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Lakewood City Council
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Issued 07/09/24

PUBLIC NOTICE – HOUSING, PLANNING & DEVELOPMENT

Housing, Planning & Development Committee will meet Monday July 15, 2024 at 6:30 p.m. in the Auditorium of Lakewood City Hall at 12650 Detroit Avenue. The meeting is open to the public.

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nocht at (216) 529-5906 michelle.nochta@lakewoodoh.net.

The meeting will be livestreamed on the City's website at the following link:

www.lakewoodoh.gov/councilvideos

PUBLIC COMMENT PROTOCOL (Updated 6/21)

The public is invited to comment on agenda items in person or by submitting a written comment in advance of the meeting using the eComment platform available [HERE](#). New users must create an eComment account.

The agenda is as follows:

Approval of the minutes of the June 24, 2024 meeting of the Housing, Planning & Development Committee.

ORDINANCE 09-2024 - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Chapter 1135, Mixed Use Overlay District, to allow for flexibility and inclusion of Industrial Zoning Districts. (*1st read & referred to Planning Commission & HPD 05/20/24; 2nd reading 6/3/24*)

ORDINANCE 13-2024 - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in

force after the earliest period allowed by law, amending Section 1306.75 Structural Engineer Report Requirement of the Lakewood Codified Ordinances. (*1st read & referred to HPD 6/17/24; 2nd reading 7/1/24*)

ORDINANCE 14-2024 - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending and repealing various sections in Part 13 Building Code, of the Lakewood Codified Ordinances, removing individual fees. (*1st read & referred to HPD 6/17/24; 2nd reading 7/1/24*)

RESOLUTION 2024-43 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two-thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, establishing a Master Fee Schedule and incorporating fees from Title Three-Local Provisions (Building and Housing) of the Lakewood Codified Ordinances. (*referred to HPD 6/17/24*)

Tom Bullock, Chair

Jason Shachner, Kyle Baker; Members

HOUSING, PLANNING & DEVELOPMENT COMMITTEE

1st read & referred to Planning
Commission & HPD 05/20/24
2nd reading 6/3/24

ORDINANCE NO. 09-2024

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Chapter 1135, Mixed Use Overlay District, to allow for flexibility and inclusion of Industrial Zoning Districts.

WHEREAS, currently, there is little flexibility for development within Lakewood's industrial zoning district; and

WHEREAS, applying a mixed use overlay to the industrial district would allow for thoughtful, controlled redevelopment in this area of the City; and

WHEREAS, the application of a mixed use overlay to industrial districts is consistent with the Community Vision; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Chapter 1135, Mixed Use Overlay District, of the Lakewood Codified Ordinances currently reading as follows:

1135.01 PURPOSE.

(a) The purpose of the Mixed Use Overlay District is to provide a mechanism to accommodate development reuse and redevelopment in specified locations, which is in the public interest and may not otherwise be permitted pursuant to this Code. A Mixed Use Overlay District may overlay several base districts. However, the uses permitted in each underlying district are limited to the boundaries of that district, and the regulations of the underlying district shall govern, except where additional uses are expressly allowed under this Chapter.

(b) The Mixed Use Overlay District requirements and regulations allow for more flexibility than those pertaining to other uses within the Code. A Mixed Use Overlay District may be mapped in an area where the proposed use changes certain character and features otherwise limited by the underlying zoning only if it has been determined that the current and anticipated future uses in the immediate vicinity will be compatible with the mixed uses proposed and that such uses are consistent with the Development Plan. Therefore, the Commission shall consider Mixed Use Overlay developments on a case-by-case basis.

(c) A Mixed Use Overlay District should offer one (1) or more of the following advantages:

(1) Designs in residential and commercial areas that reflect the City's development and planning policies as set forth in this Code and that are consistent with the Vision.

(2) Designs that are intended to encourage flexibility, innovation, and creativity in site and development design by allowing the mixing of permitted uses and/or modification or variation from otherwise applicable zone district and development standards.

(3) Designs which encourage a mix of retail, service, office, housing, live-work units, and public activities to coexist in a manner that reflects human scale and emphasizes pedestrian orientation, taking advantage of the vitality that mixed uses can bring to the community.

(4) Designs which provide substantial buffers and transitions between areas of different land uses and development densities.

(5) Designs which enhance the appearance of neighborhoods by conserving areas of natural beauty and natural green spaces.

(6) Designs which provide a choice in the type of environment available to the public by allowing development that would not be possible under the strict application of other sections of this Code .

(7) Development and/or permanent reservation of open space, recreational areas and facilities.

(8) A creative approach to the use of land and related physical facilities that result in better urban design, higher quality construction and the provision of aesthetic amenities.

(9) The efficient use of land, so as to promote certain economies in the provision of utilities, streets, schools, public grounds and buildings, and other facilities.

1135.02 LIMITATIONS ON FLEXIBILITY OF MIXED USE OVERLAY DISTRICTS.

It is not intended that the Commission automatically grant exceptions or maximum density increases for Mixed Use Overlay Districts, but it is expected that the Commission shall grant only such increases or uses which are consistent with the benefits resulting from the Mixed Use Overlay. Therefore, the Commission may require as a condition of approval any reasonable condition, limitation or design factor, pursuant to Section 1161.02, General Standards for All Conditional Uses, which will promote proper development of a Mixed Use Overlay development.

1135.03 DESIGNATION OF A MIXED USE OVERLAY DISTRICT.

(a) Relationship to Base Districts. The Mixed Use Overlay District is an overlay zone, which may be applied to existing zoning districts as described in Section 1135.04, Location of Mixed Use Overlay District. When such a district is established, the Mixed Use Overlay District shall be shown as an overlay to the underlying districts by the designation of MUOD on the Zoning Map. A Mixed Use Overlay District may overlay several base districts, however, the uses permitted in each base district are limited to the boundaries of that base district, except as otherwise provided herein.

(b) Development Standards. The development standards, including, but not limited to, the yard and setback requirements, the height limitations, parking requirements, open space areas, and signage shall be established as a function of the application to establish a Mixed Use Overlay District and the approval of the application. The following regulations shall be observed:

(1) Signage.

A. In a commercial district base zone, signage standards are set by the base zone.

B. In a residential district base zone, the following additional signage regulations apply:

1. Signs must be non-illuminated.

2. Gooseneck fixtures or indirect spotlights concentrated on an area of a sign may be used to create illumination.

3. Only one sign per frontage, not to exceed 20 square feet per sign, shall be allowed.

4. Signs must be either projecting signs, erected on the outside wall of a building and projecting at an angle therefrom; or wall signs, integral with the exterior face of an exterior wall of a building, or attached to the wall or parallel with the wall and projecting not more than twelve inches therefrom.

The Commission may relax such standards if a creative and innovative design is submitted and the sign does not adversely affect neighboring properties.

(2) Parking.

A. Applicants for Mixed Use Overlay developments shall submit a parking and traffic management proposal that does not adversely affect the neighborhood, identifies peak use times, and explores shared parking agreements.

B. All residential uses must comply with parking requirements or maintain existing parking conditions.

(3) Structural Requirements.

A. Mixed Use Overlay proposals must contain a residential component.

B. Maintain form and scale of building being re-purposed.

C. The primary design objective for the Mixed Use Overlay District are to reflect the area's architectural significance/character, while promoting the pedestrian scale environment. The design must be compatible with the neighborhood.

D. The principal or primary entrance to a non-residential structure must be located on the building front.

(4) Outdoor dining. Outdoor dining shall be permitted as a conditional use in a Mixed Use Overlay District pursuant to Section 1161.03(t).

1135.04 LOCATION OF MIXED USE OVERLAY DISTRICT.

Location of a Mixed Use Overlay District is limited to Commercial Districts (C1 Office, C2 Retail, C3 General Business, C4 Public School District) and Residential Districts (R1 Single Family, R2 Single and Two Family, R1L Single Family Low Density, R1M Single Family Medium Density, R1H Single Family High Density, ML Multiple Family Low Density and MH Multiple-Family High Density).

