

Summary July 16, 2024

Committee Meetings

<u>Bill</u>	<u>Ord</u>	<u>Status</u>	<u>Title</u>	<u>Sponsor</u>	<u>Committee Meeting</u>
COUNCIL BEGINS					
24-112	24-120	Passed	Authorizing the Public Works Director to enter into a contract or contracts for the improvement to the Mansfield Municipal Building, and declaring an emergency.	Burns	
CAUCUS BEGINS					
24-120	24-121	Passed	Honoring Captain Douglas Bruce upon his retirement from the City of Mansfield Fire Department.	All Members of Council	
24-121	24-122	Passed	Authorizing the Safety-Service Director to accept and appropriate a Violent Crime Reduction Grant from the Ohio Office of Criminal Justice Services (OCJS) in the amount of One Hundred Nineteen Thousand Four Hundred Sixty-Five and 76/100 dollars (\$119,465.76) for Police Department Operations, and declaring an emergency.	Meier	
24-122	24-123	Passed	Amending Sections 1311.01, 1311.10, 1311.11, and 1311.98 of the Mansfield Codified Ordinances of 1997 to update inspection fees, plan reviews, and adopt the updated Ohio Building Code (OBC), Residential Code of Ohio (RCO), and related codes, and declaring an emergency.	Mount	
24-123	24-124	Passed	Amending Sections 1321.06, 1321.11, and 1321.20 of the Mansfield Codified Ordinances of 1997, to update permit and inspection fees and declaring an emergency.	Mount	
24-124	24-125	Passed	Repeal sections 1325.01, 1325.02, 1325.03, 1325.04, 1325.05, 1325.06, 1325.07, 1325.08, 1325.09, 1325.10, 1325.11, 1325.12, and 1325.13 to update the National Electrical Code functions that are no longer performed by the city. Also, amending sections 1325.19 and 1325.20 of the Mansfield Codified Ordinances of 1997 to update and revise the fees, and declaring an emergency.	Mount	
24-125	24-126	1st Read	Repealing Chapter 769 of the Mansfield Codified Ordinances of 1997 concerning prohibiting medical marijuana cultivation, processing, and retail distribution within the City of Mansfield.	Mount	

24-126	24-127	1st Read	Repealing Section 1167.15 of the Mansfield Codified Ordinances of 1997 concerning prohibiting medical marijuana cultivation, processing, and retail distribution within all zoning districts of the City of Mansfield.	Mount	
24-127	24-128	Passed	Authorizing the Public Works Director to accept and appropriate a donation from Coca-Cola in the amount of Seventy-Five Thousand and 00/100 dollars (\$75,000.00) for the new basketball court at Liberty Park and declaring an emergency.	Falquette	
24-128	24-129	Passed	Amending the Zoning Districts Map of the City of Mansfield, Ohio (Ordinance #04-208) to rezone ten acres of the Walker Lake Condos located at North Home Road and Spring Village Lane from Zoning Classification MF (Multi-Family) to PUD (Planned Unit Development) Classification.	Mount	
24-129	24-130	Passed	Vacating a portion of Princeton Street between Grasmere Ave and Harvard Avenue and an unnamed alley and between Lot Nos. 9291 and 9292, and retaining the utility rights and easements therein, and declaring an emergency.	Mount	
24-130	24-131	Passed	Amending the Zoning Districts Map of the City of Mansfield, Ohio (Ordinance #04-208) to rezone four parcels located at and around 552 Oak Street from Zoning Classification MF (Multi-Family) to I-1 (Limited Impact Industrial District) Classification.	Mount	
24-131	24-132	Passed	Authorizing the Public Works Director to enter into an agreement with the Richland County Commissioners for Building Department Services, and declaring an emergency.	All Members of Council	
24-132	24-133	Passed	Annual request authorizing the Director of Finance to make transfers, among the City's appropriated funds by classification within departments and sub departments, necessary to balance accounts for proper accounting purposes at year-end (as of December 31, 2024), and declaring an emergency.	Falquette	
24-133	24-134	Passed	Authorizing the Public Works Director to enter into a contract with Midstates Recreation for Sterkel Park Playground equipment, and declaring an emergency.	Burns	
24-134	24-135	Passed	Authorizing payment to Jacobs Excavating in the amount of Ten Thousand and 00/100 dollars (\$10,000) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.	Falquette	
24-135	24-136	Passed	Authorizing the acceptance of funding from the Ohio Attorney General's Office in the amount of eighty thousand and 00/100 dollars (\$80,000.00) to assist with the Drug Abuse Response Team (DART) Project, and declaring an emergency.	Meier	

24-136	24-137	Passed	Authorizing the Public Works Director to purchase, according to STS pricing contract #D0T07024-2, one (1) E88 R2-Series Bobcat Compact Excavator from Bobcat of Wooster, (480 West Henry Street, Wooster, Ohio 44691), in the amount of One Hundred Seventeen Thousand Six Hundred Seventy-Nine and 36/100 Dollars (\$117,679.36), and declaring an emergency.	Diaz	
24-137	24-138	Passed	Authorizing the Public Works Director to advertise for bids and enter into a contract for salt supply, and declaring an emergency.	Diaz	
24-138	24-139	Passed	201 adopting personnel positions, pay grades, and salaries for certain employees of the City of Mansfield 2024 payroll year by creating new positions in the Clearfork Reservoir Division and the Parks and Recreation Division and declaring an emergency.	Meier	

NEXT MEETING Tuesday, August 6, 2024 7:00 Council to follow

BILL #24-112

ORDINANCE #

24-120

BY: MRS. BURNS

Authorizing the Public Works Director to enter into a contract or contracts for the improvement to the Mansfield Municipal Building, and declaring an emergency.

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

SECTION 1. That the Public Works Director be, and is hereby, authorized to enter into a contract or contracts for the improvement to the Mansfield Municipal Building all in accordance with detailed specifications, estimates, are now on file in the office of the City Engineer, which plans, estimates, and specifications are hereby approved.

SECTION 2. That payment for the contractual services authorized by Section 1 herein shall be paid from the American Rescue Plan Act (ARPA) Fund (#221) revenue replacement dollars, ARPA non-departmental expenditure (221.99.99) Other Charges Classification, as previously authorized by Ordinance #22-074.

SECTION 3. That by reason of the immediate necessity to allow the contractor to begin ordering materials to meet the established completion date. This measure is determined to be an emergency ordinance, and providing it receives the affirmative vote of two-thirds of all members elected to Council; it shall take effect be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	18 June 2024
1 st Reading	16 July 2024
2 nd Reading	
PASSED	16 July 2024

SIGNED /s/ Phillip E. Scott

President of Council

ATTEST
 /s/ Delaine Weiner
 Clerk of Council

APPROVED
 /s/ Jodie Perry
 Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

BY: ALL MEMBERS OF COUNCIL


Honoring Captain Douglas Bruce upon his retirement from the City of Mansfield Fire Department.

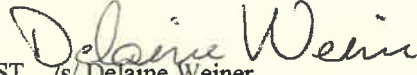
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO


SECTION 1. That this Council, on behalf of the government and the citizens of the Mansfield community, is privileged to honor and pay tribute to Captain Douglas Bruce upon his retirement after 28+ years of service with the Mansfield City Fire Department.

When the fire tones went off, or during any incident to which Mansfield Firefighters had to respond, one Captain would always calm the scene: Captain Douglas Bruce. Regardless of the incident, he spoke in a clear, soft tone. Captain Bruce's presence in the fire station was larger than life, and he had a unique ability to unite people. His love for firehouse shenanigans and infectious laughter made him a friend to everyone, regardless of rank or shift. He shared a laugh daily and fostered a strong camaraderie within the crew. Captain Bruce's journey in the fire service began at Crestline Fire Department in June of 1991, where he honed his skills and passion for the job over four years. In September 1995, he brought his experience and dedication to the Mansfield Fire Department, marking the start of a new chapter in his career. Throughout his career, he held many positions, from Training/Safety Officer to Senior Officer on the apparatus building committee, and then retired as the Station Captain at Station 6. His passion for service to this city will continue through the mentorship he provided to so many. A grateful community thanks you for your 28+ years of service. Enjoy your well-deserved retirement!

PASSED 16 July 2024

SIGNED 
/s Phillip E. Scott
Council President

ATTEST 
/s/ Delaine Weiner
Clerk of Council

APPROVED 
/s/ Jodie Perry
Mayor

APPROVED AS TO FORM
Roeliff E. Harper
Law Director
City of Mansfield, Ohio

- _____
Laura Burns
- _____
Eleazer Akuchie
- _____
Aurelio Diaz
- _____
Stephanie Zader
- _____
David Falquette
- _____
Phillip E. Scott
- _____
Kelly Blankenship

- _____
Cheryl Meier
- _____
Antoinette Daley
- _____
Deborah Mount
- _____
Keith Porch
- _____
Louie Andres
- _____
Jodie Perry
- _____
Roeliff E. Harper

BILL #24-121

ORDINANCE #

24-122

BY: MRS MEIER

Authorizing the Safety-Service Director to accept and appropriate a Violent Crime Reduction Grant from the Ohio Office of Criminal Justice Services (OCJS) in the amount of One Hundred Nineteen Thousand Four Hundred Sixty-Five and 76/100 dollars (\$119,465.76) for Police Department Operations, and declaring an emergency.

WHEREAS, Subgrant Number 2024-ST-VCR-370 awarded to the City under the Violent Crime Reduction grant program will provide funds to continue the City's License Plate Reader Program, plus additional software and overtime expenses.

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

SECTION 1. That the Safety-Service Director be, and he is hereby, authorized to accept funding in the amount of One Hundred Nineteen Thousand Four Hundred Sixty-Five 76/100 dollars (\$119,465.76) from the Ohio Office of Criminal Justice Services (OCJS), to continue the City's License Plate Reader Program, additional software, overtime expenses and to execute all documents pertaining thereto.

SECTION 2. That the sum of One Hundred Nineteen Thousand Four Hundred Sixty-Five and 76/100 dollars (\$119,465.76) be, and the same is hereby, appropriated from the unappropriated Grant Fund (#224) to the following Police Department Grant (224.15.30) Classifications:

Personal Services	\$15,750.00
Contractual Services	\$48,194.36
Capital Outlay	\$55,521.40
Total	\$119,465.76

SECTION 3. That by reason of the immediate necessity to accept this funding for public safety, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
 1st Reading 16 July 2024
 2nd Reading 16 July 2024
 PASSED 16 July 2024

ATTEST Delaine Weiner
 /s/ Delaine Weiner
 Clerk of Council

Phillip E. Scott
 SIGNED /s/ Phillip E. Scott
 President of Council

Wodie Perry
 APPROVED /s/ Wodie Perry
 Mayor

APPROVED AS TO FORM: Roeliff E. Harper
 Law Director
 City of Mansfield, Ohio



DEPARTMENT OF FINANCE
STATEMENT OF FISCAL IMPACT

RE: Violent Crime Reduction Grant (2024-ST-VCR-370)

Nature of Statement and Information Disclosed

This is a statement of fiscal impact for the City of Mansfield to accept funding from the:
Ohio Office of Criminal Justice Services (OCJS)

This impact statement has been performed in accordance with the City's revenue policy, adopted by City Council on August 6, 2013 with ordinance #13-166. It is a statement solely for the purpose of analyzing and reporting the fiscal impact on the City of Mansfield of either accepting or not accepting the proposed funding and using certain assumptions as indicated herein. No attempt is made to evaluate the application, award documents or any special condition for suitability to City objectives.

Current Fiscal Impacts

Impact on Revenue

Grant/Other Funding: \$119,465.76
Funding Period: 1/1/24 - 12/31/24

Impact on Expenditures

PROJECT COSTS:

Contractual Services (LPR's)	<u>\$48,194.36</u>
Overtime Expenses	<u>\$15,750.00</u>
Software & CS Interface	<u>\$55,521.40</u>

Total Project Costs: \$ 119,465.76

The total project cost is estimated at \$ 119,465.76 . Note: * Similar award in 2024 (ORD# 24-105)
* No local cash match.

Match Required: \$0.00

Future Fiscal Impact

Impact on Revenue

N/A

Impact on Expenditures

N/A



DEPARTMENT OF FINANCE
STATEMENT OF FISCAL IMPACT

Other Future Commitments

N/A

Disclosures of Possible Material Future Events

This grant will pay for service to 8 LPR cameras through 12/31/2024, as well as additional software and overtime expenses. These costs would be the responsibility of the Safety Services Fund (#214) beyond 12/31/2024 unless future grants are awarded.

General Assumptions

A fiscal impact statement constitutes a forward-looking statement on the acceptance of funds from sources other than City revenue such as grants and the proper execution of all requirements as set forth in any grant application, agreement, or other duly enforceable stipulations.

In any case where a reasonable expectation of a future condition or event has been disclosed or is already known to Finance Department personnel, that information has been used as an assumption in the fiscal impact statement. Expectations not known or not considered reasonably expected to occur have been excluded from the fiscal impact statement. If an event or condition may occur which would have a material and *direct* fiscal impact, but is not reasonably expected to occur, it is disclosed in the fiscal impact statement.

General assumptions are made in this fiscal impact statement that the City staff executing the grant program already possess the required knowledge to perform all of the requirements of the grant, and that the information provided to the Finance Department to prepare this impact statement is true and correct. It is also assumed that no outside events will create a positive or negative influence on the grant program, and that there will be no changes in the legal, operational, or economic environment in which the grant program and the City as a whole operates, except as disclosed herein.

BY: MS. MOUNT

Amending Sections 1311.01, 1311.10, 1311.11, and 1311.98 of the Mansfield Codified Ordinances of 1997 to update inspection fees, plan reviews, and adopt the updated Ohio Building Code (OBC), Residential Code of Ohio (RCO), and related codes, and declaring an emergency.

