

RECORD OF ORDINANCES

Ordinance No. 22-O-808

Passed OCT 06 2022

Riverside, OH

AN ORDINANCE REVISING CHAPTER 135 AND REPEALING THE EXISTING CHAPTERS 137 AND 149 OF THE ADMINISTRATIVE CODE OF THE CITY OF RIVERSIDE, OHIO.

WHEREAS, Article VI, Section 3 of the City of Riverside Charter grants the City Manager the power to exercise control over all City departments and to recommend to the City Council for adoption such measures as he may deem necessary and expedient; and

WHEREAS, the City Manager has recommended a revision of Chapter 135, repealing Chapters 137 and 149 which have been deemed obsolete after a thorough review, and an adoption of an omnibus fee schedule; and

WHEREAS, the Council of the City of Riverside, Ohio, as the legislative body of the city, has the authority to establish reasonable fees and fines with respect to the administration of the City's building code, zoning and subdivision ordinances, and other codes and regulations; and

WHEREAS, it is City Council's intent to enact an omnibus resolution including all fees for permits, applications and fees and fines under the abovementioned Ordinances, as well as providing for the reimbursement to the City of Riverside for expense incurred in the administration of said ordinances;

WHEREAS, the City of Riverside Administrative Code must be amended to accurately reflect these changes; and

WHEREAS, the Council of the City of Riverside, Ohio has held a public hearing thereon after notice of the time and place thereof had been given as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That Chapter 135, Permitting and Related Fees, as set forth in Exhibit "A" attached hereto and incorporated herein as is fully set forth is hereby enacted.

Section 2: That existing Chapter 137, Development and Zoning Fees, and Chapter 149, Planning and Program Management Development, is hereby repealed.

Section 3: That all other fees established by resolution or ordinance of the City of Riverside not in conflict with this ordinance shall remain as previously adopted. All resolutions or ordinances, or parts of resolutions ordinances conflicting with any provisions of this ordinance are hereby repealed and of no force or effect from date this ordinance is enacted.

RECORD OF ORDINANCES

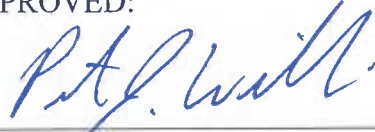
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Section 4: That this Ordinance shall take effect and be in force from and after the earliest date allowed by law.

PASSED THIS DAY OF OCT 06 2022

APPROVED:



MAYOR

ATTEST:


CLERK

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-808 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day _____.

CLERK

CHAPTER 135-ECONOMIC DEVELOPMENT DEPARTMENT¹ PERMITTING AND RELATED FEES

135.01-~~Creation and head.~~ Issuance of permits; fees.

~~There shall be established a Department of Economic Development, the head of which shall be the Director of Economic Development. The City shall issue permits pursuant to the requirements of the Codified Ordinances and applicable laws, rules, regulations, policies, and procedures. The fees for City-issued permits shall be established in an omnibus resolution approved by the City Council.~~

~~(Ord. 15-O-570, Passed 2-19-15)~~

135.02-~~Director's powers and duties.~~ Revocation or denial of permits.

~~The Director of Economic Development shall have all the powers and duties now or hereafter given the Director of Economic Development in municipalities by general law and shall have Supervision over and responsibility for the efficient operation of the Department and shall perform such other functions and duties as may be prescribed by Charter, ordinance, resolution, by the Administrative Code or by order of the City Manager. The following are grounds for revocation or denial of any permit application:~~