1135.05 PRINCIPAL AND CONDITIONALLY PERMITTED USES.

(a) Permitted Uses. Uses listed as permitted in the underlying "base" zone.

(b) Conditional Uses for a Commercial District Base Zone.

(1) Conditional Uses are those uses having some special impact or uniqueness that requires a careful review of their location, design, configuration, and special impact to determine the desirability of permitting their establishment on any given site. A Conditional Use may be granted pursuant to the requirements of Section 1129.02, Principal and Conditional Permitted Uses. Standards for specific Conditional Uses may be found in Chapter 1161, Conditional Uses, or elsewhere as referenced herein.

(2) In keeping with the desire for flexibility in this district, the following may be permitted as additional Conditional Uses in the Mixed Use Overlay District:

A. Dwelling units, single-family residence attached.

B. Live-work units where base zoning permits non-residential uses.

C. Uses listed as conditional in the underlying base zone.

(3) Modification of development standards shall be permitted on the authority of the Commission as part of the Conditional Use review.

(c) Conditional Uses for a Residential District Base Zone.

(1) Conditional uses are those uses having some special impact or uniqueness that requires a careful review of their location, design, configuration, and special impact to determine the desirability of permitting their establishment on any given site. A conditional use may be granted pursuant to the requirements of Section 1129.02, conditional use. Standards for specific conditional uses may be found in Chapter 1161, Conditional Uses, or elsewhere as referenced herein.

(2) In keeping with the desire for flexibility in this district, the following use categories may be permitted as additional conditional uses pursuant to Section 1129.02, Principal and Conditional Permitted Uses:

A. Residential, Entertainment, Food and Beverage, Professional Services, General Retail, Service Retail, Convenience Retail, Personal Care Services, and Laundromat.

B. Conditional uses in a residential district base zone must be comparatively small scale. This does not mean these uses will serve only the nearby dwellings, but the appearance, mix

of uses, and scale of both buildings and uses must be that of a local or neighborhood establishment.

(3) Modification of development standards shall be permitted on the authority of the Commission as part of the conditional use review.

1135.06 ACCESSORY USES AND STRUCTURES.

Uses listed as accessory in the underlying “base” zone.

1135.07 ADDITIONAL USES.

Uses listed as additional in the underlying “base” zone.

1135.08 MINIMUM LOT AREA, WIDTH, COVERAGE, AND HEIGHT.

Standards related to minimum lot area, lot width, lot coverage and maximum heights shall be as required in the base zone for each lot. However, such standards may be relaxed without triggering the requirement to apply for a variance if the proposed standard is determined by the Commission to be consistent with the surrounding properties, both within and outside of limits of the Mixed Used Overlay District.

1135.09 MINIMUM YARDS.

In addition to the required yard, a landscaped buffer of at least ten (10) feet shall also be provided, pursuant to Section 1141.03, Landscaping Plan. However, the Commission may relax such standards if the proposed standard is determined to be consistent with the surrounding properties, both within and outside the limits of the Mixed Use Overlay District.

1135.10 FEES.

The fee(s) for a Mixed Use Overlay District application shall be pursuant to Section 1173.06.

1135.11 HOURS OF OPERATION IN RESIDENTIAL DISTRICT BASE ZONE.

Non-residential uses shall only be permitted to be open for the transaction of business between the hours of 6 a.m. and 10 p.m. Sunday through Thursday and 6 a.m. and 11 p.m. Friday and Saturday. The Commission may relax or restrict such standards in order to not adversely affect the neighboring properties.

is hereby repealed.

Section 2. That new Chapter 1135, Mixed Use Overlay District, of the Codified Ordinances shall be enacted to read as follows:

1135.01 PURPOSE.

(a) The purpose of the Mixed Use Overlay District is to provide a mechanism to accommodate development reuse and redevelopment in specified locations, which is in the public interest and may not otherwise be permitted pursuant to this Code. A Mixed Use Overlay District may overlay several base districts. However, the uses permitted in each underlying district are limited to the boundaries of that district, and the regulations of the underlying district shall govern, except where additional uses are expressly allowed under this Chapter.

(b) The Mixed Use Overlay District requirements and regulations allow for more flexibility than those pertaining to other uses within the Code. A Mixed Use Overlay District may be mapped in an area where the proposed use changes certain character and features otherwise limited by the underlying zoning only if it has been determined that the current and anticipated future uses in the immediate vicinity will be compatible with the mixed uses proposed and that such uses are consistent with the Development Plan. Therefore, the Commission shall consider Mixed Use Overlay developments on a case-by-case basis.

(c) A Mixed Use Overlay District should offer one (1) or more of the following advantages:

(1) Designs ~~in residential and commercial areas~~ that reflect the City's development and planning policies as set forth in this Code and that are consistent with the Vision.

(2) Designs that are intended to encourage flexibility, innovation, and creativity in site and development design by allowing the mixing of permitted uses and/or modification or variation from otherwise applicable zone district and development standards.

(3) Designs which encourage a mix of retail, service, office, housing, live-work units, public activities, and other compatible uses to coexist in a manner that reflects human scale and emphasizes pedestrian orientation, taking advantage of the vitality that mixed uses can bring to the community.

(4) Designs which provide substantial buffers and transitions between areas of different land uses and development densities.

(5) Designs which enhance the appearance of neighborhoods by conserving areas of natural beauty and natural green spaces.

(6) Designs which provide a choice in the type of environment available to the public by allowing development that would not be possible under the strict application of other sections of this Code .

(7) Development and/or permanent reservation of open space, recreational areas and facilities.

(8) A creative approach to the use of land and related physical facilities that result in better urban design, higher quality construction and the provision of aesthetic amenities.

(9) The efficient use of land, so as to promote certain economies in the provision of utilities, streets, schools, public grounds and buildings, and other facilities.

(10) The adaptive reuse of historic buildings.

1135.02 LIMITATIONS ON FLEXIBILITY OF MIXED USE OVERLAY DISTRICTS.

It is not intended that the Commission automatically grant exceptions or maximum density increases for Mixed Use Overlay Districts, but it is expected that the Commission shall grant only such increases or uses which are consistent with the benefits resulting from the Mixed Use Overlay. Therefore, the Commission may require as a condition of approval any reasonable condition, limitation or design factor, pursuant to Section 1161.02, General Standards for All Conditional Uses, which will promote proper development of a Mixed Use Overlay development.

1135.03 DESIGNATION OF A MIXED USE OVERLAY DISTRICT.

(a) Relationship to Base Districts. The Mixed Use Overlay District is an overlay zone, which may be applied to existing zoning districts as described in Section 1135.04, Location of Mixed Use Overlay District. When such a district is established, the Mixed Use Overlay District shall be shown as an overlay to the underlying districts by the designation of MUOD on the Zoning Map. A Mixed Use Overlay District may overlay several base districts, however, the uses permitted in each base district are limited to the boundaries of that base district, except as otherwise provided herein.

(b) Development Standards. The development standards, including, but not limited to, the yard and setback requirements, the height limitations, parking requirements, open space areas, and signage shall be established as a function of the application to establish a Mixed Use Overlay District and the approval of the application. The following regulations shall be observed:

(1) Signage.

A. In a commercial district base zone, signage standards are set by the base zone.

B. In a residential district base zone, the following additional signage regulations

apply:

1. Signs must be non-illuminated.

2. Gooseneck fixtures or indirect spotlights concentrated on an area of a sign may be used to create illumination.

3. Only one sign per frontage, not to exceed 20 square feet per sign, shall be allowed.

4. Signs must be either projecting signs, erected on the outside wall of a building and projecting at an angle therefrom; or wall signs, integral with the exterior face of an exterior

wall of a building, or attached to the wall or parallel with the wall and projecting not more than twelve inches therefrom.