WHEREAS, the City finds it beneficial to its needs and that of the community to update and revise the inspection and review of the plans fee table. This amendment has been carefully considered and is the result of a thorough review and consultation. We also find it beneficial to adopt the current Ohio Building Code, Residential Code of Ohio, and related codes as adopted by the Ohio Board of Building Standards, Department of Industrial Relations, and as identified and published in Division 4101:1 et seq of the Ohio Administrative Code (OAC).

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

SECTION 1. That Sections 1311.01, 1311.10, 1311.11, and 1311.98 of the Mansfield Codified Ordinances of 1997, as amended, be, and the same is hereby, amended to read as follows:

1311.01 ADOPTION.

There is hereby adopted by the Municipality, the **current** Ohio Building Code (OBC), **Residential Code of Ohio (RCO)**, and related codes as adopted by the Ohio Board of Building Standards, Department of Industrial Relations, **effective March 1, 2005**, and as identified and published in Division 4101:1 et seq. of the Ohio Administrative Code (OAC).

1311.02 PURPOSE.

The purpose of the Ohio Building Code is to establish uniform minimum requirements for the erection, construction, repair, alteration, and maintenance of buildings, including construction of industrialized units. Such requirements shall relate to the conservation of energy, safety, and sanitation of buildings for their intended use and occupancy with consideration for the following:

- (a) Performance. Establish such requirements, in terms of performance objectives for the use intended.
- (b) Extent of Use. Permit to the fullest extent feasible, the use of materials and technical methods, devices, and improvements which tend to reduce the cost of construction without affecting minimum requirements for the health, safety, and security of the occupants of buildings without preferential treatment of types or classes of materials or products or methods of construction.
- (c) Standardization. To encourage, so far as may be practicable, the standardization of construction practices, methods, equipment, material and techniques, including methods employed to produce industrialized units.

The rules of the Board of Building Standards and proceedings shall be liberally construed in order to promote its purpose. When the Building Official finds that the proposed design is a reasonable interpretation of the provisions of this Code, it shall be approved. Materials, equipment and devices approved by the Building Official pursuant to Section 118 of the Ohio Building Code shall be constructed and installed in accordance with such approval.

1311.03 SCOPE.

The provisions of the Ohio Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. As provided in Section 3791.04(B) of the Ohio Revised Code, no plans or specifications shall be approved or inspection approval given unless the building represented by those plans or specifications would, if constructed, repaired, erected or equipped according to those plans or specifications, comply with Chapters 3781 and 3791 of the Ohio Revised Code and any rules adopted by the Board.

An owner may exceed the requirements of the Ohio Building Code in compliance with Section 102.7 of the Ohio Building Code.

(a) Detached one-, and two-, and three-family dwellings and structures incidental to those dwellings which are not constructed as industrialized units shall comply with local residential codes, if any, adopted by the authority having jurisdiction. This exception does not include the energy provisions required in "Chapter 13, Energy Efficiency" of the OBC (see Sections 3781.06, 3781.181 and 3781.182 of the Ohio Revised Code);

(b) Buildings owned by and used for a function of the United States Government;

(c) Buildings or structures which are incident to the use for agricultural purposes of the land on which said buildings or structures are located, provided such buildings or structures are not used in the business of retail trade; for the purposes of this section, a building or structure is not considered used in the business of retail trade if fifty percent or more of the gross income received from sales of products in the building or structure by the owner or operator is from sales of products produced or raised in a normal crop year on farms owned or operated by the seller. (See Sections 3781.06 and 3781.061 of the Ohio Revised Code);

(d) Agricultural labor camps;

(e) Type A or Type B family day-care homes;

(f) Buildings or structures which are designed, constructed and maintained in accordance with federal standards and regulations and are used primarily for federal and state military purposes where the U.S. Secretary of Defense, pursuant to 10 U.S.C. Sections 18233(a)(1) and 18237, has acquired by purchase, lease, or transfer, and constructs, expands, rehabilitates, or corrects and equips, such buildings or structures as he determines to be necessary to carry out the purposes of Chapter 1803 of the U.S.C.;

(g) Manufactured homes constructed under "24 CFR Part 3280", "Manufactured Home Construction and Safety Standards".

(OBC 101.2)

1311.04 COMPLIANCE.

(a) No owner or any other person shall construct, erect, build or equip any building or structure to which the Ohio Building Code is applicable, or make any addition thereto or alteration thereof, except in case of repairs for maintenance without affecting the construction, sanitation, safety or other vital feature of such building or structure, without complying with this chapter, Ohio R.C. Chapters 3781 and 3791 or the Ohio Building Code, or fail to comply with any lawful order issued pursuant thereto.

(ORC 3791.01, 3791.02)

(b) No architect, builder, engineer, plumber, carpenter, mason, contractor, subcontractor, foreman or employee shall violate or assist in violating this chapter, Ohio R.C. Chapters 3781 and 3791 or the Ohio Building Code, or fail to comply with any lawful order issued pursuant thereto.

(ORC 3791.01, 3791.03)

(c) No owner shall proceed with the construction, erection, alteration or equipment of any building to which the Ohio Building Code is applicable until the plans or drawings, specifications, and data have been approved as Ohio R.C. 3791.04 requires, or the industrialized unit inspected at the point of origin. No plans or specifications shall be approved or inspection approval given unless the building represented would, if constructed, repaired, erected, or equipped comply with Chapters 3781 and 3791 of the Ohio Revised Code and any rule made under those chapters. (ORC 3791.04)

1311.05 EXISTING STRUCTURES.

The provisions of Chapter 34 of the Ohio Building Code shall control the alteration, repair, addition, and change of occupancy of any existing structure.

The occupancy of any structure currently existing on the date of adoption of this Code shall be permitted to continue without change provided the alleged occupancy can be shown to have existed for more than two years and there are no orders of the Building Official pending, no evidence of fraud, or no serious safety or sanitation hazard.

Buildings constructed in accordance with plans which have been approved prior to the effective date of this Code are existing buildings.

(OBC 102.6)

1311.06 VIOLATIONS.

(a) **Adjudication Orders Required Before Legal Proceedings.** Before the Municipality attempts to enforce Chapters 3781 and 3791 of the Ohio Revised Code or any rules adopted pursuant thereto, by any remedy, civil or criminal, it shall issue an adjudication order within the meaning of Sections 119.06 to 119.13 of the Ohio Revised Code or a stop work order as provided in Section 1311.07. Every adjudication order shall:

(1) Cite the law or rules directly involved and shall specify what appliances, site preparations, additions, or alterations to structures, plans, materials, assemblages or procedures are necessary for the same to comply with Chapters 3781 and 3791 of the Ohio Revised Code.

(2) Include notice to the party of the procedure for appeal and right to a hearing if requested within thirty days of the mailing of the notice. The notice shall also inform the party that at the hearing he may be represented by counsel, present his arguments or contentions orally or in writing and present evidence and examine witnesses appearing for or against him.

(b) **Notice of Violation.** The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure. When the Building Official finds that work or equipment is contrary to approved construction documents and the rules of the Board of Building Standards, the Building Official shall send a notice in writing to the owner of said building or the owner's agent which shall state where and in what respect the work or equipment does not conform to the approved plans for same and the rules of the Board. The notice shall specify a reasonable period of time in which to conform to said plans or the rules of the Board. Before any work may continue on the construction, erection, alteration, or equipment of any building for which the approval is invalid, the

owner of the building shall resubmit the plans or drawings and specifications for approval as required under Section 105.3 of the Ohio Building Code.

(c) Prosecution of Violation. Upon the issuance of any order provided for in this section or Section 1311.07, the person receiving an order shall cease work upon the site preparations or structure to be constructed, or in the case of an industrialized unit, the installation of the unit, or shall cease using the appliance, materials, assemblages or manufactured product identified in the order until such time as the appeal provided for in accordance with the provisions of Section 3781.19 of the Ohio Revised Code and all appeals from such hearing have been completed, or the order has been released.

(OBC 113)

1311.07 STOP WORK ORDER.

(a) Authority. Whenever the Building Official finds any work regulated by this Code being performed in a manner contrary to the provisions of this Code or in a dangerous or unsafe manner, the Building Official is authorized to issue a stop work order whenever the Building Official finds, after inspection, that the site preparations or structure to be constructed, or in the case of an industrialized unit, the installation of the unit, or that the use of an appliance, materials, assemblage, or manufactured product does not comply with the provisions of Chapters 3781 and 3791 of the Ohio Revised Code or the rules adopted pursuant thereto. The effect of such an order shall be limited to the matter specified in the order.

(b) Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent and the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

(c) Unlawful Continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition. Failure to cease work after receipt of a stop work order is hereby declared a public nuisance.

(OBC 114)

1311.08 CONFLICT.

(a) General. Where, in any specific case, different sections of the Ohio Building Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(b) Other Laws. The provisions of the Ohio Building Code shall not be deemed to nullify any provisions of state or federal law. The Municipality, under Section 3781.01 of the Ohio Revised Code, may make further and additional regulations, not in conflict with Chapters 3781 and 3791 of the Ohio Revised Code or with the rules of the Board of Building Standards. However, under Section 3781.12 of the Ohio Revised Code, approval by the Board of Building Standards of any fixture, device, material, system, assembly or product of a manufacturing process, or method or manner of construction or installation shall constitute approval for their use anywhere in Ohio. The rules of the Board of Building Standards shall supersede and govern any order, standard, or rule of the Division of the Fire Marshal or Industrial Compliance in the Department of Commerce, and Department of Health and of counties and townships, in all cases where such orders, standards or rules are in conflict with the rules of the Board of Building Standards, except that rules adopted and orders issued by the Fire Marshal pursuant to Chapter 3743, of the Ohio Revised Code prevail in the event of a conflict.

(OBC 102)

1311.09 ENFORCEMENT.

(a) In General. The Building Official shall enforce provisions of the rules of the Board of Building Standards and of Chapters 3781 and 3791 of the Ohio Revised Code, relating to construction, arrangement, and the erection of buildings or parts thereof as defined in the rules of the Board in accordance with the certification. The Building Official shall exercise exclusive responsibility for the enforcement of all design and construction requirements found in the Ohio Building Code and in other codes and referenced standards to the extent that the Building Code refers to those documents for design data, facts, figures, requirements, criteria, conditions, measures, and information except as follows:

(1) Fire. The Fire Marshal or Fire Chief shall enforce all provisions of the rules of the Board relating to fire prevention. For those design and construction requirements and other requirements found in the Fire Prevention Code to which the Building Code refers, to the extent of the reference they shall be enforced by the Building Official.

(2) Health. The Department of Health, or the boards of health of the City or general health districts the Division of Industrial Compliance of the Department of Commerce, or the Departments of Building Inspection of municipal corporations shall enforce such provisions relating to sanitary construction.

(3) Engineering. The Department of the City Engineer, in cities having such departments, has complete supervision and regulation of the entire sewerage and drainage system of the City, including the house drain and the house sewer and all laterals draining into the street sewers. Said department shall have control and supervision of the installation and construction of all drains and sewers that become a part of the sewerage system of the City and shall issue all the necessary permits and licenses for the construction and installation of all house drains and house sewers and of all other lateral drains that empty into the main sewers. Such department shall keep a permanent record of the installation and location of every drain and sewerage system of the City.

(4) Enforcement. This section does not exempt any officer or department from the obligation of enforcing any provision of the rules of the Board.

The Building Official shall have the authority to render interpretations of the Ohio Building Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code.

(b) Applications and Approvals. The Building Official shall receive applications, require the review of submitted construction documents and issue plan approvals for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such approvals have been issued and enforce compliance with the provisions of this Code.

(c) Notices and Orders. The Building Official shall issue all necessary notices or orders to ensure compliance with this Code. When the Building Official finds that work or equipment is contrary to approved plans therefor and the rules of the Board, the Building Official shall send a notice in writing to the owner of said building or the owner's agent. The notice shall state where and in what respect the work or equipment does not conform to the approved plans for same and the rules of the Board, and specify a reasonable period of time in which to conform to said plans or the rules of the Board.

(d) Inspections. If the plans for the erection, construction, repair, alteration, relocating, or equipment of a building are subject to inspection by the Building Official, under Section 109 of the Ohio Building Code, the Building Official shall cause to be made such inspections, investigations, and determinations as are necessary to determine whether or not the work which has been performed and the installations which have been made are in conformity with the approved plans and to safety and sanitation, except special inspections required under Section 1704 of the Ohio Building Code.

(e) Identification. The Building Department personnel shall show, when requested, proper identification when entering structures or premises in the performance of duties under this Code.

(f) Right of Entry. The Building Official, or Building Official's designee, is authorized to enter a structure or premises at reasonable times to inspect or to perform the duties imposed by this Code, provided that credentials are presented to the occupant and that entry is requested and obtained. Where permission to enter has not been obtained, is denied, or the Building Official has probable cause to believe that there exists in a structure or upon a premises a condition which is a serious hazard the Building Official shall have recourse to the remedies provided by law to secure entry.

(g) Department Records. The Building Official shall keep official records of applications received, certificate of plan approval issued, notices and orders issued, certificate of occupancy, and other such records required by the rules of the Board of Building Standards. Such information shall be retained in the official permanent record for each project. One set of approved construction documents shall be retained by the Building Official for a period of not less than one hundred eighty days from date of completion of the permitted work, or as required by document retention regulations.

(h) Liability. Liability of certified Building Department personnel for any tortuous act will be determined by Ohio courts to the applicable provisions of Chapter 2744 of the Ohio Revised Code.

(OBC 104)

1311.10 AMENDMENTS.

(a) The Ohio Building Code as adopted under Section 1311.01 is hereby amended by adopting the following modifications in Section 4101:2-1-21(A) thereof which establishes fees for inspection of plans so as to read as follows:

TABLE 4101:2-1-21(A)

Type of Plans	Processing Fee	Plan Examination Fee (100 Sq. Ft.)
(1) General and mechanical plans	\$165.00 \$225.00	\$5.00 \$7.50
(2) Other electrical plans	165.00 \$225.00	3.00 \$7.50
(3) Automatic sprinkler plans	165.00 \$225.00	3.20 \$7.50
(4) Industrialized unit plans	135.00 \$225.00	1.30 \$7.50

(b) The fee for inspection of plans and specifications for alterations or change of use shall be in accordance with the schedule shown below. The fee shall be based on the gross area of each floor level where the alteration or change of use is to be made. The fee schedule shall be applied separately and accumulatively to each type of plan shown in Table 4101:2-1-21(A) above or in the schedule below. For area of additions not included in previous plan examination the fee shall be in accordance with subsection (a) hereof.