- ~~a. The intentional provision of materially misleading information by the applicant (the provision of information is considered "intentional" where the applicant was aware of the inaccuracies or could have discovered the inaccuracies with reasonable diligence);~~
- ~~b. The failure to comply with any condition of a zoning approval, order, or other applicable law, rule, or regulation;~~
- ~~c. The subject site, use, applicant, and/or property owner is otherwise not in compliance with provision(s) of City ordinances;~~
- ~~d. The subject site, use, applicant, and/or property owner is otherwise not in compliance due to incomplete work or projects;~~
- ~~e. The subject site, use, applicant, and/or property owner is not in compliance due to unperformed, slow to perform work as part of an open permit, or development was not complete in accordance with the approved plan;~~
- ~~f. The subject site, use, applicant, and/or property owner has outstanding fines from previous and/or ongoing violations of City ordinances.~~
- ~~g. The subject site, use, applicant, and/or property owner has failed to comply with the terms of a similar permit or the requirement to obtain a similar permit two (2) times within the previous twelve (12) months.~~

~~(Ord. 15-O-570, Passed 2-19-15)~~

135.03 ~~Director's qualifications and experience.~~ Development review deposit.

~~The Director of Economic Development shall have such professional qualifications and experience as are determined by the City Manager.~~

¹Charter reference(s)—Council power to create—See Charter § 7.02.

- (a) *Collection.* Upon the submittal of any plan consisting of a building of more than 1,000 square feet, a subdivision of more than a division of land into two parcels, a site plan review or revision to an existing approved site plan, a proposed Planned Unit Development (PUD) or a revision to an approved PUD, a rezoning or like plan, the City Manager or his/her designee shall ensure that a development review deposit has been collected in an amount prescribed by the City Council.
- (b) *Extraordinary deposits.* The City Manager may require a development review deposit to be collected or increased when in the sole discretion of the City Manager that the standard development review deposit would be inadequate to preserve the cash flow of the City. An extraordinary development review deposit shall be in multiples of the standard development review deposit.
- (c) *Use of funds.* The City Manager shall separately track and account for each project requiring a development review deposit. The City Manager shall maintain an inventory of technical and professional development review costs incurred by the City for each project and subtract these costs from the development review deposit. In the event that a project account contains insufficient funds to cover development review costs, the City Manager shall submit to the development project owner/representative an invoice for the amount(s) necessary to return the development review deposit project account to its initial balance.
- (d) *Approvals subject to payment of the cost.* Development-related approvals granted by the Planning Commission and/or City Council are not final until all related development review costs have been invoiced to the project owner/representative and received by the City Manager.
- (e) *Return of unused deposits.* Any portion of the funds placed on deposit or additional payments made to the City for a development review deposit for augmentation remaining after a development project has concluded shall be refunded to the project owner/representative.

{Ord. 15-O-570, Passed 2-19-15}

135.04 Director's compensation.

The salary or wage to be paid in regard to said position of Director of Economic Development shall be established by the City Manager in accordance with the Charter and ordinances of the City.

{Ord. 15-O-570, Passed 2-19-15}

CHAPTER 137 DEVELOPMENT AND ZONING FEES

137.01 Development review deposit.

- (a) *Collection.* Upon the submittal of any plan consisting of a building of more than 1,000 square feet, a subdivision of more than a division of land into two parcels, a site plan review or revision to an existing approved site plan, a proposed Planned Unit Development (PUD) or a revision to an approved PUD, a rezoning or like plan, the City Manager or his/her designee shall ensure that a review deposit of two hundred fifty dollars (\$250.00) has been collected and a separate project account has been established with the Director of Finance for the reimbursement of City expenses paid to consultants employed by the City for the provision of technical and professional services in related project review(s).
- (b) *Extraordinary deposits.* The City Manager may require a development review deposit to be collected or increased when in the sole discretion of the City Manager that the standard development review deposit would be inadequate to preserve the cash flow of the City. An extraordinary development review deposit

shall be in multiples of the standard development review deposit not to exceed any initial deposit of two thousand five hundred dollars (\$2,500.00).

- (c) ~~Additional payments to the deposit.~~ Each month after payments have been made to the consultants employed by the City to assist in the development review process and the City has been reimbursed its cost from the funds on deposit with said City for development review, the Director of Finance shall submit to a development project owner/representative an invoice for the amount(s) necessary to return the development review deposit project account to its required balance as a revolving fund for the reimbursement of actual paid consultant services used in the review of a development project.
- (d) ~~Approvals subject to payment of the cost.~~ Development related approvals granted by the City by its Planning Commission and/or its Council are not final until all related development review costs have been invoiced to the project owner/representative and received by the Director of Finance.
- (e) ~~Return of unused deposits.~~ Any portion of the funds placed on deposit or additional payments made to the City for a development review deposit for augmentation remaining after all invoices from consultants have been received, and related payments have been made by the City shall be refunded to the project owner/representative.