C. In an industrial based zone, signage must meet the standards of the commercial districts.

The Commission may relax such standards if a creative and innovative design is submitted and the sign does not adversely affect neighboring properties.

(2) Parking.

A. Applicants for Mixed Use Overlay developments shall submit a parking and traffic management proposal that does not adversely affect the neighborhood, identifies peak use times, and explores shared parking agreements.

B. All residential uses must comply with parking requirements or maintain existing parking conditions.

(3) Structural Requirements.

A. In a commercial or residential district base zone. Mixed Use Overlay proposals must contain a residential component. Residential components are not permitted in an industrial base zone.

B. Maintain form and scale of building being re-purposed.

C. The primary design objective for the Mixed Use Overlay District are to reflect the area's architectural significance/character, while promoting the pedestrian scale environment. The design must be compatible with the neighborhood.

D. The principal or primary entrance to a non-residential structure must be located on the building front.

(4) Outdoor dining. Outdoor dining shall be permitted as a conditional use in a Mixed Use Overlay District pursuant to Section 1161.03(t).

1135.04 LOCATION OF MIXED USE OVERLAY DISTRICT.

Location of a Mixed Use Overlay District is limited to Commercial Districts (C1 Office, C2 Retail, C3 General Business, C4 Public School District), ~~and~~ Residential Districts (R1 Single Family, R2 Single and Two Family, R1L Single Family Low Density, R1M Single Family Medium Density, R1H Single Family High Density, ML Multiple Family Low Density and MH Multiple-Family High Density), and the Industrial (I) District.

1135.05 PRINCIPAL AND CONDITIONALLY PERMITTED USES.

(a) Permitted Uses. Uses listed as permitted in the underlying "base" zone.

(b) Conditional Uses for a Commercial District Base Zone.

(1) Conditional Uses are those uses having some special impact or uniqueness that requires a careful review of their location, design, configuration, and special impact to determine the desirability of permitting their establishment on any given site. A Conditional Use may be granted pursuant to the requirements of Section 1129.02, Principal and Conditional Permitted Uses. Standards for specific Conditional Uses may be found in Chapter 1161, Conditional Uses, or elsewhere as referenced herein.

(2) In keeping with the desire for flexibility in this district, the following may be permitted as additional Conditional Uses in the Mixed Use Overlay District:

A. Dwelling units, single-family residence attached.

B. Live-work units where base zoning permits non-residential uses.

C. Uses listed as conditional in the underlying base zone.

(3) Modification of development standards shall be permitted on the authority of the Commission as part of the Conditional Use review.

(c) Conditional Uses for a Residential District Base Zone.

(1) Conditional uses are those uses having some special impact or uniqueness that requires a careful review of their location, design, configuration, and special impact to determine the desirability of permitting their establishment on any given site. A conditional use may be granted pursuant to the requirements of Section 1129.02, conditional use. Standards for specific conditional uses may be found in Chapter 1161, Conditional Uses, or elsewhere as referenced herein.

(2) In keeping with the desire for flexibility in this district, the following use categories may be permitted as additional conditional uses pursuant to Section 1129.02, Principal and Conditional Permitted Uses:

A. Residential, Entertainment, Food and Beverage, Professional Services, General Retail, Service Retail, Convenience Retail, Personal Care Services, and Laundromat.

B. Conditional uses in a residential district base zone must be comparatively small scale. This does not mean these uses will serve only the nearby dwellings, but the appearance, mix of uses, and scale of both buildings and uses must be that of a local or neighborhood establishment.

(3) Modification of development standards shall be permitted on the authority of the Commission as part of the conditional use review.

~~(d) Conditional Uses for an Industrial District Base Zone.~~

(1) Conditional uses are those uses having some special impact or uniqueness that requires a careful review of their location, design, configuration, and special impact to determine the desirability of permitting their establishment on any given site. A conditional use may be granted pursuant to the requirements of Section 1129.02, Conditional Use. Standards for specific uses may be found in Chapter 1161, Conditional Uses, or elsewhere as referenced herein.

(2) In keeping with the desire for flexibility in this district, the following use categories (or specific uses if listed) may be permitted as additional conditional uses pursuant to Section 1129.02, Principal and Conditional Permitted Uses:

A. Institutional (Trade/Vocational Schools only);

B. Entertainment;

C. Food and Beverage (Restaurant seated Table Service; Bar; Tavern, Nightclub only);

D. Professional Services (Radio/TV/Video/Audio Production only);

E. Service Retail; and

F. Hard Goods Retail.

(3) Modification of development standards shall be permitted on the authority of the Commission as part of the conditional use review.

1135.06 ACCESSORY USES AND STRUCTURES.

Uses listed as accessory in the underlying "base" zone.

1135.07 ADDITIONAL USES.

Uses listed as additional in the underlying "base" zone.

1135.08 MINIMUM LOT AREA, WIDTH, COVERAGE, AND HEIGHT.

Standards related to minimum lot area, lot width, lot coverage and maximum heights shall be as required in the base zone for each lot. However, such standards may be relaxed without triggering the requirement to apply for a variance if the proposed standard is determined by the Commission to be consistent with the surrounding properties, both within and outside of limits of the Mixed Used Overlay District.

1135.09 MINIMUM YARDS.

In addition to the required yard, a landscaped buffer of at least ten (10) feet shall also be provided, pursuant to Section 1141.03, Landscaping Plan. However, the Commission may relax such standards if the proposed standard is determined to be consistent with the surrounding properties, both within and outside the limits of the Mixed Use Overlay District.

1135.10 FEES.

The fee(s) for a Mixed Use Overlay District application shall be pursuant to Section 1173.06.

1135.11 HOURS OF OPERATION IN RESIDENTIAL DISTRICT BASE ZONE.

Non-residential uses shall only be permitted to be open for the transaction of business between the hours of 6 a.m. and 10 p.m. Sunday through Thursday and 6 a.m. and 11 p.m. Friday

and Saturday. The Commission may relax or restrict such standards in order to not adversely affect the neighboring properties.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor

1st read & referred to
PHD 6/17/24
2nd reading 7/1/24

ORDINANCE NO. 13-2024

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Section 1306.75 Structural Engineer Report Requirement of the Lakewood Codified Ordinances.

WHEREAS, LCO §1306.75 was enacted in 2022 requiring that a structural engineer's report be issued for certain structures within the City every three years; and

WHEREAS, the initial round of reports has initiated significant structural repairs that will take place over a two to three year period; and

WHEREAS, it is in the City's interest, based on what we have learned from these reports, to extend the requirement to every five years instead of three; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Section 1306.75 Structural Engineer Report Requirement, of the Lakewood Codified Ordinances, currently reading as follows:

1306.75 STRUCTURAL ENGINEER REPORT REQUIREMENT.

(a) All occupiable structures 30 years old and older, and four stories or more in height shall every three years have the exterior facades inspected to ASTM E2270 standards by a registered architect or engineer specializing in structural engineering and licensed to practice in the State of Ohio. The inspection shall include but shall not be limited to parapet walls, wall cladding, brick, stone, masonry, or any other exterior element creating the exterior wall construction, capping, or detailing. This report shall be provided to the Building Commissioner or his/her designee in writing every three years. The report shall be prepared by and bear the seal of a registered architect or engineer who specializes in structural engineering as well as his/her observations of the facade. If the report reveals an immediately hazardous condition, the owner shall immediately begin repair, reinforcement or precautionary measures as to abate the immediate hazard and within 24 hours, notify the Building Commissioner for further direction. After review of the report the Building Commissioner or his/her designee will provide in writing to the building owner a report with the corrections to be made as well as a timeline to make those corrections in (if any corrections are necessary). All conditions noted in the Building Commissioner's report shall be abated within a reasonable time as determined by the Building Commissioner by a company qualified to

make those repairs, also as determined by the Building Commissioner, after first submitting permit applications and construction documents sealed by an architect or engineer specializing in structural engineering. No work shall commence prior to the issuance of a permit by the Division of Housing and Building.