Gross Floor Area (Square Feet)	Permit Processing	Plan Review Fee (100 Sq. Ft.)
--------------------------------	-------------------	-------------------------------

0 - 2000	\$165.00 \$225.00	\$105.00 \$7.50
2001 - 5000	165.00 \$225.00	160.00 7.50
5001 - 10,000	165.00 \$225.00	245.00 7.50
10,001 - 15,000	165.00 \$225.00	375.00 7.50
15,001 - 20,000	165.00 \$225.00	485.00 7.50
Over 20,000	165.00 \$225.00	645.00 7.50

(c) The fee for each special inspection, including but not limited to, inspections for certificates of occupancy or commercial tent inspections, but excluding those required by subsection (a) and (b) hereof, shall be ~~one hundred fifty~~ **twenty-five** dollars (~~\$150.00~~ **\$225.00**) per inspection. Requests for special inspections shall be in writing to the Certified Building Department and the fee shall be paid prior to the inspection.

(d) Linear Projects such as retaining walls or electrical trenches shall be charged the base fee of ~~one hundred fifty~~ **twenty-five** dollars (~~\$165.00~~ **\$225.00**) and the square foot fee of three dollars (\$3.00) per one hundred square feet assuming such wall or trench is one foot wide.

(e) Any permit not applied for in writing before work is commenced shall be subject to a one hundred percent (100%) penalty fee in addition to the regular fees provided in this chapter for all work done under such a permit. This penalty fee shall not apply to emergency work.

(f) If a structure is occupied prior to a final inspection, an additional fee of ~~one hundred fifty~~ **twenty-five** dollars (~~\$150.00~~ **\$250.00**) shall be charged for a certificate of occupancy prior to completion.

(g) In any case where the plan review fees exceed the specified amount, the fee shall be the actual cost for the plan review.

1311.11 HEATING, VENTILATION, AIR CONDITIONING, FIRE SUPPRESSION SYSTEM AND FIRE ALARM PLAN REVIEWS AND INSPECTIONS.

(a) Heating, Ventilation and Air Conditioning Fees. The plan review and inspection fees for all commercial heating, ventilation and air conditioning (HVAC) work be as follows:

(1) Commercial replacement of HVAC unit shall have a plan review and inspection fee of ~~one hundred fifty~~ **twenty-five** dollars (~~\$165.00~~ **\$225.00**) per unit.

(2) Wood burning or solid fuel stove and fireplace installations shall have a plan review and inspection fee of one hundred sixty-five dollars (\$165.00) per unit.

(3) Re-inspection after a failed inspection shall have an additional inspection fee of ~~one hundred fifty~~ **twenty-five** dollars (~~\$165.00~~ **\$225.00**) per unit.

(b) Fire Suppression System and Fire Alarm Fees. The plan review and inspection fees for commercial fire suppression system and fire alarm work be as follows:

(1) Fire suppression system installations shall have a plan review and inspection fee of ~~one hundred fifty~~ **twenty-five** dollars (~~\$180.00~~ **\$225.00**) per system.

(2) New and replacement fire alarm installations shall have a plan review and inspection fee of ~~one hundred fifty~~ **twenty-five** dollars (~~\$165.00~~ **\$225.00**) plus ~~two~~ **seven** dollars ~~and fifty cents~~ (~~\$2.00~~ **\$7.50**) per one hundred square feet.

1311.98 VIOLATIONS.

(a) No person shall violate any section of Part Thirteen - Building Code of the Mansfield Codified Ordinances of 1997, or any order made in pursuance thereof, or obstruct or interfere with the execution thereof, or willfully or illegally omit or fail to obey such order.

(b) No person who has ownership, authority, tenancy or control over the property involved in violation of subsection (a) hereof, shall aid, permit, or allow the continuation of a violation of such subsection.

(c) A corporation shall, for any violation, obstruction, interference or omission mentioned in subsection (a) or (b) hereof, forfeit and pay to the City a sum not to exceed three hundred dollars (\$300.00) to be collected in a civil action brought in the name of the City. No proof of actual damages shall be required, but the court or jury, finding other facts to justify recovery, shall determine the amount by reference to all facts, culpatory, exculpatory or extenuating, adduced upon the trial.

1311.99 PENALTY.

Whoever violates any provision of this chapter or any Code adopted herein or fails to comply with any lawful order issued pursuant thereto is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months or both. Each day during which noncompliance or a violation continues shall constitute a separate offense. The Municipality may institute injunction proceedings in Common Pleas Court to abate the nuisance of failure to cease work after receipt of a stop work order as referred to in Section 1311.07.

SECTION 2. That by reason for the immediate necessity to implement the new plan inspection and review fees. This measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants, providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	_____	16 July 2024
1 st Reading	_____	16 July 2024
2 nd Reading	_____	
PASSED	_____	16 July 2024

ATTEST Delaine Weiner
/s/ Delaine Weiner
Clerk of Council

SIGNED Phillip E. Scott
/s/ Phillip E. Scott
President of Council

APPROVED Jodie Perry
/s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

* Publication Required

BILL #24- 123 *

ORDINANCE #

24-124

BY: MS. MOUNT

Amending Sections 1321.06, 1321.11, and 1321.20 of the Mansfield Codified Ordinances of 1997, to update permit and inspection fees and declaring an emergency.

WHEREAS, the City finds it beneficial to its needs and that of the community to update and revise the permit and inspection fees. This amendment has been carefully considered and is the result of a thorough review and consultation.

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

SECTION 1. That Sections 1321.06, 1321.11, and 1321.20 of the Mansfield Codified Ordinances of 1997, as amended, be, and the same is hereby, amended to read as follows:

1321.01 TITLE; ADMINISTRATION.

(a) Title. This chapter shall be known as the "One, Two and Three Family Building Code"; it may be referred to or cited as the "Dwelling House Code", and is also referred to hereinafter as "this Code".

(b) Administration and Enforcement. Administration and enforcement of this Code shall be the duty and responsibility of the Bureau of Buildings, Inspections, Licenses and Permits, hereinafter referred to as "the Bureau".

1321.02 APPLICABILITY.

(a) Applicability. The provisions of the Dwelling House Code shall be applicable to dwellings containing one, two or three living units on individual properties or groups of dwellings containing one, two or three living units on individual properties.

(b) Validity of Other Laws. This Code shall not be construed to prevent, nor is it intended to prevent, the enforcement of other codes, statutes, ordinances or regulations which prescribe more restrictive limitations or which require higher standards.

1321.03 GRADE CHANGES APPLICABILITY.

Nothing in the Dwelling House Code shall prohibit the raising or lowering of a building or structure to meet a change of grade in the street on which it is located, providing that the building or structure is not otherwise altered.

1321.04 MAINTENANCE AND USE.

No person shall maintain, occupy or use a building or structure, or part thereof, that has been erected or altered in violation of the provisions of the Dwelling House Code, and no building or structure shall be occupied unless it is in a safe and habitable condition as prescribed in this Code.

1321.05 MATERIALS AND METHODS OF CONSTRUCTION.

Nothing in the Dwelling House Code shall be construed to prevent the use of any material or method of construction, whether or not specifically provided for in this Code, if upon presentation of plans, methods or analysis, test data or other necessary information, the Superintendent of the Bureau is satisfied that the proposed material or method of construction complies with specific provisions of or conforms to the intent of this Code.

1321.06 PERMIT.

(a) Required. No person, firm, organization or corporation shall initiate construction, alteration, removal or demolition of a building or structure or install equipment for the operation of a building or structure or change, as defined in the Code, the use or occupancy of a building or structure without first filing with the Bureau an application in writing, and obtaining a formal zoning, building, electrical and/or other permit for such construction, alteration, removal, demolition, installation, change of use or change of occupancy. If a structure is occupied prior to a final inspection, an additional fee of ~~one~~ **two** hundred fifty dollars (~~\$150.00~~ **\$250**) shall be charged for a certificate of occupancy prior to completion.

(b) Pending Construction. Nothing in the Dwelling House Code shall require changes in the plans, construction or designated use of a building or structure or portion thereof for which a lawful permit has been heretofore issued or which has been otherwise lawfully authorized, and the construction of which shall have been actually begun within ninety days after this Code becomes effective. Such entire building or structure shall be completed, as authorized, within one year thereafter, or the prior permit therefor shall be deemed void.

(c) Application Form. The application shall describe briefly the proposed work and shall give such additional information as may be required by the Bureau for an intelligent understanding of the work proposed. Application shall be made by the owner or lessee, or agent of either, or the architect, engineer or builder employed in connection with the proposed work. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee or the person making the application that the proposed work is authorized by the owner in fee and that the person making the application is authorized to make such application.

(d) Amended Applications. Nothing in this Code shall prohibit the filing of amendments to an application or to a plan or other record accompanying same, at any time before the completion of the work for which the permit was issued. Such amendments shall be filed with and be deemed a part of the original application if approved before the certificate of occupancy has been issued, otherwise, a new application for the alteration shall be made and a permit secured.

(e) Issuance of Permit. The Bureau shall examine applications for permits within a reasonable time after filing. If, after examination, there are no objections to the same and it appears that the proposed work will be in compliance with the laws and ordinances applicable thereto and the proposed construction

or work will be safe, the Bureau shall approve such application and issue a permit for the proposed work. If the examination reveals noncompliance with law, the Bureau shall reject such application and note its findings in a written report to be attached to the application, all for return to the applicant.

(f) **Compliance With Permits.** All work performed under a permit issued by the Bureau shall conform to the approved application and plans, and approved amendments thereto. The location of all new construction as shown on the approval plot plan or an approved amendment thereto, shall be strictly adhered to.

(g) **Signature to Permit.** Every permit issued by the Bureau under the provisions of this Code, shall have affixed thereto the signature of the Superintendent of the Bureau.

(h) **Expiration of Permit.** Failure to commence work under an approved permit within six months of its issuance shall be deemed to be an expiration of such permit by reason of nonuse and a new permit shall be required before the work approved by the lapsed permit may be started.

(i) **Posting of Permit.** A copy of the permit shall be kept on the premises for public inspection during the prosecution of the work and until the completion of the same.

(j) **Penalty Fee.** Any permit not applied for in writing before work is commenced shall be subject to a one hundred percent (100%) penalty fee in addition to the regular fees provided in this chapter for all work done under such a permit. This penalty fee shall not apply to emergency work.

1321.07 PLANS.

(a) **Requirements.** Application for permits shall be accompanied by two sets of plans of the proposed work, drawn to scale and showing when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams, as may be required by the Bureau.

(b) **Plot Plan.** There shall be submitted a plot plan in a form and size designated by the Bureau for filing permanently with the permit record, drawn to scale, with all dimensions figured, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot and other buildings or structures on adjoining property within fifteen feet of the property lines; it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

(c) **Approved Plans.** One set of plans, after approval, shall be retained by the Bureau and one set shall be returned to the applicant to be maintained by him upon the site specified in the plans. Such plans shall be made available to all personnel of the Bureau at such site, upon request, during regular working hours and shall be so maintained until the work has been completed. Duplicate sets of plans may be approved by the Bureau upon payment of a fee of one dollar (\$1.00) per page thereof. The approved plans retained by the Bureau shall in all cases be deemed the official plans for the work and shall be controlling in the event of any discrepancies between sets of plans.

(d) **Partial Plans.** Nothing in the Dwelling House Code shall be construed to prevent the Bureau from issuing a permit for the construction of part of a building or structure before the entire plans and detailed

statements of such building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted for the same and have been found to comply with this Code.

1321.08 MINOR REPAIRS.

Minor and ordinary repairs to buildings may be made without application or notice to the Bureau; but such repairs shall not include the cutting away of any wall, partition or portion thereof; the removal or cutting of any structural beam or bearing support; the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit requirements; nor shall ordinary repairs include the addition to, the alteration of, or the replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

1321.09 LOTS.

(a) Lot Line Markers. Before any work is started in the construction of a building or an addition to a building, all boundary lines, established by records in possession of the owner, shall be clearly marked at their intersections with permanent markers or with markers which are offset.

(b) Lot Areas. No person shall reduce or diminish the area of a lot or plot of which a plot plan has been filed as the basis for a permit unless a revised plot plan showing the proposed change shall have been filed and approved; providing that this shall not apply when the lot is reduced by reason of a street opening or widening or other public improvement.

1321.10 WORK NOTICE.

The Bureau shall be given at least twenty-four hours notice before any work is started under a permit.

1321.11 PERMIT AND INSPECTION FEES.

(a) The fee for building permits for new work or additions shall be at the rate of ~~eighty~~ **one hundred twenty-five** dollars (~~\$80.00~~ **\$125**) per structure, plus ~~two~~ **five** dollars and ~~fifty cents~~ (~~\$2.50~~ **\$5.00**) for each 100 square feet of floor surface, including basement, cellar and subcellar floors, measuring the outside dimensions of the building at each floor level. The fee for building permits for alterations shall be at the rate of ~~eighty~~ **one hundred twenty-five** dollars (~~\$80.00~~ **\$125**) per structure, plus ~~two~~ **five** dollars and ~~fifty cents~~ (~~\$2.50~~ **\$5.00**) per 100 square feet of the gross area of each floor level where the alteration or change of use is to be made.

(b) Any homeowner, mortgage, loan, rental, leasing or management institution or agency, including Federal and State agencies, and any real estate broker or other person having an interest therein, may have a residential structure inspected by the Bureau to determine such structure's degree of compliance with the provisions of the Dwelling House Code. The fee for such inspection shall be one hundred fifty dollars (\$150.00).