(Ord. 95-O-38, Passed 4-6-95)

137.02 Zoning and occupancy fees.

A fee as herein below set forth is hereby established for the processing and issuing of certificates, applications and appeals as follows:

- (a) ~~Rezoning applications~~\$300.00
- (b) ~~Subdivision applications:~~
 - (1) ~~Preliminary plat~~300.00
 - (2) ~~Final plat~~500.00
 - (3) ~~Replat/lot consolidation~~100.00
 - (4) ~~Street name signs~~Developer Cost
 - (5) ~~Lot split~~250.00
- (c) ~~Planned commercial/planned residential:~~
 - (1) ~~Preliminary plan~~600.00
 - (2) ~~Final plan~~300.00
 - (3) ~~Modification to final plan~~50.00
- (d) ~~Street/alley easement vacation~~100.00
- (e) ~~Board of zoning appeals cases:~~
 - (1) ~~Variance:~~
 - A. ~~Residential:~~
 - Major200.00
 - Minor100.00
 - B. ~~Commercial:~~

Major400.00

Minor200.00

C. — Industrial.

Major400.00

Minor200.00

(2) — Conditional use:

A. — Residential200.00

B. — Commercial400.00

C. — Industrial400.00

(3) — Appeals:

A. — Residential200.00

B. — Commercial300.00

C. — Industrial300.00

Applications for variances, conditional use permits and appeals filed with the Board of Zoning Appeals by any public school district or private school offering grades kindergarten and above shall be exempt from the fees established in this subsection (e).

(f) — Site plan review:

(1) — Major modification\$150.00

(2) — Minor modification70.00

(g) — Certificates of zoning compliance:

(1) — Residential:

A. — Major50.00

B. — Minor25.00

(2) — Commercial100.00

(3) — Industrial100.00

(4) — Signs1.00 per
.....square foot
.....(minimum \$30.00)

(5) — Accessory structures25.00

(h) — Certificate of zoning occupancy:

(1) — Residential35.00

(2) — Commercial50.00

(3) — Industrial50.00

(i) — Abatement action fee125.00

The Director of Planning and Program Management or the DPPM designee is hereby authorized and directed to collect the fees established herein.

~~(Res. 16-R-4153, Passed 3-16-16)~~

~~CHAPTER 149 PLANNING AND PROGRAM MANAGEMENT DEPARTMENT²~~

~~149.01 Creation and head.~~

~~There shall be established a Department of Planning and Program Management, the head of which shall be the Director of Planning and Program Management.~~

~~(Ord. 15-O-569, Passed 2-19-15)~~

~~149.02 Director's powers and duties.~~

~~The Director of Planning and Program Management shall have all the powers and duties now or hereafter given the Director of Planning and Program Management in municipalities by general law and shall have Supervision over and responsibility for the efficient operation of the Department and shall perform such other functions and duties as may be prescribed by Charter, ordinance, resolution, by the Administrative Code or by order of the City Manager.~~

~~(Ord. 15-O-569, Passed 2-19-15)~~

~~149.03 Director's qualifications and experience.~~

~~The Director of Planning and Program Management shall have such professional qualifications and experience as are determined by the City Manager.~~

~~(Ord. 15-O-569, Passed 2-19-15)~~

~~149.04 Director's compensation.~~

~~The salary or wage to be paid in regard to said position of Director of Planning and Program Management shall be established by the City Manager in accordance with the Charter and ordinances of the City.~~

~~(Ord. 15-O-569, Passed 2-19-15)~~

²Charter reference(s)—Council power to create—See Charter § 7.02.