(b) All above ground parking structures, having ten spaces or more, and all below ground parking structures shall every three years be inspected by a registered architect or engineer specializing in structural engineering and licensed to practice in the State of Ohio. The inspection shall include but not limited to all structural components, columns, piers, beams, concrete, steel, roof decks, floor and pavement, exterior cladding if applicable. The registered architect or engineer specializing in structural engineering shall provide in writing bearing his/her seal a report specifying the areas of concern as well as the repairs required (if any are necessary). If the report reveals an immediately hazardous condition, the owner shall immediately begin repair, reinforcement or precautionary measures as to abate the immediate hazard and within 24 hours, notify the Building Commissioner for further direction. The Building Commissioner or his/her designee will then respond to the building owner in writing the corrections to be made, as well as a timeline to complete the repairs. All conditions noted in the Building Commissioner's response shall be abated within a reasonable time as determined by the Building Commissioner by a company qualified to make those repairs, also as determined by the Building Commissioner, after first submitting permit applications and construction documents sealed by an architect or engineer specializing in structural engineering. No work shall commence prior to the issuance of a permit by the Division of Housing and Building.

is hereby repealed.

Section 2. That new Section 1306.75 Structural Engineer Report Requirement, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

1306.75 STRUCTURAL ENGINEER REPORT REQUIREMENT.

(a) All occupiable structures 30 years old and older, and four stories or more in height shall every three years have the exterior facades inspected to ASTM E2270 standards by a registered architect or engineer specializing in structural engineering and licensed to practice in the State of Ohio. The inspection shall include but shall not be limited to parapet walls, wall cladding, brick, stone, masonry, or any other exterior element creating the exterior wall construction, capping, or detailing. This report shall be provided to the Building Commissioner or his/her designee in writing every ~~three~~five years. The report shall be prepared by and bear the seal of a registered architect or engineer who specializes in structural engineering as well as his/her observations of the facade. If the report reveals an immediately hazardous condition, the owner shall immediately begin repair, reinforcement or precautionary measures as to abate the immediate hazard and within 24 hours, notify the Building Commissioner for further direction. After review of the report the Building Commissioner or his/her designee will provide in writing to the building owner a report with the corrections to be made as well as a timeline to make those corrections in (if any corrections are necessary). All conditions noted in the Building Commissioner's report shall be abated within a reasonable time as determined by the Building Commissioner by a company qualified to make those repairs, also as determined by the Building Commissioner, after first submitting permit applications and construction documents sealed by an architect or engineer specializing in structural engineering. No work shall commence prior to the issuance of a permit by the Division of Housing and Building. The Building Commissioner shall require additional evaluations of the structure if he or she believes that the structure has fallen into disrepair.

(b) All above ground parking structures, having ten spaces or more, and all below ground parking structures shall every ~~three~~five years be inspected by a registered architect or engineer specializing in structural engineering and licensed to practice in the State of Ohio. The inspection shall include but not limited to all structural components, columns, piers, beams, concrete, steel, roof decks, floor and pavement, exterior cladding if applicable. The registered architect or engineer specializing in structural engineering shall provide in writing bearing his/her seal a report specifying the areas of concern as well as the repairs required (if any are necessary). If the

report reveals an immediately hazardous condition, the owner shall immediately begin repair, reinforcement or precautionary measures as to abate the immediate hazard and within 24 hours, notify the Building Commissioner for further direction. The Building Commissioner or his/her designee will then respond to the building owner in writing the corrections to be made, as well as a timeline to complete the repairs. All conditions noted in the Building Commissioner's response shall be abated within a reasonable time as determined by the Building Commissioner by a company qualified to make those repairs, also as determined by the Building Commissioner, after first submitting permit applications and construction documents sealed by an architect or engineer specializing in structural engineering. No work shall commence prior to the issuance of a permit by the Division of Housing and Building. The Building Commissioner shall require additional evaluations of the structure if he or she believes that the structure has fallen into disrepair.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor

ORDINANCE NO. 14-2024

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending and repealing various sections in Part 13 Building Code, of the Lakewood Codified Ordinances, removing individual fees.

WHEREAS, there has been prior discussion between Council and the Administration regarding the establishment of a master fee schedule for the City of Lakewood; and

WHEREAS, in an effort to begin the establishment of a master fee schedule, existing fees must be removed from the codified ordinances; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments, in that a master schedule of fees should be established the convenience of employees and users of city services; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Subsection 1306.44(d), License Application Form and Fee, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

1306.44 LICENSE APPLICATION FORM AND FEE.

(a) In General. An applicant for a housing or vacant property license shall:

...

(d) Fee Requirements.

(1) The housing license fee shall be as follows:

- A. Non-owner-occupied condominium units: \$45.00 per unit.
- B. Rooming house containing two or more tenants: \$60.00 per rooming unit.
- C. Non-owner-occupied one- or two-family structures: \$75.00 per dwelling unit.
- D. Three-family dwellings: \$60.00 per non-owner-occupied unit.
- E. All other occupied structures: \$45.00 per dwelling unit.

(2) There shall be a limit of \$3,500.00 for any occupied structure for which a single license has been issued.

(3) The vacant property license fee shall be as follows:

- A. Vacant housing structures: \$200.00 per structure.
- B. Vacant commercial or mixed-use building: \$200.00 per structure.

(e) Change of Information. The applicant shall inform the Building Commissioner in writing of any change in the information provided under subsection (b) of this section not more than 30 days after the change is made.

(f) Corporations and Limited Liability Companies. If the applicant is a corporation or a limited liability company, an officer of the corporation or managing member of the limited liability company shall provide the information required under subsections (a) and (b) of this section.

(g) Other Business Entities. If the applicant is an association or partnership, a member or partner shall provide the information required under subsections (a) and (b) of this section.

Is hereby repealed.

Section 2. That new section 1306.44 License Application Form and Fee, is hereby enacted to read as follows:

1306.44 LICENSE APPLICATION FORM AND FEE.

(a) In General. An applicant for a housing or vacant property license shall:

...

~~(d) Fee Requirements:~~

~~—(1) The housing license fee shall be as follows:~~

~~—A. Non owner occupied condominium units: \$45.00 per unit.~~

~~—B. Rooming house containing two or more tenants: \$60.00 per rooming unit.~~

~~—C. Non owner occupied one or two family structures: \$75.00 per dwelling unit.~~

~~—D. Three family dwellings: \$60.00 per non owner occupied unit.~~

~~—E. All other occupied structures: \$45.00 per dwelling unit.~~

~~—(2) There shall be a limit of \$3,500.00 for any occupied structure for which a single license has been issued.~~

~~—(3) The vacant property license fee shall be as follows:~~

~~—A. Vacant housing structures: \$200.00 per structure.~~

~~—B. Vacant commercial or mixed use building: \$200.00 per structure.~~

(ed) Change of Information. The applicant shall inform the Building Commissioner in writing of any change in the information provided under subsection (b) of this section not more than 30 days after the change is made.

(fe) Corporations and Limited Liability Companies. If the applicant is a corporation or a limited liability company, an officer of the corporation or managing member of the limited liability company shall provide the information required under subsections (a) and (b) of this section.

(gf) Other Business Entities. If the applicant is an association or partnership, a member or partner shall provide the information required under subsections (a) and (b) of this section.

Section 3. That section 1306.441 Nuisance Structure Monitoring Fee, of the Lakewood Codified Ordinances, currently reading as follows:

1306.441 NUISANCE STRUCTURE MONITORING FEE.

If a property is declared to be a nuisance under Section 1306.521 or 1306.72, the property shall be subject to an annual monitoring fee of \$1,000.00 in addition to any other license required under this chapter. The fee shall be imposed annually for as long the structure remains a nuisance under Section 1306.521 or 1306.72. The Building Commissioner or his or her designee is authorized to establish procedures and to promulgate any rules necessary to implement the collection of the fee, including but not limited to the assessment of the balance of any unpaid and delinquent fee against a property as permitted by law, which assessment shall not affect or limit the City's right or authority to bring criminal prosecution or other legal action against any person under this chapter.

is hereby repealed.

