectural board of review and city architect; fees.**

- (a) In addition to the fees required to be paid for building permits as provided in Section 1329.03, the following filing fees shall be collected from the applicant at the time plans and specifications are submitted and before a building permit may be issued:

(1) Minor alterations and repairs (up to \$1,000 valuation, including signs)	\$25.00
(2) Major alterations and repairs (over \$1,000 up to \$25,000 valuation, including signs)	35.00
(3) Major alterations and repairs (over \$25,000 up to \$35,000 valuation, including signs)	50.00
(4) Major alterations and repairs (over \$35,000 valuation, including signs)	75.00
(5) All new single and two-family residential buildings, including additions	200.00
(6) All new construction other than single and two-family residential buildings, including additions	250.00
(7) Exterior deck additions for residential and commercial	25.00
(8) Revisions to plans previously approved, required additional review	30.00

Such fees shall cover the cost of architectural review, as provided for in Section 153.06. However, if the Architectural Board of Review determines that it is necessary to secure outside professional assistance and advice on plans, the cost of such professional services shall be paid by the applicant. In the case of a special meeting requested by the applicant, an additional fee of three hundred dollars (\$300.00) shall be paid by such applicant to cover the cost to each member of the Architectural Board of Review for their time at such special meeting.

- (b) In addition to the fees required to be paid for building permits as provided in Section 1329.03, and in addition to the fees required to be paid for examination by the Architectural Board of Review under subsection (a) hereof, filing fees shall be collected from the applicant at the time plans and specifications are submitted, and before a building permit can be issued, for those plans required to be reviewed by the City Plans Examiner, as specified in the administrative section of the Ohio Building Code.

A fee of fifty dollars (\$50.00) shall be paid to the City for each plan to be reviewed by the City Plans Examiner. The following filing fees and deposit, if required, shall also be submitted to cover all expenses of such review by the City and/or the City Plans Examiner:

<u>Estimated Total Cost of Project</u>	<u>Amount of Fee</u>	<u>Amount of Deposit</u>
\$100,000 or less	\$500.00	N/A
More than \$100,000 but no more than \$500,000	\$1000.00	N/A
More than \$500,000 but no more than \$1,000,000.00	\$1500.00	N/A
More than \$1,000,000.00	\$3000.00	\$10,000.00

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(Ord. 2019-123. Passed 11-4-19)

**1329.09 Refund of deposits.**

When the estimated cost of construction is over one million dollars (\$1,000,000.00) and funds are deposited with the Municipality as required by this Building Code to guarantee the performance of the provisions thereof or as a guarantee to protect the property of the Municipality during building operations, any balance remaining and due the depositor after compliance with the conditions of such guarantee shall be paid to the depositor upon demand. If, however, such remainder is not called for by the depositor, such balance shall be placed in a trust fund to be held for the depositor for a period of five (5) years and, if not called for within such period, such balance shall be paid into the General Fund.

(Ord. 2019-123. Passed 11-4-19)

**1329.10 Cash filing fee and deposit for additional professional services.**

- (a) A non-refundable filing fee in the amount of thirty-five dollars (\$35.00) shall be paid to the City for each application to be submitted to the Planning and Zoning Commission.
- (b) A fee in the amount set forth in the following schedule shall be submitted in addition to the filing fee listed in subsection (a) hereof, at the time of application to the Planning and Zoning Commission and/or Council:

	Zoning District	Fee
(1)	U-1, A-1/U-1, A-2/U-2/U-2A Variances Includes all applications to the Planning Commission and/or Council except applications for lot splits and/or consolidations plats, easement applications, and any application, required to be recorded with the County Recorder's Office	\$300.00
(2)	All other Zoning Districts for site development plan review (new building/addition)	\$5000.00
(3)	All lot split and/or consolidation plats, easements, and any application required to be recorded with the County Recorder's Office	\$1500.00
(4)	For all Zoning Districts, except U-1, A-1/U-1, A-2/U-2 and U-2A, all other applications, including, but not limited to: special use permits, conditional use permits, variances, text amendments, or similar or harmonious use	\$750.00
(5)	Map Amendment	\$2500.00

- (c) Charges for the professional services of the Engineer, Law Director, City Planner and/or any other professional services shall be the rates set forth in their contracts.
- (d) Once approval has been granted by the City Engineer and/or the Planning and Zoning Commission for any project which requires inspectional services, by the City Engineer, the following fee and deposit, if required, shall be paid prior to the issuance of any building permit required under Chapter 1329:

Estimated Total Cost of Construction	Amount of Fee	Amount of Deposit
100,000 or less	\$2,500.00	\$1,500.00*
More than 100,000 to 500,000	\$4,000.00	\$1,500.00*
More than 500,000 to 1,000,000	\$5,000.00	\$1,500.00*
More than 1,000,000	\$10,000.00	\$10,000.00
Deposit fee will be used, in part, to keep street clean of debris during construction. A minimum three hundred dollar (\$300.00) fee shall be subtracted from the deposit each time the City of Beachwood Public Works Department is dispatched to clean the streets in the area of single-family new construction. Any sum not charged against the deposit required in this subsection and subsection (b) above shall be refunded to the applicant or credited against other monies due the City for other pending projects of the applicant.		
* Deposit only applies to single-family new construction		

(Ord. 2002-30. Passed 4-15-02; Ord. No. 2023-56. Passed (5-15-23; Ord. No. 2023-62. Passed 6-13-23)