1321.12 EXISTING BUILDINGS.

(a) Except as provided in this section, alterations and repairs to existing buildings shall be made in conformance with all requirements of the Dwelling House Code for new buildings.

(b) When the cost of repairs or alterations required by reason of fire or other catastrophe exceeds twenty-five percent (25%) but does not exceed fifty percent (50%) of the physical value of the building immediately prior to the fire or other catastrophe, the Bureau shall determine the degree to which such repairs or alterations shall conform to new building requirements.

(c) When the cost of repairs or alterations required by reason of fire or other catastrophe does not exceed twenty-five percent (25%) of the physical value of the building immediately prior to the fire or other catastrophe, the Bureau shall permit restoration of such building to its prior condition with use of the same kind of materials as originally used in its construction, providing that such reconstruction does not endanger the general public health, safety and welfare.

(d) If a portion of a building damaged by fire or other catastrophe in alteration or repair is changed in occupancy, such portion shall be separated from the remainder with required vertical and horizontal fire divisions and such alteration or repair shall conform to the requirements established for such new use and occupancy. The remainder of such building shall be required to comply with exit requirements of this Code.

(e) For purposes of this section, the physical value of a building shall be determined by the Superintendent to be the current replacement cost.

1321.13 INCREASE IN SIZE.

If any building is increased in floor area or number of stories, the entire building shall be made to conform with the requirements of the Dwelling House Code, as related to means of egress, fire safety, light and ventilation.

1321.14 ADOPTION OF INTERNATIONAL ONE- AND TWO-FAMILY DWELLING CODE.

(a) There is hereby adopted and incorporated by reference as if set forth herein that certain code known as the International One- and Two-Family Dwelling Code, 1998 edition, and supplements thereto as published by the International Code Council, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of building, mechanical, plumbing and electric systems, subject to the modifications provided in this section and this chapter. The provisions thereof shall be controlling as pertains to one-family, two-family and three-family dwellings and buildings, not more than three stories in height within the jurisdiction of the City. Multiple family dwellings having more than three dwelling units, except as provided in the OBBC for multiple single family units, boarding houses and similar buildings arranged for shelter and sleeping accommodations for more than five individuals who are primarily not transient in nature shall be governed by the Ohio Basic Building Code regulations for Use Group R-2 structures.

(b) The certain sections of the International One- and Two-Family Dwelling Code are hereby revised as follows:

Section 101.1 Insert the name of the jurisdiction as the City of Mansfield.

Table 301.2(1) Insert the applicable climatic and geographic design criteria as follows:

TABLE 301.2(1)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

ROOF SNOW LOAD (pounds per square foot)

WIND PRESSURE (pounds per square foot)

SEISMIC CONDITION BY ZONE

SUBJECT TO DAMAGE FROM

SUBJECT TO DAMAGE FROM

WINTER DESIGN TEMPERA-TURE FROM HEATING FACILITIES

RADON-RESISTANT CONSTRUCTION REQUIRED

Weathering

Frost line depth

Termite

Decay

20

90

1

Severe

38"

Moderate

St. to Mod.

10

-

Section 312.4 Revise to read as follows:

314.2 Treads and risers. The maximum riser heights shall be 8 1/4 inches (209.55 mm) and the minimum tread depth shall be 9 inches (228.6 mm). The riser height shall be measured vertically between leading edges of the adjacent treads. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The walking surface of treads and landings of a stairway shall be sloped no steeper than one unit vertical in 48 units horizontal (2-percent slope). The greater riser heights within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Section 314.4 Revise to read as follows:

314.4 Winders. Winders are permitted, provided that the depth of the tread at a point not more than 12 inches (308 mm) from the side where the treads are narrower is not less than 9 inches (228.6 mm) and the minimum depth of any tread is not less than 6 inches (152 mm). The continuous handrail required by Section 315.1 shall be located on the side where the tread is narrower.

Section 314.6 Revise to read as follows:

314.6 Circular stairways. Circular stairways shall have a tread depth at a point not more than 12 inches (305 mm) from the side where the treads are narrower of not less than 9 inches (228.6 mm) and the minimum depth of any tread shall be 6 inches (152 mm).

1321.15 (Reserved For Future Legislation.)

1321.16 NOTICE OF VIOLATION.

Whenever the Superintendent determines that a building or structure, or any work in connection therewith, which is regulated by the Dwelling House Code, is being erected, constructed, altered, repaired or demolished in violation of the plans and permit approved and issued by the Bureau, he shall serve written notice and an order upon the permit holder directing discontinuance of such violation and shall require such remedial action on the part of the permit holder as may be necessary to bring the erection, alteration, repair or demolition within the terms of the approved plans and the permit.

1321.17 DISREGARD OF NOTICE AND ORDER.

When a notice of violation and order is disregarded and the permit holder refuses or fails to comply with the same, and when no appeal has been filed against such order, the Bureau shall transmit the file relating to the matter, along with its report, to the office of the Director of Law. The office of the Director of Law may initiate and prosecute such action as shall be necessary to enjoin, restrain or compel compliance with the provision of the Dwelling House Code.

1321.18 STOP-WORK ORDER.

When the Superintendent determines that the continuance of construction, alteration, repair or demolition operations would be hazardous and contrary to the public safety and welfare by reason of noncompliance with the provisions of the Dwelling House Code, he shall, in writing, order the permit holder to cause all further work to be stopped, and shall require cessation of such operations, until the permit holder complies with the provisions of this Code.

1321.19 PREVENTATIVE ACTIONS.

The authority to refuse, revoke or suspend permits, to issue orders and notices of violation and the imposition of any other penalty provided in the Dwelling House Code shall not preclude the Director of Law from initiating and prosecuting such action as may be necessary to enjoin, restrain or prevent an unlawful erection, construction, alteration, repair, conversion or demolition.

1321.20 HEATING, VENTILATION AND AIR CONDITIONING PLAN REVIEWS AND INSPECTIONS.

(a) Heating, Ventilation and Air Conditioning Fees. The plan review and inspection fees for all residential heating, ventilation and air conditioning (HVAC) work shall be as follows:

(1) Residential replacement of HVAC unit shall have a plan review and inspection fee of ~~ninety one hundred twenty-five~~ dollars (~~\$90.00 \$125~~) per unit.

(2) Wood burning or solid fuel stove and fireplace installations shall have a plan review and inspection fee of ~~ninety one hundred twenty-five~~ dollars (~~\$80.00 \$125~~) per unit.

(3) Re-inspection after a failed inspection shall have an additional inspection fee of ~~ninety one hundred twenty-five~~ dollars (~~\$80.00 \$125~~) per unit.

1321.99 PENALTY.

Whoever violates any provision of the Dwelling House Code, or fails to comply with any lawful order issued by the Bureau under the provisions of this Code, or proceeds in the construction, erection, alteration, repair or demolition of any work in a manner which does not comply with the approved plans and permit issued for such work by the Bureau under the provisions of this Code is guilty of a misdemeanor of the first degree. Each day of violation shall be a separate offense.

SECTION 2. That by reason for the immediate necessity to implement the new permit and inspection and fees. This measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants, providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading 16 July 2024
PASSED 16 July 2024

ATTEST Delaine Weiner
/s/ Delaine Weiner
Clerk of Council

Phillip E. Scott
SIGNED /s/ Phillip E. Scott
President of Council

Wodie Perry
APPROVED /s/ Wodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

*Publication Required

BILL #24- 124 *

ORDINANCE # 24-125

BY: MS. MOUNT

Repeal sections 1325.01, 1325.02, 1325.03, 1325.04, 1325.05, 1325.06, 1325.07, 1325.08, 1325.09, 1325.10, 1325.11, 1325.12, and 1325.13 to update the National Electrical Code functions that are no longer performed by the city. Also, amending sections 1325.19 and 1325.20 of the Mansfield Codified Ordinances of 1997 to update and revise the fees, and declaring an emergency.

WHEREAS, the City finds it beneficial to its needs and that of the community to update and revise the fees and functions that are no longer performed by the city.

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

SECTION 1. That Sections 1325.01, 1325.02, 1325.03, 1325.04, 1325.05, 1325.06, 1325.07, 1325.08, 1325.09, 1325.10, 1325.11, 1325.12, 1325.13, 1325.19 and 1325.20 of the Mansfield Codified Ordinances of 1997, as amended, be, and the same is hereby, amended to read as follows:

1325.01 TITLE:

~~This chapter shall be known as the "Mansfield Electrical Code"; it may be referred to as the "Electrical Code" and is hereinafter referred to as "this Code".~~

1325.02 ADMINISTRATION AND ENFORCEMENT:

~~Administration and enforcement of this chapter shall be the duty and responsibility of the Superintendent of the Bureau of Buildings, Inspections, Licenses and Permits, hereinafter referred to as "the Bureau".~~

1325.03 APPLICABILITY:

~~The provisions of this Code shall be applicable coterminous with the legal jurisdiction of the City.~~

1325.04 VALIDITY OF OTHER LAWS:

~~This Code shall not be construed to prevent, nor is it intended to prevent, the enforcement of other codes, statutes, ordinances or regulations which prescribe more restrictive limitations or which require higher standards. In the event of any conflict between this Code or any other code, statute, ordinance or regulation, that provision of either which establishes the higher required standard shall control.~~

1325.05 MAINTENANCE AND USE.

No person shall maintain, occupy or use any building, lot or premises, or part thereof, within the jurisdiction of the City, wherein or whereon there has been an installation, alteration or repair made in violation of the provisions of this Code.

1325.06 ELECTRICAL BOARD OF EXAMINERS.

(a) There is hereby established an Electrical License and Examining Board, hereinafter referred to as "the Board". Such Board shall consist of the electrical inspector who shall act as secretary without vote and seven other members to be appointed by the Mayor. One such member shall be an officer of the City Fire Division; two members shall be local electrical contractors, regularly engaged in the business; one member shall be an individual who holds a Class B electrician's license as defined in Section 1325.12 and who has had at least six years' practical experience in general electrical work; one member shall be a resident not actively engaged in the electrical contracting business, but who has practical knowledge of electricity; one member shall be an electrical engineer not engaged in the electrical contracting business; and one member shall be an employee of the local electric utility company;

(b) Of the seven members appointed, three shall be appointed for a term of two years and four shall be appointed for a term of three years. Thereafter appointments shall be for three-year terms, except that vacancies shall be filled for the unexpired portion of the term. Members shall serve until their successors are appointed and shall serve without compensation. Initial appointments made by the Mayor hereunder shall expire at midnight, December 31, 1971 and 1972 respectively. The Board shall select its own chairman at the first meeting in each year.

(c) Any member may for cause, and after hearing, be removed by the Mayor.

(d) The Board, subject to this Code, shall adopt reasonable rules and regulations for the conduct of its meetings, hearings, examinations, investigations and other business.

(e) All records and minutes of the Board shall be filed with the Bureau.

(f) The Board may hold special meetings at the call of the chairman, or any four members, upon twenty-four hour written notice to all members of the Board.

(g) Four members shall constitute a quorum at any meeting of the Board, but no action or measure shall be acted upon without the concurrence of the majority vote of all members constituting the Board. All members of the Board shall constitute a quorum for conducting hearings upon the suspension or revocation of a license.

(h) The Director of Law shall be legal advisor to the Board.

1325.07 DUTIES OF EXAMINING BOARD.

It shall be the duty of the Electrical License and Examining Board to examine applicants for both a residential electrical contractor's license, or an electrician's license, and to recommend the granting of licenses to qualified applicants after the applicants have passed satisfactory examination. The examination shall cover matters relating to the ability and qualifications of the applicants to engage in the work of electrical contracting or wiring. It shall be the duty of the Board to hear complaints arising against the work of any licensed electrical contractor or electrician; to judge, upon written complaint, all work of a licensed electrical contractor or electrician and to make interpretations of the rules of the National Electrical Code, the statutes of the State and the ordinances of the City. Such Board shall have the power, after a hearing, to direct the Bureau of Buildings, Inspections, Licenses and Permits to revoke or to suspend, for not to exceed one year, the license of any electrical contractor or electrician for a violation of the laws of the State or ordinances of the City, governing electrical construction work or for competency or willful negligence in any electrical work; provided that written notice of a hearing stating the grounds of complaint has been given the licensee or registrant at least ten days before the hearing.

1325.08 ELECTRICAL CONTRACTORS.

For the purpose of this Code, an electrical contractor shall be any individual, partnership or corporation that proceeds with, or employs others for, the construction, alteration, repair or addition of any electrical wiring for the purpose of furnishing heat, light or power within the limits of the City. The provisions of this Code shall not be construed to prevent an individual who is the bona fide owner occupant of a residence, and who observes the provisions of this and other ordinances relating to electrical wiring, upon procuring a permit therefor, from installing, altering

or repairing by and for himself the electrical wiring on his own property or premises. No electrical contractor shall lend his license to others, or procure permits in his name for others.

1325.09 LICENSE REQUIREMENT EXCLUSIONS.

The requirements of Section 1325.11 shall not be applicable to the following:

(a) The installation, alteration or repair of electrical generation, transmission or distribution equipment, or utilization of equipment owned and operated by an electrical public utility company or the City.

(b) The installation, alteration or repair of signal communication equipment where such equipment is owned and operated by a public utility company or the City.

(c) Any work in connection with electrical equipment used for radio and television transmission, including supply wires to such equipment.

1325.10 CLASSES OF LICENSES.

Two classes of licenses shall be issued by the Electrical License and Examining Board, which shall be designated respectively as Class A, residential electrical contractor's license and Class B, electrician's license.

1325.11 ELECTRICAL CONTRACTOR'S LICENSE AND REGISTRATION.

No individual, partnership or corporation acting as an electrical contractor shall engage in the business of installing, altering or repairing within the limits of the City any electrical wiring, devices or equipment for others unless such individual, partnership or corporation is the holder of a Class A, residential electrical contractor's license, OCIEB State Electrical License or employs full time, regularly and in a supervisory capacity, a holder of such license and has registered with the City in accordance with Chapter 1333. Should the holder of the license through which a firm or corporation engaging in the business or trade terminate his relationship with such firm or corporation, such firm or corporation may continue in the business or trade, provided that within sixty days from the date of the termination of such employment, some other member, officer or full time supervisory employee of the firm or corporation obtains such license.