Section 4. That new Section 11306.441 Nuisance Structure Monitoring Fee, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

1306.441 NUISANCE STRUCTURE MONITORING FEE.

If a property is declared to be a nuisance under Section 1306.521 or 1306.72, the property shall be subject to an annual monitoring fee ~~of \$1,000.00~~ in addition to any other license required under this chapter. The fee shall be imposed annually for as long the structure remains a nuisance under Section 1306.521 or 1306.72. The Building Commissioner or his or her designee is authorized to establish procedures and to promulgate any rules necessary to implement the collection of the fee, including but not limited to the assessment of the balance of any unpaid and delinquent fee against a property as permitted by law, which assessment shall not affect or limit the City's right or authority to bring criminal prosecution or other legal action against any person under this chapter.

Section 5. That section 1306.491 Non-Compliance, of the Lakewood Codified Ordinances, currently reading as follows:

1306.491 NON-COMPLIANCE.

- (a) Any housing license required pursuant to Section 1306.43 not secured by the applicable dates stated in Section 1306.47(a) and (b) shall incur a late fee of \$25.00 per dwelling unit for which the housing license is required.
- (b) Any vacant property license required pursuant to Section 1306.43 not secured within 30 days of the structure's vacancy or abandonment shall incur a late fee of \$50.00.
- (c) Any person or entity who fails to secure or maintain a housing or vacant property license, or who knowingly or willfully supplies false or misleading information in an application for a housing or vacant property license, or who knowingly or willfully omits required information in an application for a housing or vacant property license, or who fails to pay a vacant property monitoring fee in a timely manner shall be subject to the same penalties as provided for in Section 1306.99.
- (d) Nothing in this section shall be construed to diminish the effectiveness of Section 1306.99 or any other penalty provisions made in this chapter with respect to violations of this chapter.

is hereby repealed.

Section 6. That new section 1306.491 Non-Compliance, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

1306.491 NON-COMPLIANCE.

- (a) ~~Any housing license required pursuant to Section 1306.43 not secured by the applicable dates stated in Section 1306.47(a) and (b) shall incur a late fee of \$25.00 per dwelling unit for which the housing license is required.~~
- (b) ~~Any vacant property license required pursuant to Section 1306.43 not secured within 30 days of the structure's vacancy or abandonment shall incur a late fee of \$50.00.~~
- (c) Any person or entity who fails to secure or maintain a housing or vacant property license, or who knowingly or willfully supplies false or misleading information in an application for a housing or vacant property license, or who knowingly or willfully omits required information in an application for a housing or vacant property license, or who fails to pay a vacant property monitoring fee in a timely manner shall be subject to the same penalties as provided for in Section 1306.99.
- (d) Nothing in this section shall be construed to diminish the effectiveness of Section 1306.99 or any other penalty provisions made in this chapter with respect to violations of this chapter..

Section 7. That section 1306.522(g) Declaration of Public Nuisance; Repair or Demolition of Unsafe Structures and Exterior Property Nuisances; Violations and Remedial Notices; Appeals Process; Cost Recovery, of the Lakewood Codified Ordinances, currently reading as follows:

(g) Costs.

(1) Any and all expenses or costs incurred under this section for the removal, repair, alteration, securing or boarding of a public nuisance structure or for abating any other nuisance identified under this section shall be paid by the owner of such building or structure, except when such expenses or costs are incurred with respect to a government or school building owned by a governmental entity or political subdivision and are funded by federal money.

(2) Whenever an inspection is made after the compliance date stated on a Commissioner's notice issued under this section, or after a compliance date established by a court of competent jurisdiction, which inspection is made to determine whether the violation has been remedied and the violation has not been remedied, or whenever an additional permit is obtained for work previously permitted and the original permit has expired or was appropriately voided, a fee of one hundred dollars (\$100.00) shall be charged for each inspection, except that this fee shall not apply to owner-occupied one- and two-family dwelling structures.

(3) If within thirty (30) days from the date the Commissioner sends a statement of charges and costs incurred hereunder, the owner fails to pay for the costs of removal, repair, alteration, securing or boarding or of inspections of violations that have not been remedied, the Commissioner may certify the amount to the City including collection agency fees. The City may make written return to the County Auditor of the action under this section with a statement of the charges for services, the amount paid for the performing of labor and a proper description of premises. Certification to the County Auditor is for the purpose of making expenses and costs a lien upon the lands, to be collected as other taxes and returned to the City of Lakewood.

(4) Notwithstanding the method of collection set forth in this subsection, the Director of Law may take any action necessary to collect the costs of demolition, boarding or other nuisance abatement from the owner or other responsible party.

is hereby repealed.

Section 8. That new section 1306.522(g) Declaration of Public Nuisance; Repair or Demolition of Unsafe Structures and Exterior Property Nuisances; Violations and Remedial Notices; Appeals Process; Cost Recovery, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

(g) Costs.

(1) Any and all expenses or costs incurred under this section for the removal, repair, alteration, securing or boarding of a public nuisance structure or for abating any other nuisance identified under this section shall be paid by the owner of such building or structure, except when such expenses or costs are incurred with respect to a government or school building owned by a governmental entity or political subdivision and are funded by federal money.

(2) Whenever an inspection is made after the compliance date stated on a Commissioner's notice issued under this section, or after a compliance date established by a court of competent jurisdiction, which inspection is made to determine whether the violation has been remedied and the violation has not been remedied, or whenever an additional permit is obtained for work previously permitted and the original permit has expired or was appropriately voided, a fee ~~of one hundred dollars (\$100.00)~~ shall be charged for each inspection, except that this fee shall not apply to owner-occupied one- and two-family dwelling structures.

(3) If within thirty (30) days from the date the Commissioner sends a statement of charges and costs incurred hereunder, the owner fails to pay for the costs of removal, repair, alteration, securing or boarding or of inspections of violations that have not been remedied, the

Commissioner may certify the amount to the City including collection agency fees. The City may make written return to the County Auditor of the action under this section with a statement of the charges for services, the amount paid for the performing of labor and a proper description of premises. Certification to the County Auditor is for the purpose of making expenses and costs a lien upon the lands, to be collected as other taxes and returned to the City of Lakewood.

(4) Notwithstanding the method of collection set forth in this subsection, the Director of Law may take any action necessary to collect the costs of demolition, boarding or other nuisance abatement from the owner or other responsible party.

Section 9. That section 1309.02 Building Permit Fees, of the Lakewood Codified Ordinances, currently reading as follows:

