

**CITY OF TWINSBURG, OHIO**

**ORDINANCE 17-2009**

AN ORDINANCE AMENDING SECTION 1323.05 OF THE CODIFIED ORDINANCES OF THE CITY OF TWINSBURG IN ORDER TO APPROPRIATELY ADJUST THE VARIOUS BUILDING DEPARTMENT FEES CHARGED AND DECLARING AN EMERGENCY

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**WHEREAS**, the Building Commissioner of the City of Twinsburg has recommended that certain Building Department fees now charged by the City be adjusted; and

**WHEREAS**, an adjustment of the Building Department fees is necessary to obtain funds upon the initial application submittal to provide for any outsourcing plan review fee cost.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Twinsburg, County of Summit and State of Ohio:

**SECTION I:** That Section 1323.05 be, and the same is hereby amended to read as follows:

**1323.05 PERMIT FEES**

COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, EDUCATION,  
UTILITIES AND MULTI-FAMILY (NON-RESIDENTIAL)

**Construction Deposits**

~~Prior to the issuance of any permit for new construction, the following cash deposits are required.~~ Upon submittal of a completed non-residential or residential building permit application the following deposit shall be included with the application:

New Residential	\$1,000.00
New Non-residential	\$1,000.00
Residential Addition/Alterations	\$500.00
Non-residential	-\$500.00
	<b>\$750.00</b>

Such money shall be deposited as a guarantee that the applicant will repair or replace any damage or destruction to the sidewalk, curb, pavement, and other miscellaneous appurtenances located in the public right-of-way. For the maintenance and cleaning of the roads, catch basins and sewers. Maintenance of the temporary drives, and for the

installation and maintenance of on- site erosion control, and proper site grading. The deposit may be used for replacement of topsoil when removed by the builder or developer. **The deposit shall be used for all building plan review fees, Architectural Review Board review, Board of Zoning and Building Code hearings, and revised submittals of site plan review by the City Engineer.**

Upon the failure of a builder or developer to make corrections as directed by the Building Commissioner, City Engineer, or the Public Works Director, the City may direct such work to be completed. Such costs shall be deducted from the cash deposit. If any deposit shall fall below the required amount, the builder or developer shall make an additional deposit.

Six hundred dollars (\$600.00) of such (residential) deposit shall be held for two years pursuant to Section 1325.10 of the Codified Ordinances.

**Use of Deposits.**

An order to correct any condition or remove any substance shall be complied with within three days after notice. Upon failure to obey such order, the Building Commissioner shall cause same to be done at the expense of the permit holder and the bond fund shall be subjected to the payment of the expense thereof. If such deposits are insufficient to fully pay for such expense, then the permit holder shall be liable for the additional amount in excess of the bond fund, which coverage shall be collected by the Director of Law in a court of competent jurisdiction.

The deposit shall also be subjected to the payment of all unpaid inspection and re-inspection charges as established herein.

**SECTION II:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting or meetings of this Council, and that all deliberations of this Council were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

**SECTION III:** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Steve Murphy, President of Council

Submitted to the Mayor for approval this

\_\_\_\_\_ day of \_\_\_\_\_, 2009

Approved by the Mayor \_\_\_\_\_, 2009

\_\_\_\_\_  
Katherine A. Procop, Mayor

ATTEST:

\_\_\_\_\_  
Marie K. Weaver  
Clerk of Council

1<sup>st</sup> Rdg. \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

**PROPOSED**  
**PROPOSED**

**CERTIFICATE OF POSTING**

I, Marie K. Weaver, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
Marie K. Weaver  
Clerk of Council  
City of Twinsburg