1325.12 ELECTRICIAN'S LICENSE.

(a) No individual shall install, alter or repair, within the City limits, any electrical wiring, devices or equipment for which a permit is required by this Code, unless such individual is the holder of a Class B license, employed under the direct supervision of the holder of an OCIEB State Electrical License or a Class A residential electrical contractor's license issued by the City and has registered with the City in accordance with Chapter 1333. Application for a B License must be made in writing on forms provided by the Electrical License and Examining Board stating the name, experience and qualifications of the applicant. Upon such applicant's passing an examination prescribed by the Board with a grade of seventy five percent (75%) or more, a license shall be granted to the individual applying for same, and his license shall grant to the individual the right to execute the work of installing, altering or repairing within the limits of Mansfield any electrical wiring, devices or equipment for which a permit is required.

Class B licenses shall be issued by the Board upon successful completion of an examination therefor. Qualifications and prerequisites for a Class B license shall be determined by the Board.

(b) No provision of this Code shall be interpreted so as to require an apprentice electrician to be the holder of a license, take an examination or pay any fee before engaging in his trade during the first four years of his apprenticeship, provided he is employed under the direct supervision of a licensed electrician. Electrical contractors shall register the names of all apprentice employees with the Bureau of Buildings, Inspections, Licenses and Permits.

1325.13 LICENSE FEES.

(a) Each license shall expire at 12:00 midnight, December 31 of each year. Application for the renewal of each license shall be made within thirty days before the expiration date of the old license, and the license shall be renewed for a period of one year beginning January 1. Should the licensee fail to apply for renewal within a thirty-day period prior to December 31, the license shall become null and void. However, a license holder may reinstate his license by paying the license fee within one year without having to take an examination. The lending of a license to an unlicensed contractor is prohibited.

(b) The schedule of fees shall be as follows:

	Examination	License	Renewal
Class A (Contractor)	\$25.00	\$100.00	\$75.00
Class B (Journeyman Electrician)	25.00	25.00	25.00

(c) There shall be no Mansfield City license required of a contractor who holds an OCIEB license, however that contractor must register with the City in accordance with Chapter 1333.

1325.14 RESERVED.

1325.15 DEFINITIONS.

For the purpose of this Code, "plant" means a manufacturing or industrial concern which maintains its own electricians to alter, repair or install electrical wiring, devices or equipment within its existing plant and office building. Such plants shall be exempt from the requirements of this chapter, and shall not be required to obtain permits, providing the work performed meets the minimum requirements of the National Electrical Code and this chapter, and the right is reserved for the electrical inspector to make periodic inspections at reasonable hours.

Persons, firms or corporations engaged in the manufacture or repairs of electrical equipment and appliances, excluding the installation of electrical wiring on purchaser's property or premises for same, are exempt from the requirements of this chapter.

1325.16 PUBLIC UTILITY.

Public utility companies engaged in the manufacture or distribution of electrical energy for commercial purposes shall not be licensed or required to obtain permits as issued under this chapter or to pay inspection fees for the purpose of communication, metering or for the generation, control, transformation, transmission and distribution of energy. The point of termination of the utility's service conductors, primary or secondary, shall be the limit of exemptions to the electric utility except as to the metering thereof and other exemptions specifically covered by this chapter. The electric utility will be allowed to restore service temporarily in emergencies such as storms and accidents. Telephone, telegraph and district messenger companies shall not be required to obtain permits as issued under this chapter, or to pay inspection fees, for the operation of signals, control circuits or the transmission of intelligence.

1325.17 ELEVATORS.

No permit or license shall be required for the installation, maintenance or wiring of electrical devices or equipment in connection with elevators, either passenger or freight, dumbwaiters, escalators or their accessories, when such installations are made in accordance with specifications of the Industrial Commission of Ohio, covering specific requirements for the construction, inspection, maintenance and operation of elevators, and in compliance with Ohio R.C. Chapter 4105.

1325.18 PERMITS AND FEES.

(a) No electrical wiring devices or equipment shall be installed in structures or buildings in the City without first obtaining a permit to do so from the Bureau of Buildings, Inspections, Licenses and Permits. Electrical permits shall be issued only to a holder of a Class A license, State of Ohio License issued by OCIEB, or a bona-fide owner-occupant of a residence as permitted in this chapter.

(b) Applications for permits shall be made to the office of the Bureau by the individual, partnership or corporation installing the wiring, devices or equipment. Such applications and permits shall describe and specify the work to be done and the fee for such permit shall be as provided by the inspection fee set forth in Section 1325.19.

(c) No owner or person in charge of any structure or building shall contract for any work within the scope of this chapter with an unlicensed contractor or allow such work to commence unless the required permit has first been obtained.

1325.19 FEES.

(a) Residential Construction and Alterations. ~~Eighty~~ **One Hundred Twenty-Five** dollars (~~\$80.00~~ **\$125.00**) per structure, plus ~~two~~ **Five** dollars and ~~fifty cents~~ (~~\$2.50~~ **\$5.00**) per each 100 square feet of floor surface.

(b) Miscellaneous Residential Inspections. ~~Fifty~~ **Eighty-five** dollars (~~\$55.00~~ **\$85.00**) shall be charged for all miscellaneous residential inspections and reinspections.

(c) Residential Meter Reinstallation. ~~Fifty~~ **Eighty-five** dollars (~~\$55.00~~ **\$85.00**) shall be charged for the simple reinstallation of a residential meter.

(d) Residential Service Charge. ~~Fifty~~ **Eighty-five** dollars (~~\$55.00~~ **\$85.00**) shall be charged for a residential service change only.

(e) Commercial Buildings. Rates shall be as established in Section 1311.09, as it relates to the Ohio Basic Building Code.

(f) Commercial Meter Reinstallation. ~~Eighty~~ **One Hundred Twenty-Five** dollars (~~\$80.00~~ **\$125.00**) shall be charged for the simple reinstallation of a commercial meter.

(g) Commercial Service Change. ~~Eighty~~ **One Hundred Twenty-Five** dollars (~~\$80.00~~ **\$125.00**) shall be charged for a commercial service change only.

(h) Residential Electric Generator Installation. ~~Fifty~~ **Eighty-five** dollars (~~\$55.00~~ **\$85.00**) shall be charged for the installation of a residential generator.

(i) Commercial Electric Generator Installation. ~~Eighty~~ **One Hundred Twenty-Five** dollars (~~\$80.00~~ **\$125.00**) shall be charged for the installation of a commercial generator.

(i) Inspection at Request of Agency or Broker. Notwithstanding the foregoing provisions of this section, any mortgage, loan, rental, leasing or management institution or agency, including federal and state agencies, and any real estate broker or other person having an interest therein, may have a residential structure inspected by the Bureau of Buildings, Inspections, Licenses and Permits to determine such structure's degree of compliance with the provisions of this Code. The fee for such inspection shall be one hundred fifty dollars (\$150.00).

1325.20 TEMPORARY SERVICE PERMIT.

The Bureau of Buildings, Inspections, Licenses and Permits may grant special permission, for not to exceed six months, but the special permission may be extended for good cause shown, for the installation or use of temporary electric wiring and equipment which does not conform with the regulations of this Code. The owner and/or agent of such wiring or equipment shall be directly and legally responsible and accountable for the safe condition of the installation at all times and its complete removal at the end of the fixed temporary period, as set by the Bureau. A fee of ~~Fifty~~ **Eighty-five** dollars (~~\$55.00~~ **\$85.00**) shall be charged for residential temporary

service and a fee of ~~Eighty~~ **One Hundred Twenty-Five** dollars (~~\$80.00~~ **\$125.00**) shall be charged for commercial temporary service such as wiring at building construction or remodeling, carnivals, circuses, theatrical acts, exhibitions and all places of temporary outdoor assembly. All electric wiring and equipment shall be isolated from the public by proper elevation and guarding, and all electric fuses and switches shall be installed in approved enclosures. Cable laid on the ground in areas traversed by the public shall be buried in trenches or protected by approved covers.

1325.21 QUALIFICATIONS FOR ELECTRICAL INSPECTOR.

In order to be an electrical inspector, a person must meet the following qualifications:

Be a citizen of at least twenty-one years of age, be a resident of the State prior to applying for the position as inspector and must have had at least seven years' practical experience as either electrician or electrical contractor or show proof that past associations in some branch of the electrical industry equal or surpass this requirement. The seven years' practical experience requirement may be waived if the applicant is a graduate of an accredited electrical engineering or inspectors course. He must also be of good moral character and possess executive ability requisite for the efficient performance of the position of electrical inspector. (see Section 1301.03(b).)

1325.22 DUTIES OF THE ELECTRICAL INSPECTOR.

(a) It shall be the duty of the Superintendent of the Bureau of Buildings, Inspections, Licenses and Permits to see that the provisions of this Code are enforced and he shall supervise and direct the making of inspections of all electrical installations, as provided in this Code. It shall also be his duty to serve as an advisory nonvoting member of the Electrical License and Examining Board.

(b) Subject to the provisions of Section 1301.12, an electrical inspector shall have the right during reasonable hours to enter any building in the discharge of his official duties, for the purpose of making inspections, and re-inspections of the installation of electrical wiring, devices and equipment therein; and shall have the authority to order the disconnecting of any wire in case of emergency, when necessary for the safety of life or property. Electrical inspectors shall be empowered to order the disconnecting of equipment found to be dangerous to life or property, when such equipment is defective or defectively installed until such wiring, devices and equipment and their installations have been made safe, and have been approved by such electrical inspector.

(c) When the electrical contractor has completed any portion of the wiring that will be concealed within a building he shall notify the Bureau which shall, within a reasonable time of such notification, inspect the portion completed. If such portion should pass inspection, an electrical inspector will leave his ticket of approval covering that part of the installation.

(d) When the electrical contractor has completed the entire installation of wiring, devices and equipment, he shall notify the Bureau, which shall within a reasonable time of such notification inspect the complete installation. If the installation should pass inspection, an electrical inspector will leave his ticket of approval covering the completed installation. If the completed installation shall pass inspection, then the Bureau shall issue its final certificate.

1325.23 ADOPTION OF NATIONAL ELECTRICAL CODE.

There is hereby adopted that certain code known as the National Electrical Code, NFPA 70, as promulgated by the National Fire Protection Association. All installations shall be in strict conformity with the provisions of this chapter, the statutes of the State and rules adopted pursuant thereto, and the National Electrical Code and shall be in conformity with approved standards of construction for safety to life and property. Conformity with the published regulations as set out in the National Electrical Code, NFPA 70, its supplements and revisions, shall be prima facie evidence of conformity with such approved standards. In case of complaint or controversy, the Electrical License and Examining Board shall have the responsibility for making interpretations of the rules of the National Electrical Code, for deciding upon the approval of devices, equipment and materials, and for granting a special permission contemplated in a number of the rules of the National Electrical Code. The decisions of the Board shall be made in writing. Where special conditions are mentioned in the National Electrical Code and where permission for the approval of devices, equipment and materials is required thereunder, the Board shall make its ruling covering such conditions or permissions in writing, after due consideration of the facts.

1325.24 RIGHT OF APPEAL.

Any individual aggrieved by a decision of the Bureau of Buildings, Inspections, Licenses and Permits may set forth his complaint in writing and present the same, accompanied by a fee in the amount of thirty dollars (\$30.00), which fee shall be refunded if the Bureau's decision is wholly reversed, at any meeting of the Electrical License and Examining Board for adjudication and hearing. The complainant may be personally present and be represented by counsel. The decision of the Board shall be subject to appeal in accordance with the provisions of Section 1301.20 et seq.

1325.25 PENDING CONSTRUCTION.

Nothing in this Code shall require changes in plans for installation, alteration or repair for which a lawful permit has been heretofore issued or which has been otherwise lawfully authorized, and the work of which shall have been actually begun within thirty days after this Code becomes effective. Such installation, alteration or repair shall be completed, as

authorized, within a reasonable period of time to be designated by the Bureau of Buildings, Inspections, Licenses and Permits, or the prior permit therefor shall be deemed void.

1325.26 COMPLIANCE WITH PERMITS.

All work performed under a permit issued by the Bureau of Buildings, Inspections, Licenses and Permits shall conform to the approved application and plans, and approved amendments thereto.

1325.27 EXPIRATION OF PERMIT.

Failure to commence work under an approved permit within six months of its issuance shall be deemed to be an expiration of such permit by reason of nonuser and a new permit shall be required before the work approved by the lapsed permit may be started.

1325.28 POSTING OF PERMIT.

A copy of the permit shall be kept on the premises for public inspection during the prosecution of the work and until the completion of the same.

1325.29 AMENDED APPLICATIONS.

Nothing in this Code shall prohibit the filing of amendments to an application or to a plan or other record accompanying same, at any time before the completion of the work for which the permit was issued. Such amendments shall be filed with and be deemed a part of the original application if approved before the certificate of approval has been issued, otherwise, a new application shall be made and a permit secured.

1325.30 NONRESIDENT JOURNEYMEN ELECTRICIANS.

Any electrical contractor holding a Class A license or OCIEB State License issued under this chapter may employ nonresident journeymen electricians on major projects under contract to such license holder when Class B license holders are not available from local area labor sources. Such nonresident journeymen electricians shall obtain a Class B electrician's license for a fee of five dollars (\$5.00) without taking an examination and such license shall entitle the electrician to work for the contractor only until completion of the major project contract. Provided that such a journeyman electrician must evidence that he is the holder of the equivalent of a Class B license under this chapter if such licensing requirements are imposed in the area of his permanent residence or employment. Provided further that the Bureau of Buildings, Inspections, Licenses and Permits shall by notation therein indicate the temporary nature of a Class B license issued under this section.