1309.02 BUILDING PERMIT FEES.

- (a) New Buildings and Structures.
 - (1) Residential.
 - A. Two hundred dollars (\$200.00) for the first one thousand dollars (\$1,000) of valuation;
 - B. One percent (1%) of the remaining valuation in excess of one thousand dollars (\$1,000).
 - (2) Commercial, Industrial, Retail, Mercantile, Assembly or Apartment House Use:
 - A. Two hundred dollars (\$200.00) for the first one thousand dollars (\$1,000) of valuation;
 - B. Two percent (2%) of any amount between one thousand dollars (\$1,000.00) and five hundred thousand dollars (\$500,000.00) of valuation;
 - C. One percent (1%) of the remaining valuation in excess of five hundred thousand dollars (\$500,000.00).
- (b) New Additions and Alterations. For all new additions and alterations which change the height, area, classification or grade of the building:
 - (1) Residential.
 - A. Thirty dollars (\$30.00) for the first one thousand dollars (\$1,000) of valuation;
 - B. One percent (1%) of the remaining valuation in excess of one thousand dollars (\$1,000).
 - (2) Commercial, Industrial, Retail, Mercantile, Assembly or Apartment House Use:
 - A. Thirty dollars (\$30.00) for the first one thousand dollars (\$1,000) of valuation;
 - B. Two percent (2%) of any amount between one thousand dollars (\$1,000.00) and five hundred thousand dollars (\$500,000.00) of valuation;
 - C. One percent (1%) of the remaining valuation in excess of five hundred thousand dollars (\$500,000.00).
- (c) Garages (Detached).
 - (1) Up to 480 square feet of aggregate floor area, minimum fee: \$75.00
 - (2) For every 100 square feet of aggregate floor area or part thereof in excess of 480 square feet: \$10.00
 - (3) Garage pad or foundation only: \$35.00
- (d) Structural Changes, Remodeling and/or Fire Repairs.
 - (1) Residential.
 - A. Thirty dollars (\$30.00) for the first one thousand dollars (\$1,000) of valuation;
 - B. One percent (1%) of the remaining valuation in excess of one thousand dollars (\$1,000).
 - (2) Commercial, Industrial, Retail, Mercantile, Assembly or Apartment House Use:
 - A. Thirty dollars (\$30.00) for the first one thousand dollars (\$1,000) of valuation;
 - B. Two percent (2%) of any amount between one thousand dollars (\$1,000.00) and five hundred thousand dollars (\$500,000.00) of valuation;
 - C. One percent (1%) of the remaining valuation in excess of five hundred thousand dollars (\$500,000.00).
- (e) Demolition.
 - (1) Demolition of residential (1-2 family) automobile garage, accessory structure or part of a structure: \$50.00 fee.
 - (2) Demolition of any other building: \$200.00 fee.
- (f) Moving Buildings or Structures: \$300.00 fee.
- (g) Tool Shed and Other Accessory Building: \$50.00 fee.

is hereby repealed.

Section 10. That section 1309.03 Plumbing Permit Fees, of the Lakewood Codified Ordinances, currently reading as follows:

1309.03 PLUMBING PERMIT FEES.

For each plumbing permit for new work, alteration or repairs, there will be a minimum charge of thirty dollars (\$30.00) to which there shall be added all other plumbing and/or sewer charges as follows:

(a) Lavatories, sinks, laundry trays, bath tubs, showers, standpipes, combination fixtures, urinals, floor drains, area drains, yard drains, refrigerator drains, dishwasher, sterilizers, dental chairs, water filters, ejector, sump pumps, garbage grinders, grease interceptor, each three feet or fraction thereof of gang shower length, per each unit:	\$3.00
(b) Each inside leader:	3.00
(c) Hot Water Storage Tanks:	
(1) Up to and including 150 gallon capacity:	5.00
(2) Over 150 and up to and including 300 gallon capacity:	8.00
(3) Over 300 gallon capacity:	10.00
(d) Each drain or sewer per 100 feet of aggregate length or part thereof according to diameter:	
(1) Up to and including 6 inches in diameter:	10.00
(2) 8 inch diameter:	15.00
(3) 10 inch diameter:	20.00
(4) 12 inch diameter:	25.00
(e) Gas piping:	
(1) For each outlet:	5.00
(f) For each indoor sprinkler head:	5.00
(g) For each outdoor sprinkler head:	2.00
(h) For each air admittance valve:	10.00
(i) Portable water piping per 100 feet of aggregate length or part thereof, excluding service line governed by the Water Department:	10.00

is hereby repealed.

Section 11. That section 1309.04 Electrical Permit Fees, of the Lakewood Codified Ordinances, currently reading as follows:

1309.04 ELECTRICAL PERMIT FEES.

The base fee for each electrical permit shall be thirty dollars (\$30.00) to which the following shall be added:

(a) Each 120 volts receptacle:	\$3.00
(b) Each fixture outlet:	3.00
(c) Each outlet or receptacle in excess of 120 volts:	12.00
(d) Motors, transformers, generators, batteries, rectifiers, electrostatic filters and other power distribution and connections, according to horse power:	
3412 BTU = 1 KW = 1.341 H.P.	
Each unit:	
1/4 HP or less	\$10.00
1/3 HP to and including 3/4 HP	15.00
7/8 HP to and including 5 HP	20.00
Over 5 HP	25.00
(e) X-ray machines or equipment:	50.00
(f) Corrections or alterations:	20.00
(g) Panel, services, related equipment, and disconnects:	50.00
(h) Low voltage smoke and/or fire alarm systems:	50.00

(Ord. 76-06. Passed 12-18-2006.)

is hereby repealed.

Section 12. That section 1309.05 Heating and Air Conditioning Permit Fees, of the Lakewood Codified Ordinances, currently reading as follows:

1309.05 HEATING AND AIR CONDITIONING PERMIT FEES.

(a) Domestic.

(1) Heating systems:	
A. Each unit in a new home and/or replacement/additional units in an existing home	40.00
B. Solar heat/geothermal	No fee
(2) Air conditioning units:	40.00
(3) Free standing fireplace, gas logs and/or heating unit	40.00
(4) Energy vent type damper:	20.00
(5) Residential heat pump	40.00

(b) Commercial - Industrial.

(1) Heating systems:

A. For each new unit and/or replacements/or additions to present systems:	
1. Up to 150,000 BTU/Hr. Heat Input	40.00
2. Over 150,000 up to 300,000 BTU/Hr. Heat Input	50.00
3. Over 300,000 up to 600,000 BTU/Hr. Heat Input	60.00
4. All over 600,000 BTU/Hr.	70.00

5. Commercial heat pump	70.00
B. Solar heat/Geothermal	No fee
(2) Air conditioning:	
A. For each water cooling tower, each:	100.00
B. For each air conditioning unit or chiller type unit:	
1. Up to 5 ton capacity	40.00
2. Over 5 ton capacity up to 10 ton capacity	50.00
3. Over 10 ton capacity up to 25 ton capacity	60.00
4. All over 25 ton capacity	70.00

is hereby repealed.

Section 13. That section 1309.06 Sign Permit Fee, of the Lakewood Codified Ordinances, currently reading as follows:

1309.06 SIGN PERMIT FEE.

(a) Permanent signs:	30.00
(b) In addition to the fee in subsection (a) hereof for each square foot of sign area which is determined by the visible copy:	2.00
(c) Temporary signs, each:	15.00

is hereby repealed.

Section 14. That section 1309.07 Tanks – Storage, of the Lakewood Codified Ordinances, currently reading as follows:

1309.07 TANKS - STORAGE.

(a) Underground.

(1) Up to 3,000 gallons:	25.00
(2) 3,000 gallons to 5,000 gallons:	30.00
(3) 5,000 gallons to 12,000 gallons:	35.00
(4) 12,000 gallons to 20,000 gallons:	55.00

(b) Aboveground.

(1) Base fee	25.00
(2) Plus an amount per 1,000 gallons	10.00

(c) Removal of Underground and Aboveground Tanks. 10.00/storage tank

is hereby repealed.

Section 15. That section 1309.08 Surfacing and Resurfacing, of the Lakewood Codified Ordinances, currently reading as follows:

1309.08 SURFACING AND RESURFACING.

(a) Surfacing or resurfacing of driveways or parking lots excluding liquid sealants.

(1) For the first 1,000 square feet of aggregate surface area or part thereof, minimum fee:	30.00
(2) For each additional 500 square feet of aggregate surface area, or part thereof:	15.00

is hereby repealed.

Section 16. That section 1309.10 Additional Inspection Fees, of the Lakewood Codified Ordinances, currently reading as follows:

1309.10 ADDITIONAL INSPECTION FEES.

(a) Whenever an inspection has been requested and the work is found to be incomplete or in need of corrections, there shall be charged a fee in the amount of seventy-five dollars (\$75.00) for each subsequent reinspection.

(b) Whenever a special inspection, not a routine inspection of work being done under a permit, is requested, there shall be charged an inspection fee in the amount of seventy-five dollars (\$75.00).

(c) Subsection (a) and (b) hereof shall not be applicable to home owner permits.

is hereby repealed.