1325.31 LIABILITY OF CITY.

This chapter shall not be construed as imposing on the City any liability of responsibility for damages resulting from any defective electrical work or equipment, or installation thereof, nor shall the City or any official or employee thereof be held as assuming any liability or responsibility by reason of any act or action taken in enforcing the provisions of this chapter or in carrying out the duties authorized and required by this chapter.

1325.99 PENALTY.

No person shall violate any provision of this chapter, nor fail to comply with any lawful order issued by the Bureau of Buildings, Inspections, Licenses and Permits under the provisions of this chapter, nor proceed with the installation, alteration or repair of any work in a manner which does not comply with the approved plans and permit issued for such work by the Bureau under the provisions of this chapter. Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree.

SECTION 2. That by reason for the immediate necessity to implement the new permit and inspection and fees. This measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants, providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading 16 July 2024
PASSED 16 July 2024

Delaine Weiner

/s/ Delaine Weiner
Clerk of Council

ATTEST

Phillip E. Scott

/s/ Phillip E. Scott
President of Council

SIGNED

Jodie Perry

/s/ Jodie Perry
Mayor

APPROVED

APPROVED AS TO FORM:

Roeliff E. Harper
Law Director
City of Mansfield, Ohio

* Publication Required

BILL #24-127

ORDINANCE # 24-128

BY: MR FALQUETTE

Authorizing the Public Works Director to accept and appropriate a donation from Coca-Cola in the amount of Seventy-Five Thousand and 00/100 dollars (\$75,000.00) for the new basketball court at Liberty Park and declaring an emergency.

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

SECTION 1. That the Public Works Director be, and is hereby, authorized to accept a donation in the amount of Seventy-Five Thousand and 00/100 dollars (\$75,000.00) from Coca-Cola for the new basketball court at Liberty Park, and the City expresses its sincere appreciation to Coca-Cola.

SECTION 2. That the sum of Seventy-Five Thousand 00/100 dollars (\$75,000.00) be, and the same is hereby, appropriated from the unappropriated Parks & Recreation Fund (#236) to the Parks and Recreation Operations (236.18.01) Capital Outlay Classification.

SECTION 3. That by reason of the immediate necessity to accept the donation and complete the new basketball court. This measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading _____
PASSED 16 July 2024

ATTEST *Delaine Weiner*
/s/ Delaine Weiner
Clerk of Council

SIGNED *Phillip E. Scott*
/s/ Phillip E. Scott
President of Council

APPROVED *Jodie Perry*
/s/ Jodie Perry
Mayor

APPROVED AS TO FORM: **Roeliff E. Harper**
Law Director
City of Mansfield, Ohio

24-129

BILL #24-128 *

ORDINANCE #

BY: MS. MOUNT

Amending the Zoning Districts Map of the City of Mansfield, Ohio (Ordinance #04-208) to rezone ten acres of the Walker Lake Condos located at North Home Road and Spring Village Lane from Zoning Classification MF (Multi-Family) to PUD (Planned Unit Development) Classification, and declaring an emergency.

WHEREAS, the recommendation of the City Planning Commission for this proposed amendment (Petition #002) has been on file with the Clerk of Council for not less than thirty (30) days before the date of the public hearing and

WHEREAS, notice of the public hearing has been given by publication at least thirty (30) days before said hearing, by written notice mailed to all owners of property within, contiguous to, and across the street from the area proposed to be rezoned at least twenty (20) days before said hearing, and by placement of an appropriate sign upon the property stating the nature of the rezoning, the date, time and place of the public hearing, and a description of the lots and parcels being considered for rezoning.

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

SECTION 1. That the Zoning Districts Map, a part of the Zoning Code of the City of Mansfield, Ohio (Ordinance #04-208) be, and the same is hereby, revised by rezoning Walker Lake Condos located at North Home Road and Spring Village Lane from Zoning Classification MF (Multi-Family) to PUD (Planned Unit Development) Classification, as shown on Exhibits A, as recorded in the Richland County Auditor's Office for the following parcel number 027-04-158-06-000.

SECTION 3. That by reason of the immediate necessity for initiating this request without delay so as to enhance this area, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading
PASSED 16 July 2024

SIGNED /s/ Phillip E. Scott
President of Council

ATTEST /s/ Delaine Weiner
Clerk of Council

APPROVED /s/ Lodie Perry
Mayor

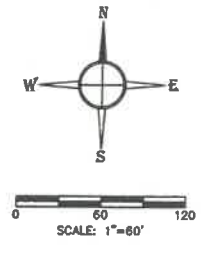
APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

* Publication required.

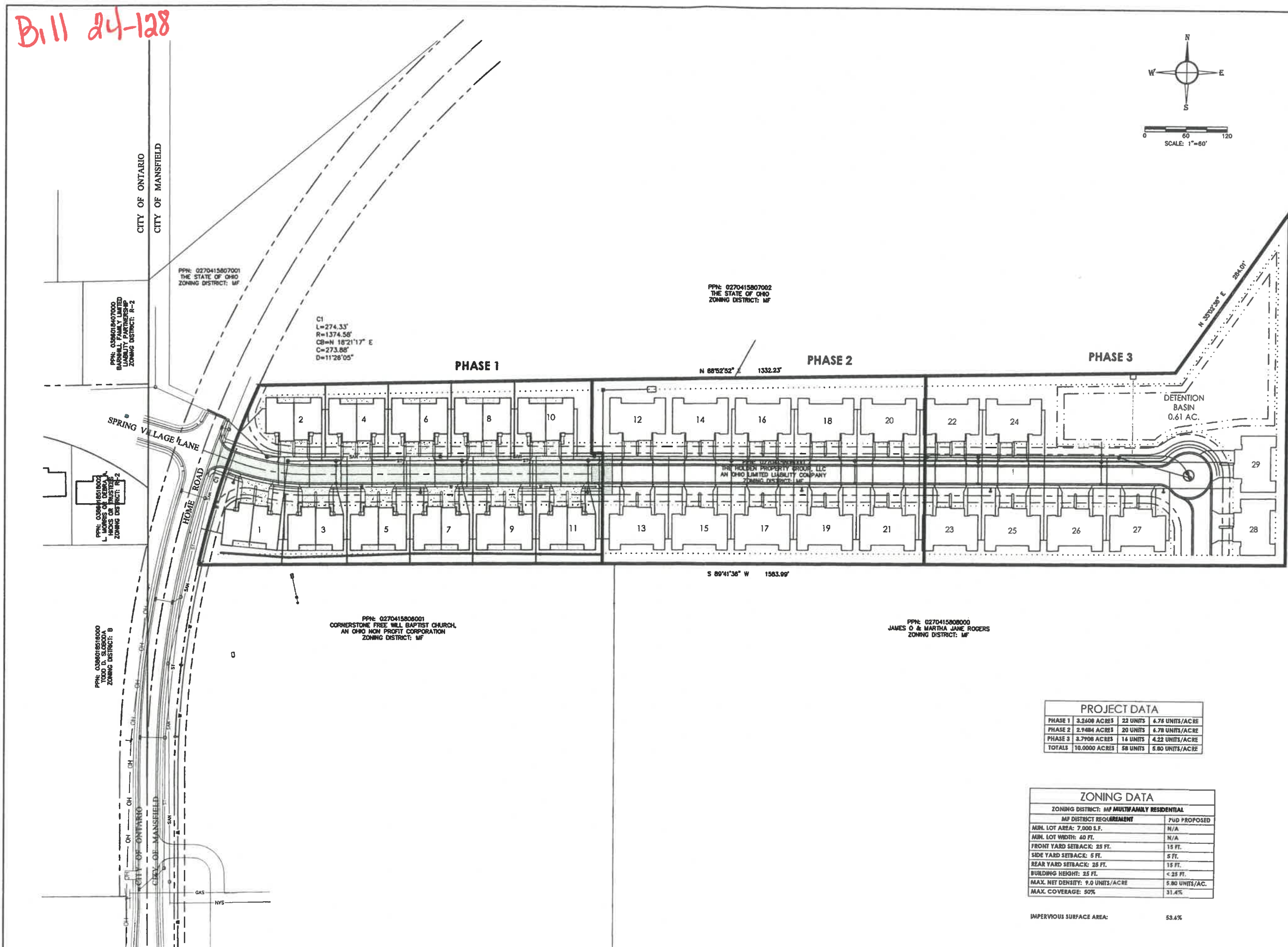
Bill 24-128

REVISIONS

DATE	DESCRIPTION
08/04/23	PRELIMINARY



MARSH ENGINEERING SOLUTIONS, LLC
 design tailored with ingenuity
 1844 DEBUSSET ROAD, COLLINS, OHIO 44824
 419.921.1175
 derrick@marshengineering.com



PPN: 0366016518000
 TODD D. SLOBODVA
 ZONING DISTRICT: B

PPN: 0366016518000
 L. MOSES O. DEBRA
 ZONING DISTRICT: B-2

PPN: 0366016407000
 BLANKET PLAN
 ZONING DISTRICT: R-2

PPN: 0270415807001
 THE STATE OF OHIO
 ZONING DISTRICT: MF

PPN: 0270415807002
 THE STATE OF OHIO
 ZONING DISTRICT: MF

CI
 L=274.33'
 R=1374.56'
 CB=N 18°21'17" E
 C=273.86'
 D=11°28'05"

PPN: 0270415806001
 CORNERSTONE FREE WILL BAPTIST CHURCH,
 AN OHIO NON PROFIT CORPORATION
 ZONING DISTRICT: MF

PPN: 0270415808000
 JAMES O & MARTHA JANE ROGERS
 ZONING DISTRICT: MF

PROJECT DATA

PHASE	ACRES	UNITS	UNITS/ACRE
PHASE 1	3.2406	22	6.78
PHASE 2	2.9484	30	6.78
PHASE 3	3.7908	14	4.22
TOTALS	10.0000	56	5.80

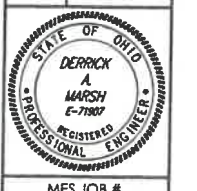
ZONING DATA

ZONING DISTRICT: MF MULTIFAMILY RESIDENTIAL	MF DISTRICT REQUIREMENT	PUD PROPOSED
MIN. LOT AREA:	7,000 S.F.	N/A
MIN. LOT WIDTH:	40 FT.	N/A
FRONT YARD SETBACK:	25 FT.	15 FT.
SIDE YARD SETBACK:	5 FT.	5 FT.
REAR YARD SETBACK:	25 FT.	15 FT.
BUILDING HEIGHT:	25 FT.	< 25 FT.
MAX. NET DENSITY:	9.0 UNITS/ACRE	5.80 UNITS/AC.
MAX. COVERAGE:	50%	31.4%

IMPERVIOUS SURFACE AREA: 53.4%

OVERALL LAYOUT

WALKER LAKE CONDOS
 SHERWOOD DRIVE, MANSFIELD, OHIO 44804



MES JOB #
 2023-040
 SHEET #
 SP-1

BILL #24-129*

ORDINANCE # 24-130

BY: MS. MOUNT

Vacating a portion of Princeton Street between Grasmere Ave and Harvard Avenue and an unnamed alley and between Lot Nos. 9291 and 9292, and retaining the utility rights and easements therein, and declaring an emergency.

WHEREAS, a petition by persons owning property abutting the portion of Princeton Street between Grasmere Avenue and an unnamed alley, and between Lot Nos. 9291 and 9292 to be vacated therein was heretofore presented to Council praying that said dedicated portion of the street right-of-way adjacent thereto be vacated and

WHEREAS, Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for, that it will not be detrimental to the general interest, and should be made.

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

SECTION 1. That is a portion of Princeton Street between Grasmere Ave and Harvard Avenue and an unnamed alley and between Lot Nos. 9291 and 9292, of which is more particularly described and depicted in Exhibit "A," the Petition to Vacate, now available on file with the Clerk of Council, be, and the same is hereby vacated, saving and reserving all utility rights and easements therein.

SECTION 2. That by reason of the immediate necessity for vacating a portion of Princeton Street between Grasmere Ave and Harvard Avenue and an unnamed alley and between Lot Nos. 9291 and 9292, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading _____
PASSED 16 July 2024

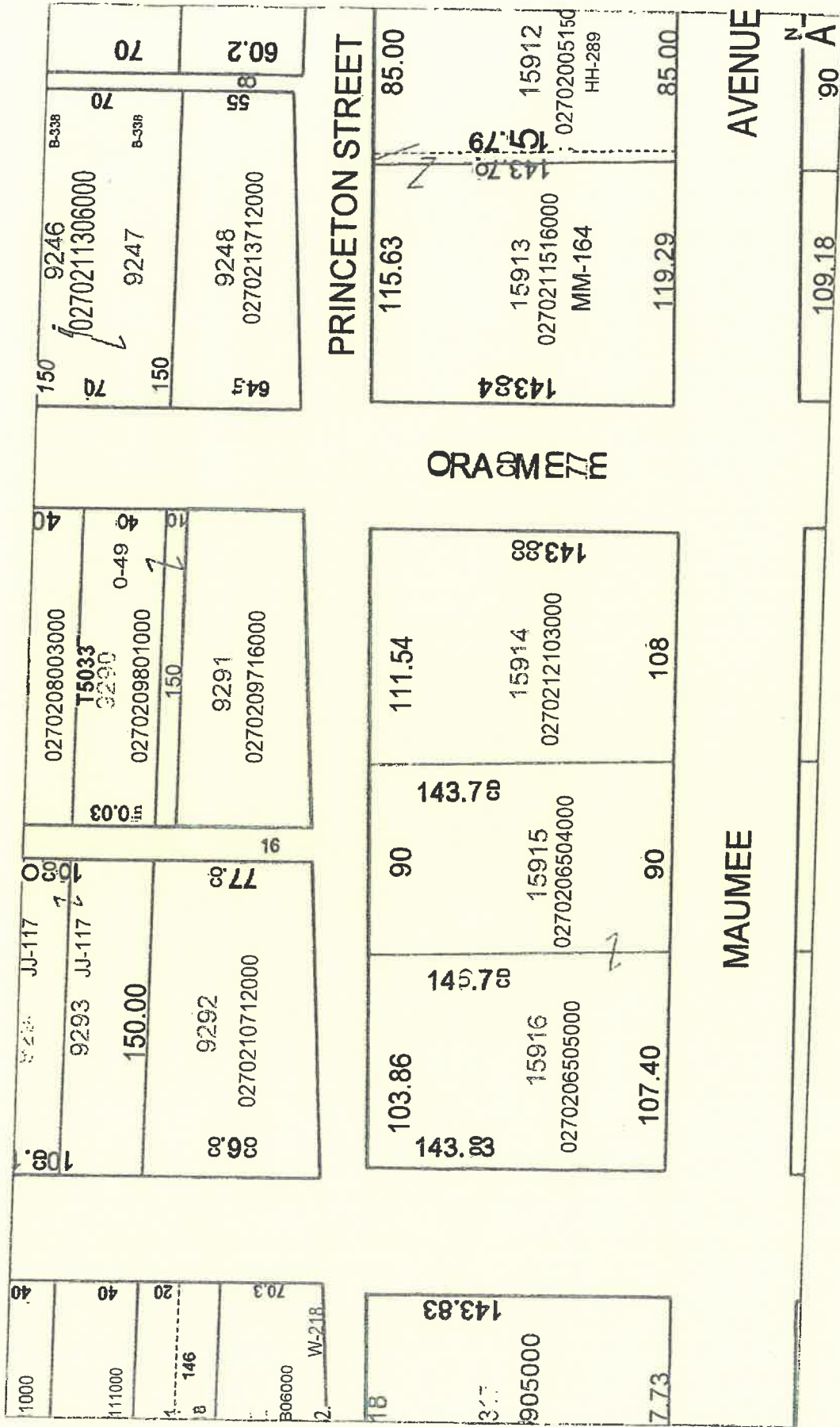
ATTEST Delaine Weiner
/s/ Delaine Weiner
Clerk of Council

SIGNED Phillip E. Scott
/s/ Phillip E. Scott
President of Council

APPROVED Lodie Perry
/s/ Lodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

* Publication required.