Section 17. That section 1309.11 Occupancy Permits and Code Compliance Certificates, of the Lakewood Codified Ordinances, currently reading as follows:

1309.11 OCCUPANCY PERMITS AND CODE COMPLIANCE CERTIFICATES.

For any inspections made for the issuance of a Certificate of Occupancy or a Code Compliance Certificate, there shall be charged a fee of fifty dollars (\$50.00) for residential and seventy-five dollars (\$75.00) for commercial.

is hereby repealed.

Section 18. That section 1309.15 Plans Examiner Fee, of the Lakewood Codified Ordinances, currently reading as follows:

1309.15 PLANS EXAMINER FEE.

(a) Whenever the Building Commissioner determines that an examination of construction plans by a professional plans examiner is necessary for the enforcement of the Building Code or required by other applicable law for a commercial property, there shall be charged a fee of two hundred dollars (\$200.00), plus five dollars (\$5.00) per 100 square feet, or part thereof, of the proposed structure, and an additional fee in the amount of one hundred percent (100%) of the original plans examination fee for all resubmittals.

(b) Whenever the Building Commissioner determines that an examination of construction plans by a professional plans examiner is necessary for the enforcement of the Building Code or

required by other applicable law for a residential property, there shall be charged a fee of twenty-five dollars (\$25.00).

is hereby repealed.

Section 19. That section 1323.03 Time and Fee, of the Lakewood Codified Ordinances, currently reading as follows:

1323.03 TIME AND FEE.

The registration shall be valid for the calendar year in which issued and shall be renewed annually thereafter. A fee of seventy-five dollars (\$75.00) shall be paid at the time of original issuance and at each renewal thereafter. Where work for which registration is required is started prior to registration, the required registration fee shall be doubled.

is hereby repealed.

Section 20. That new Section 1323.03 Time and Fee, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

1323.03 TIME AND FEE.

The registration shall be valid for the calendar year in which issued and shall be renewed annually thereafter. ~~A fee of seventy five dollars (\$75.00) shall be paid at the time of original issuance and at each renewal thereafter.~~ Where work for which registration is required is started prior to registration, the required registration fee shall be doubled.

Section 21. That section 1325.09 Fees, of the Lakewood Codified Ordinances, currently readings as follows:

1325.09 FEES.

Application fees for the Architectural Board of Review (ABR) shall be as follows:

- (a) Residential \$25.00
- (b) Commercial \$50.00

is hereby repealed.

Section 22: That section 1327.04 Inspections of the Condominium Development by the City, currently reading as follows:

1327.04 INSPECTIONS OF THE CONDOMINIUM DEVELOPMENT BY THE CITY.

(a) Filing of the Public Offering Statement. No developer shall sell or offer to sell a condominium ownership interest in a conversion condominium development in the City unless he first files the following items with the Building Commissioner of the City.

- (1) Twenty copies of the public offering statement provided by the developer under Section 1327.05;
 - (2) Any bond required by subsection (b) hereof; and
 - (3) A fee of twenty dollars (\$20.00) per condominium unit. Such fees shall be- in substitution for all other fees incidental to the conversion condominium development under the Building Code.
- (b) ...

is hereby repealed.

Section 23. That new section 1327.04 Inspections of the Condominium Development by the City, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

1327.04 INSPECTIONS OF THE CONDOMINIUM DEVELOPMENT BY THE CITY.

(a) Filing of the Public Offering Statement. No developer shall sell or offer to sell a condominium ownership interest in a conversion condominium development in the City unless he first files the following items with the Building Commissioner of the City.

(1) Twenty copies of the public offering statement provided by the developer under Section 1327.05;

(2) Any bond required by subsection (b) hereof; and

~~(3) A fee of twenty dollars (\$20.00) per condominium unit. Such fees shall be in substitution for all other fees incidental to the conversion condominium development under the Building Code.~~

(b) . . .

Section 24. That section 1335.03 Permit Fee, of the Lakewood Codified Ordinances, currently reading as follows:

1335.03 PERMIT FEE.

At the time of filing an application, a permit fee shall be paid to the Building Department in the amount of fifteen dollars (\$15.00).

is hereby repealed.

Section 25. That section 1339.15 Storm Water Management Fees, of the Lakewood Codified Ordinances, currently reading as follows:

1339.15 STORM WATER MANAGEMENT FEES.

The following review fees, reserve deposits, first-year annual post-construction fee and performance bond must be deposited with the City division of housing and building at the time of application and prior to the commencement of soil disturbing activities:

Disturbed areas	Review fee*	Reserve deposit for inspection during construction	Annual construction post-BMP inspection fee per site
Less than 8,000 SF	\$250	\$250	Not applicable
8,000 SF to 43,559 SF	\$500	\$1,000	\$250
One acre to five acres	\$1,000	\$2,000	\$300
Over five acres	\$250 per whole acre rounded up	\$500 per whole acre rounded up	\$500

*Additional re-review of plan submissions shall be charged 25 percent of the review fee per submittal.

Disturbed Area	Performance Bond
Less than 8,000 SF	None
8,000 SF to 43,559 SF	\$1,500
One acre to five acres	\$2,500
Over five acres	\$5,000

Funds shall be withdrawn from the Reserve deposit and charged at the following fees or hourly rates for any work completed by representatives of the City Engineer related to the inspection and enforcement of this regulation. The reserve deposit shall not fall below 50 percent of the original deposit until the project is completed.

Disturbed Area	Inspection Fee per Site Visit During Construction
Less than 8,000 SF	\$75
8,000 SF to 43,559 SF	\$125
One acre to five acres	\$150
Over five acres	\$200

Personnel

Hourly Rate

City Engineer	\$90
Project engineer	\$80
GIS or engineering technician	\$70
Consultant or representative	Actual costs plus \$25 per invoice.

Reviews and Consultations: In implementing these regulations the City Engineer or other City officials may consult with the local county SWCD, state and federal agencies and other technical experts as necessary. Any costs associated with such consultations may be assessed to the applicant or his or her designated representative.

is hereby repealed.

Section 26. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 27. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five members of

Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor; otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor

RESOLUTION NO. 2024-43

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two-thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, establishing a Master Fee Schedule and incorporating fees from Title Three-Local Provisions (Building and Housing) of the Lakewood Codified Ordinances.

WHEREAS, desire has been expressed to establish one Master Fee Schedule for all fees charged by the City of Lakewood for ease in locating the fees as well as having one document to review and amend periodically rather than reviewing fees piecemeal throughout the City; and

WHEREAS, amending the entire code at once is not feasible as to the number of amendments that would be necessary; and

WHEREAS, in order to implement a Master Fee Schedule, all of the fees for the Division of Building and Housing contained in Title Three-Local Provisions have been separated out with the intent of adding other sections of the Code; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That a Master Fee Schedule is hereby enacted as follows:

Housing License (annual)¹	Fee	\$1306.44
Non-owner-occupied condominium units	\$45.00	
Rooming House (containing 2 or more tenants)	\$60.00/rooming unit	
Non-owner-occupied one-or two-family structures	\$75.00/dwelling unit	
Three-family dwellings (non-owner-occupied)	\$60.00/dwelling unit	
All other occupied structures	\$45.00/dwelling unit	
¹ There shall be a limit of \$3,500 for any occupied structure for which a single license has been issued.		
Vacant Property (annual)		\$1306.44
Vacant housing structures	\$200.00/structure	
Vacant commercial or mixed use building	\$200.00/structure	
Nuisance Structure Monitoring (annual)	\$1,000	\$1306.441
Non-Compliance		\$1306.43
Housing and vacant property (w/in 30 days)	\$25.00/dwelling	
Vacant property more than 30 days after vacancy	\$50.00/dwelling	
Expired Housing and vacant property	\$50.00/dwelling	