BILL #24-131*

ORDINANCE # 24-132

BY: ALL MEMBERS OF COUNCIL

Authorizing the Public Works Director to enter into an agreement with the Richland County Commissioners for Building Department Services, and declaring an emergency.

WHEREAS, both the County and the City have adopted the Ohio Building Code (hereinafter referred to as "OBC"), the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings (hereinafter referred to as "RCO"), and related codes as adopted by the Ohio Board of Building Standards, Department of Commerce as published in Division 4101:1 of the Ohio Administrative Code, and

WHEREAS, the County enforces the OBS and RCO through its Building Department, while the City enforces the OBC and RCO through its Permitting and Development Department, and

WHEREAS, each said department is certified in accordance with Section 3781.10 of the Ohio Revised Code, for both residential and non-residential buildings, and

WHEREAS, the County and the City are each required to have respective personnel qualified to execute the duties required for the exercise of enforcement authority, the review, and the approval of construction documents, and the performance of inspections under the rules of the board, and

WHEREAS, both parties wish to furnish to the other certified personnel as necessary for both primary and backup enforcement of the OBC and RCO, and

WHEREAS, the County adopted a Resolution on _____, 2024, authorizing the County to enter into this agreement, and

WHEREAS, on July 16th, 2024 the City enacted Ordinance # 24-132 authorizing the City to enter into this Agreement.

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

SECTION 1. That the City and the County shall maintain all required certifications of personnel as required by the state and local codes.

SECTION 2. That the hourly rates for personnel (except Building Official and Master Plans Examiner consultants) shall be billed at the rate of \$75.00 per hour, in increments of 0.5 hours.

SECTION 3. That Plan Review will be performed as much as possible in-house. However, it is understood that large projects (i.e. hospitals, churches, correctional facilities) may be sub-contracted to Consultant Plans Examiners. Each jurisdiction may maintain its own Consultants as needed. Expenses for Consultant Building Official and Master Plans Examiners services will be billed to each jurisdiction directly based on the hourly rate (or another rate as contracted) with each consultant without any markup. Consultant services shall be billed in accordance with this frequency and schedule as allowed by this agreement.

SECTION 4. That the billing be based on a quarterly basis or as otherwise agreed to by the parties of this agreement.

SECTION 5. That the County will maintain liability insurance coverage for its personnel through CORSA. The City will maintain liability insurance coverage for its personnel through its duly selected insurance carrier.

SECTION 6. That the legal services will be provided by the County through the Prosecutor's Office and the City through its Law Director's Office, respective of each jurisdiction. Required legal services and responsibility for such enforcement shall be based on the subject address of the violation and not by the jurisdiction of the personnel who wrote orders for enforcement.

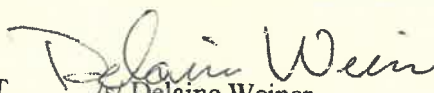
SECTION 7. That all amendments to this agreement shall be in writing, approved by the respective governmental bodies, and made a part of this agreement.

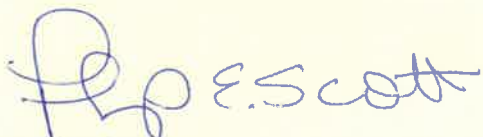
SECTION 8. That the initial term of this agreement shall be for a period of one year, beginning with the date it is fully executed by the parties. Thereafter, this agreement will automatically renew for successive one-year periods unless terminated in accordance with this agreement.


SECTION 9. Either party may terminate this agreement at will at any time during the initial term or any subsequent term by giving the other party a 60-day written notice of its intent to terminate.

SECTION 10. That by reason of the immediate need to execute the contract and start using the services in this agreement, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	16 July 2024
1 st Reading	16 July 2024
2 nd Reading	
PASSED	16 July 2024

ATTEST 
/s/ Delaine Weiner
Clerk of Council


SIGNED /s/ Phillip E. Scott
President of Council


APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

* Publication required.

**AGREEMENT TO PROVIDE BUILDING DEPARTMENT
SERVICES BETWEEN RICHLAND COUNTY AND THE CITY OF MANSFIELD**

THIS AGREEMENT, entered into between the Board of County Commissioners, Richland County, Ohio, (hereinafter referred to as "County"), and the City of Mansfield, Ohio, an Ohio municipal corporation, (hereinafter referred to as "City), this _____ day of _____, 2024.

WHEREAS, both the County and the City have adopted the Ohio Building Code (hereinafter referred to as "OBC"), the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings (hereinafter referred to as "RCO"), and related codes as adopted by the Ohio Board of Building Standards, Department of Commerce as published in Division 4101:1 of the Ohio Administrative Code, and

WHEREAS, the County enforces the OBC and RCO through its Building Department, while the City enforces the OBC and RCO through its Permitting and Development Department, and

WHEREAS, each said department is certified in accordance with Section 3781.10 of the Ohio Revised Code, for both residential and non-residential buildings, and

WHEREAS, the County and the City are each required to have respective personnel qualified to execute the duties required for the exercise of enforcement authority, the review and approval of construction documents, and the performance of inspections under the rules of the board, and

WHEREAS, both parties wish to furnish to the other certified personnel as necessary for both primary and backup enforcement of the OBC and RCO, and

WHEREAS, the County adopted a Resolution on _____, 2024, authorizing the County to enter into this Agreement, and

WHEREAS, on _____, 2024 the City enacted Ordinance #24-_____ authorizing the City to enter into this Agreement.

NOW, THEREFORE, in consideration of the promises and covenants hereinafter set forth, the parties hereto agree as follows:

- The City and the County shall provide to the other certified personnel, when requested, for enforcement of the OBC and RCO. All requests shall be subject to availability of personnel as determined in each jurisdiction's sole discretion. Personnel shall be provided in both primary and backup capacities.

- The City and the County shall maintain all required certifications of personnel as required by the state and local codes.
- Hourly rates for personnel (except Building Official and Master Plans Examiner consultants) shall be billed at the rate of \$75.00 per hour, in increments of 0.5 hours.
- Plan Review will be performed as much as possible in-house. However, it is understood that large projects (i.e. hospitals, churches, correctional facilities) may be sub-contracted to Consultant Plans Examiners. Each jurisdiction may maintain their own Consultants as needed. Expenses for Consultant Building Official and Master Plans Examiners services will be billed to each jurisdiction directly based on the hourly rate (or other rate as contracted) with each consultant without any markup. Consultant services shall be billed in accordance with this frequency and schedule as allowed by this agreement
- Billing shall be based on a quarterly basis or as otherwise agreed to by the parties in this agreement.
- The County will maintain liability insurance coverage for its personnel through CORSA. The City will maintain liability insurance coverage for its personnel through its duly selected insurance carrier.
- Legal services will be provided by the County through the Prosecutor's Office and City through its Law Director's Office respective of each jurisdiction. Required legal services and responsibility for such enforcement shall be based on the subject address of the violation and not by the jurisdiction of the personnel who wrote orders for enforcement.
- All amendments to this Agreement shall be in writing, approved by the respective governmental bodies, and made a part of this Agreement.
- The initial term of this Agreement shall be for a period of one year, beginning with the date it is fully executed by the parties. Thereafter, this Agreement will automatically renew for successive one-year periods unless terminated in accordance with this Agreement.
- Either party may terminate this Agreement at will at any time during the initial term or any subsequent term by giving the other party 60-day written notice of its intent to terminate

ENTERED INTO at Mansfield, Ohio, the day and year first written herein.

CITY OF MANSFIELD, OHIO

By: _____
Louis Andres
Public Works Director

COUNTY BOARD OF COMMISSIONERS

By: _____
Darrell Banks

By: _____
Cliff Mears

By: _____
Tony Vero

Attest: _____
Clerk, Stacey Crall

APPROVED AS TO FORM:

Roelliff Harper
Law Director

Andrew Keller
Richland County Administrator

BILL #24-132

RESOLUTION # 24-133

BY: MR. FALQUETTE

Annual request authorizing the Director of Finance to make transfers, among the City's appropriated funds by classification within departments and sub departments, necessary to balance accounts for proper accounting purposes at year-end (as of December 31, 2024), and declaring an emergency.

WHEREAS, this Council has heretofore made appropriations by Ordinance and transfers by Resolution relating to expenses and expenditures of the City for the year 2024 based upon financial information available during the course of the year, and

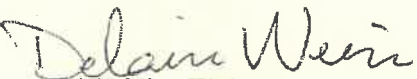
WHEREAS, the City's year-end budgeting is being monitored by the Director of Finance as chief fiscal officer of the City, and said Director has indicated that some transfers of monies will be necessary to balance accounts for year-end.

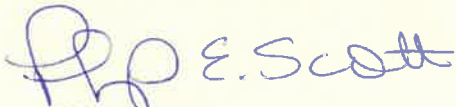
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

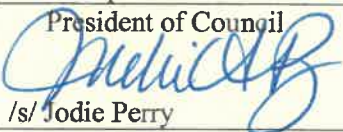
SECTION 1. That the Director of Finance be, and she is hereby, authorized to make such transfers, among the City's appropriated funds by classification, excluding Personal Services, and Employee Benefits except to transfer only between these, within departments and sub departments, in order to balance accounts for proper accounting as of December 31, 2024, provided that said Director shall furnish this Council with appropriate documentation to support each transfer made under this authorization.

SECTION 2. That by reason of the immediate necessity for authorizing the Finance Director to begin making the transfer described above in anticipation of year-end accounting procedures, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading 16 July 2024
PASSED 16 July 2024

ATTEST 
/s/ Delaine Weiner
Clerk of Council

SIGNED 
/s/ Phillip E. Scott
President of Council

APPROVED 
/s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

BILL# 24-133

ORDINANCE # 24-134

BY: MRS. BURNS

Authorizing the Public Works Director to enter into a contract with Midstates Recreation for Sterkel Park Playground equipment, and declaring an emergency.

WHEREAS, the purchase of playground equipment is necessary for phase 2 of the Sterkel Park Project.

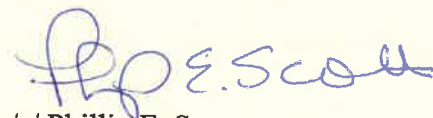
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

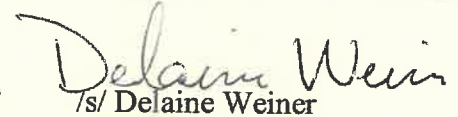
SECTION 1. That the Public Works Director be, and is hereby, authorized to enter into a contract for Sterkel Park playground equipment as shown in Attachment "A".

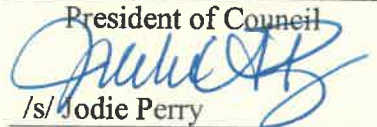
SECTION 2. That the cost of said contract shall be for an amount not to exceed Three Hundred Thousand and 00/100 dollars (\$300,000.00), to be paid from the Grant Fund (#224), Parks & Recreation Grants (224.18.30) Capital Outlay Classification.

SECTION 3. That by reason of the immediate necessity for initiating this request without delay so as to enhance this area with phase 2 of the Sterkel Park Project, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading 16 July 2024
PASSED 16 July 2024

SIGNED 
/s/ Phillip E. Scott

ATTEST 
/s/ Delaine Weiner
Clerk of Council

APPROVED 
/s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio



1279 Hazelton-Etna Road SW Attachment A
 Pataskala, OH 43062 to Bill # 24-133
 614-855-3790
 www.mldstatesrecreation.com>

QUOTATION

Sold To Sterkel Park For All + RCDG
 314 Cleveland Ave.
 Mansfield, OH, 44902
 United States

Ship To

Date	Quote #	Terms	Rep	Project	Ship Contact
2024-06-19	OTN-15993 Valid Until 07-19-2024		I'ally Hobson	2024 06 Sterkel Park For All Phase 2 - Oh Mansfield Sterkel Park For All + Rcdg	

Item Code	Description	Qty	Rate	Amount
Drawing /t	Drawing /t 23 489SD Playworld equipment and Custom parts	1.0 Unit	\$ 330,000.00	\$ 330,000.00
Customer Discount	Customer Discounts	1.0 Unit	\$ -30,000.00	\$ -30,000.00
Subtotal				\$ 300,000.00
OH ^A Lucas 7275%				\$0.00
Total				\$ 300,000.00

Playworld Sourcewell Contract # 010521-LTS
 City of Mansfield Sourcewell Membership # 32525

Acceptance of Proposal

(Please be sure you have read, signed, and initialed and understand the terms and conditions) The items, prices, and conditions listed herein are satisfactory and are hereby accepted.