Building Permit		§1309.02
New buildings & structures-Residential	\$200.00/first \$1,000 valuation 1% of remaining valuation	
New buildings & structures -Commercial, industrial, retail, mercantile, assembly or apartment house use	\$200.00/first \$1,000 valuation 2% valuation between \$1,000-\$500,000 1% of remaining valuation	
New additions or alterations-Residential changing the height, area, classification or grade of building	\$30.00/first \$1,000 valuation 1% of remaining valuation	
New additions or alterations-Commercial, industrial, retail, mercantile, assembly or apartment house use	\$30.00/first \$1,000 valuation 2% valuation between \$1,000-\$500,000 1% of remaining valuation	
Garage-detached	\$75.00 up to 480 sq. ft. aggregate floor area \$10.00 each additional 100 sq. ft.	
Garage pad-foundation only	\$35.00	
Structural changes, remodeling or fire repair-Residential	\$30.00/first \$1,000 valuation 1% of remaining valuation	
Structural changes, remodeling or fire repair-Commercial, industrial, retail, mercantile, assembly or apartment house use	\$30.00/first \$1,000 valuation 2% valuation between \$1,000-\$500,000 1% of remaining valuation	
Demolition-Residential 1-2 family garage, accessory structure or part of a structure	\$50.00	
Demolition any other structure	\$200.00	
Moving building or structure	\$300.00	
Tool shed or other accessory building	\$50.00	
Plumbing Permit²		§1309.03
Lavatories, sinks, laundry trays, bathtubs, showers, standpipes, combination fixtures, urinals, floor drains, area drains, yard drains, refrigerator drains, dishwasher, sterilizers, dental chairs, water filters, ejector, sump pumps, garbage grinders, grease interceptor, each three feet or fraction thereof of gang shower length, per each unit:	\$3.00	
Each inside leader	\$3.00	
Hot water storage tanks- 150 gal. or less	\$5.00	
Hot water storage tanks- 300 gal, or less	\$8.00	
Hot water storage tanks over 300 gal.	\$10.00	
Each drain or sewer per 100 ft. aggregate length or part thereof	\$10.00/6" or less \$15.00/8" or less \$20.00 10" or less \$25.00 12" or less	
Gas piping	\$5.00/outlet	
Outdoor sprinkler head	\$5.00/each	
Air admittance valve	\$10.00/each	
Portable water piping per 100 ft aggregate length or part thereof (excluding service line governed by the Water Department)	\$10.00	
² For each plumbing permit for new work, alteration or repair, there will be a minimum charge of \$30.00 to which there shall be added all other plumbing and/or sewer charges.		
Electrical Permit		§1309.04

Each 120 volts receptacle	\$3.00	
Each fixture outlet	\$3.00/120 volts \$12.00/in excess of 120 volts	
Motors, transformers, generators, batteries, rectifiers, electrostatic filters and other power distribution and connections (3412 BTU=1KW+1.341 HP)	\$10.00/1/4 HP or less \$15.00/1/3 HP or less \$20.00/7/8 HP or less \$25.00/over 5 HP	
X-ray machines or equipment	\$50.00	
Corrections or alterations	\$20.00	
Panel, services, related equipment, and disconnects	\$50.00	
Low voltage smoke and/or fire alarm systems	\$50.00	
Generator-natural gas or diesel (does not include plumbing line)	\$80.00	
Heating and Air Conditioning Permit-Residential		
Heating Systems	\$40.00/each unit new, replacement or additional	
Heating system – solar/geothermal	No fee	
Air conditioning unit	\$40.00/unit \$25.00 New rough in/rework ductwork \$40.00/gas fireplace \$20.00/energy vent type damper \$40.00/residential heat pump \$25.00 Gas heater/pool heater	
Heating and Air Conditioning-Commercial/Industrial		
Heating systems (each new, replacement or additional unit)	\$40.00/150,000 BTU/hr. heat input or less \$50.00/150,000-300,000 BTU/hr. heat input \$60.00/300,000-600,000 BTU/hr. heat input \$70.00/over 600,000	
Commercial heat pump	\$70.00 \$50.00 New rough in/rework ductwork \$25.00 Gas heater/pool heater \$25.00 Gas fireplace	
Solor heat/geothermal	No fee	
Air conditioning-water cooling tower	\$100.00/each	
Air conditioning-chiller type	\$40.00/each up to 5 ton capacity \$50.00/each 5-10 ton capacity \$60.00/each 10-25 ton capacity \$75.00 each over 25 ton capacity	
Commercial Kitchen		
Commercial Kitchen Hood	\$150.00 Commercial Hood type I with grease duct (does not include suppression) \$100.00 Commercial Hood type II with grease duct \$15.00 MUA/Makeup Air Unit	
Sign Permit		
Permanent Sign		\$1309.06
Temporary	\$30.00 plus \$2.00/sq. ft. of visible copy	
	\$15.00	

Tanks-Storage		
Underground		\$1309.07
Aboveground	\$25.00/up to 3,000 gal. \$30.00/3,000-5,000 gal. \$35.00/5,000-12,000 gal. \$55.00/12,000-20,000 gal.	
Removal of underground and Aboveground tanks	\$25.00 base fee plus \$10.00/each 1,000 gallons	
	\$10.00/each	
Surfacing and resurfacing driveways/lots (sq. fr. aggregate surface area or part thereof)		
	\$30.00/first 1,000 sq. ft. \$15.00/each addl. 500 sq. ft.	\$1309.08
Additional Inspections (not applicable to homeowner permits)		
	\$75.00/where inspection requested and work is found to be incomplete or in need of corrections or where a special (not routine) inspection requested	\$1309.10
Certificate of Occupancy or Code Compliance		
	\$50.00/residential inspection \$75.00/commercial inspection	\$1309.11
Plans Examiner		
Commercial		\$1309.14
Residential	\$200.00 plus \$5.00/sq. ft. 100% of original fee resubmittals	
	\$25.00	
Contractor Registration		
	\$75.00 \$150.00/work starts before permit is issued	\$1323.03
Architectural Board of Review Application		
Residential		\$1325.09
Commercial	\$25.00	
	\$50.00	
Condominium Development Inspection		
	\$20.00/each condominium (no other incidental fees charged to the conversion condominium development under the Building Code.)	\$1327.04
Paint Removal and Exterior Surface Cleaning		
	\$15.00	
Engineering Review Fee – Subdivisions¹		
	\$1,000 each	
¹ Additional re-review of plan submission shall be charged 25% of the review fee per submittal.	\$2,500 each	
Storm Water Management		
Review fee ¹		\$1339.15
Reserve deposit for inspection during construction ²	\$750/less than 8,000 sq. ft. \$2,500/8,000-43,559 sq. ft. \$5,000/one to 5 acres \$500.00/per whole acre or part thereof over 5 acres	
Annual post-construction BMP inspection per site	\$1,000/less than 8,000 sq. ft.	

	\$5,000/8,000-43,559 sq. ft. \$10,000/one to 5 acres \$1,000/per whole acre or part thereof over 5 acres	
Performance Bond or Cash or Certified Check Deposit	n/a -less than 8,000 sq. ft. \$350/8,000-43,559 sq. ft. \$500/one to 5 acres \$500/per whole acre or part thereof over 5 acres	
Hourly inspection rate per site during construction	n/a -less than 8,000 sq. ft. \$5,000/8,000-43,559 sq. ft. \$10,000/one to 5 acres \$5,000/per whole acre or part thereof over 5 acres	
Personnel hourly Rate ³	\$100/hr	
	\$100.00 City Engineer \$90.00 Project Manager \$70.00 GIS or engineering technician Consultant or representative/Actual cost plus \$25.00 per invoice	
¹ Additional re-review of plan submission shall be charged 25% of the review fee per submittal. ² Funds shall be withdrawn from the reserve deposit. The reserve deposit shall not fall below 50% of the original deposit until the project is completed. ³ Reviews and consultations: the city may consult with the local County SWCD, state and federal agencies and other technical experts as necessary. Any costs associated with such consultations may be assessed to the applicant or its designee.		

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five (5) members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

Sarah Kepple, President of Council

Maureen M. Bach, Clerk of Council

Approved: _____

Meghan F. George, Mayor