Signature (Approval) _____
 Printed Name _____
 Title _____
 Date _____

TERMS AND CONDITIONS

QUOTE CONDITIONS AND ACCEPTANCE:

This quote is only valid for 30 days.

*** (Pls Initial) It is the Buyer's responsibility to verify quantities and description of items quoted. Once your order has been placed, any changes including additions, deletions, or color changes, could result in price increases, additional fees and could cause delays.



1279 Hazelton-Etna Road SW
Pataskala, OH 43062
614-855-3790
www.mldslatesrecreation.com

QUOTATION

EXCLUSIONS: Unless specified, this quote excludes all of the following but not limited to:

Required Permits/Inspections. Background Checks. Davis Bacon, Prevailing Wage or Certified Payroll
Performanc/Payment Bonds

Site Restoration

Site work, saw cutting/core drilling, and landscaping.

Removal of existing equipment

Unloading; Receiving of inventory or equipment; Storage of equipment.

Equipment assembly and/or installation

Safety surfacing; Borders or drainage requirements

Landscaping Repairs DUE to poor access or in climatic weather

FREIGHT AND DELIVERY: (if applicable)

Shipping is FOB Origin (means the buyer accepts the title of the goods at the shipment point and assumes all risk once the seller ships the product). All equipment will arrive unassembled.

*** _____ (Its Initial) Buyer is responsible to moot and provide adequate personnel/equipment to unload truck

A Check List, detailing all items shipped, will ho included with the shipment. Unless taking delivery is specifically includeo in quote.

Buyer is responsible tor ensuring the Sales Order Breakdown and Item Numbers on all boxes and pieces match the Check List.

*** (Pls initial) Shortages or damages must be noted on the driver's delivery receipt. Shortages or damages not noted become the buyers financial responsibility.

Please notify Midstates Recreation immediately of any damages.

Shortages and Concealed Damage must be reported to Midstates Recreation within 10 days of delivery.

A reconsignment fee will be charged for any changes made to delivery address after order has been placed.

TAXES:

All orders are subject to applicable sales tax unless a tax exemption form is on file at the time the order is placed

PAYMENT TERMS:

An approved Credit Application is required for new customers or customers that haven't been active in the last 18 months. Terms are check with order, or 50% down payment with approved credit (terms do vary based on references).

Balance of product & freight will be invoiced upon shipment, dun Net 10 days. 100 % prepayment required on Replacement Parts. A 3% charge will be added to all credit card orders over \$ 3,000

RESTOCKING: Items canceled, returned or refused will be subject to a minimum 25% restocking fee. All return freight charges are the responsibility of the Buyer

MAINTENANCE/WARRANTY:

Manufacturer's standard product warranties apply and cover equipment replacement and freight costs only; labor is not included.

Midstates Recreation offers no additional warranties.

Maintenance of the equipment and safety surfacing is the responsibility of the customer.

Any unauthorized alterations or modifications to the equipment (including layout) will void your warranty.

INSTALLATION: (if applicable)

Customer must locate all underground private utilities before your scheduled installation a third-party private utility service can be provided at an additional cost if necessary, /additional charges may apply if obstmction(s) are encounterec beneath the surface Not responsible for damaged/broken parts on existing playground equipment. Not responsible for



1279 Hazelton-Etna Road SW
Rataskala, OH 43062
614-855-3790
www.midstatesrecreation.com

QUOTATION

crossing sidewalks.

Acceptance of Terms & Conditions

Acceptance of this proposal, made by an authorized agent of your company, indicates agreement to the above terms and conditions.

Customer Signature
Updated:

Printed Name and Title

Date



1279 Hazelton-Etna Road SW Attachment A
 Pataskala, OH 43062 to Bill # 24-133
 614-855-3790
 www.mldstatesrecreation.com>

QUOTATION

Sold To Sterkel Park For All + RCDG
 314 Cleveland Ave.
 Mansfield, OH. 44902
 United States

Ship To

Date	Quote #	Terms	Rep	Project	Ship Contact
2024-06-19	OTN-15993		I'llally Hobson	2024 06 Sterkel Park For All Phase 2 - Oh Mansfield Sterkel Park For All + Rcdg	
	Valid Until				
	07-19-2024				

Item Code	Description	Qty	Rate	Amount
Drawing It	Drawing it 23 489SD Playworld equipment and Custom parts	1.0 Unit	\$ 330,000.00	\$ 330,000.00
Customer Discount	Customer Discounts	1.0 Unit	\$ -30,000.00	\$ -30,000.00
Subtotal				\$ 300,000.00
OH^ Lucas 7275%				\$ 0.00
Total				\$ 300,000.00

Playworld Sourcewell Contract # 010521-LTS
 City of Mansfield Sourcewell Membership # 32525

Acceptance of Proposal

(Please be sure you have read, signed, and initialed and understand the terms and conditions) The items, prices, and conditions listed herein are satisfactory and are hereby accepted.

Signature (Approval) _____
 Printed Name _____
 Title _____
 Date _____

TERMS AND CONDITIONS

QUOTE CONDITIONS AND ACCEPTANCE:

This quote is only valid for 30 days.

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1279 Hazelton-Etna Road SW
Pataskala, OH 43062
614-855-3790
www.mldslatesrecreation.com

QUOTATION

EXCLUSIONS: Unless specified, this quote excludes all of the following but not limited to:
Required Permits/Inspections. Background Checks. Davis Bacon, Prevailing Wage or Certified Payroll
Performancc/Payment Bonds
Site Restoration

Site work, saw cutting/core drilling, and landscaping.
Removal of existing equipment
Unloading; Receiving of inventory or equipment; Storage of equipment.
Equipment assembly and/or installation
Safety surfacing; Borders or drainage requirements
Landscaping Repairs DUE to poor access or in climatic weather

FREIGHT AND DELIVERY: (If applicable)

Shipping is FOB Origin (means the buyer accepts the title of the goods at the shipment point and assumes all risk once the seller ships the product). All equipment will arrive unassembled.

*** _____ (IIs Initial) Buyer is responsible to moot and provide adequate personnel/equipment to unload truck

A Check List, detailing all items shipped, will ho included with the shipment. Unless taking delivery is specifically includeo in quote.

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Please notify Midstates Recreation immediately of any damages.

Shortages and Concealed Damage must be reported to Midstates Recreation within 10 days of delivery.

A reconsignment fee will be charged for any changes made to delivery address after order has been placed.

TAXES:

All orders are subject to applicable sales tax unless a tax exemption form is on file at the time the order is placed

PAYMENT TERMS:

An approved Credit Application is required for new customers or customers that haven't been active in the last 18 months. Terms are check with order, or 50% down payment with approved credit (terms do vary based on references). Balance of product & freight will be invoiced upon shipment, dun Net 10 days. 100 % prepayment required on Replacement Parts. A 3% charge will be added to all credit card orders over \$ 3,000

RESTOCKING: Items canceled, returned or refused will be subject to a minimum 25% restocking fee. All return freight charges are the responsibility of the Buyer.

MAINTENANCE/WARRANTY:

Manufacturer's standard product warranties apply and cover equipment replacement and freight costs only; labor is not included.

Midstates Recreation offers no additional warranties.

Maintenance of the equipment and safety surfacing is the responsibility of the customer.

Any unauthorized alterations or modifications to the equipment (including layout) will void your warranty.

INSTALLATION: (If applicable)

Customer must locate all underground private utilities before your scheduled installation a third-party private utility service can be provided at an additional cost if necessary, /additional charges may apply if obstmction(s) are encounterec beneath the surface Not responsible for damaged/broken parts on existing playground equipment. Not responsible for



1279 Hazelton-Etna Road SW
Rataskala, OH 43062
614-855-3790
www.midstatesrecreation.com

QUOTATION

crossing sidewalks.

Acceptance of Terms & Conditions

Acceptance of this proposal, made by an authorized agent of your company, indicates agreement to the above terms and conditions.

Customer Signature
Updated:

Printed Name and Title

Date

BILL #24-134

ORDINANCE# 24-135

BY: MR. FALQUETTE

Authorizing payment to Jacobs Excavating in the amount of Ten Thousand and 00/100 dollars (\$10,000) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

WHEREAS, the Parks & Recreation Department contracted services with Jacobs Excavating to perform work on the Liberty Park Baseball fields prior to submission of a purchase order therefor to the Finance Department in the amount of Ten Thousand and 00/100 dollars (\$10,000), and

WHEREAS, R.C. 5705.41(D)(1) provides that the payment of three thousand dollars or more on a contract or order made by a municipality without a certificate of available funds being attached at such time must be authorized by the legislative authority after the fiscal officer subsequently certifies that the funds were available at the time the contract or order was made and that such funds are still available.

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

SECTION 1. That this Council does hereby affirm the Then and Now Certificate issued by the Finance Director relating to the request and receipt by Jacobs Excavating in the amount of Ten Thousand and 00/100 dollars (\$10,000) prior to a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to Jacobs Excavating in the amount of Ten Thousand and 00/100 dollars (\$10,000) from funds heretofore appropriated in the Parks & Recreation Fund (#236) Parks & Recreation Operations (236.18.01).

SECTION 2. That reason for the immediate need to authorize payment of this obligation within thirty days after receipt of the certificate of the Finance Director per R.C. 5705.41(D)(1), this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately after its passage, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading _____
PASSED 16 July 2024

Delaine Weiner
ATTEST /s/ Delaine Weiner
Clerk of Council

Phillip E. Scott
SIGNED /s/ Phillip E. Scott
President of Council

Jodie Perry
APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

BILL #24-135

24-136

ORDINANCE # _____

BY: MRS. MEIER

Authorizing the acceptance of funding from the Ohio Attorney General's Office in the amount of eighty thousand and 00/100 dollars (\$80,000.00) to assist with the Drug Abuse Response Team (DART) Project, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

SECTION 1. That funding from the Ohio Attorney General's Office in the amount of eighty thousand and 00/100 dollars (\$80,000.00) be, and the same is hereby, accepted, to assist with the Drug Abuse Response Team (DART) to positively impact and reduce overdoses within Richland County.

SECTION 2. That of the funds accepted by Section 1 hereof, the sum of eighty thousand and 00/100 dollars (\$80,000.00) shall currently be, and the same is hereby, appropriated from the unappropriated Grant Fund (#224) to the following Classifications:

<u>224.15.30 Police Grants</u>	
Personal Services	\$ 61,460.00
Contractual Services	\$ 17,940.00
Supplies	<u>\$ 600.00</u>
Total	\$ 80,000.00

SECTION 3. That by reason of the immediate necessity for ratifying the acceptance of said grant to assist the Mansfield Police Department in the operation of the Drug Abuse Response Team (DART) Project in accordance with grant requirements, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>16 July 2024</u>
1 st Reading	<u>16 July 2024</u>
2 nd Reading	<u>16 July 2024</u>
PASSED	<u>16 July 2024</u>

ATTEST Delaine Weiner
/s/ Delaine Weiner
Clerk of Council

SIGNED Phillip E. Scott
/s/ Phillip E. Scott
President of Council

APPROVED Jodie Perry
/s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

BILL #24-136

ORDINANCE # 24-137

BY: MR. DIAZ

Authorizing the Public Works Director to purchase, according to STS pricing contract #D0T07024-2, one (1) E88 R2-Series Bobcat Compact Excavator from Bobcat of Wooster, (480 West Henry Street, Wooster, Ohio 44691), in the amount of One Hundred Seventeen Thousand Six Hundred Seventy-Nine and 36/100 Dollars (\$117,679.36), and declaring an emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

SECTION 1. That the Public Works Director be, and is hereby, authorized to purchase pursuant to O.R.C. 125.04, without competitive bidding, from Bobcat of Wooster, (480 West Henry Street, Wooster, Ohio 44691, one (1) E88 R2-Series Bobcat Compact Excavator, for the Sewer Repair Department, at a cost not to exceed One Hundred Seventeen Thousand Six Hundred Seventy-Nine and 36/100 Dollars (\$117,679.36).

SECTION 2. That the vehicle under Section 1 hereof shall be purchased with funds from the Sewer Fund (#503) Sewer Non-Departmental Expenses (503.99.99) Capital Outlay Classification.

SECTION 3. That by reason of the immediate necessity for purchasing this equipment as quickly as possible to perform necessary sewer repair operations, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading 16 July 2024
PASSED 16 July 2024

Delaine Weiner
/s/ Delaine Weiner
Clerk of Council

ATTEST

Phillip E. Scott
SIGNED /s/ Phillip E. Scott

President of Council

Jodie Perry
APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM:
Roeliff E. Harper
Law Director
City of Mansfield, Ohio

BILL #24-137*

ORDINANCE # 24-138

BY: MR. DIAZ

Authorizing the Public Works Director to advertise for bids and enter into a contract for salt supply, and declaring an emergency.

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

SECTION 1. That the Public Works Director be, and he is hereby, authorized to advertise for bids and to enter into a contract with the lowest and best bidder according to law for furnishing salt requirements of the City according to specifications now on file, for use during the 2024-2025 winter season.

SECTION 2. That the cost of materials purchased hereunder shall be paid from the proper appropriated funds.

SECTION 3. That by reason of the immediate need to bid and contract for delivery of salt supply at a time when salt prices are most competitive and in advance of the 2024-2025 winter weather, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
1st Reading 16 July 2024
2nd Reading 16 July 2024
PASSED 16 July 2024

Delaine Weiner
/s/ Delaine Weiner
Clerk of Council

ATTEST

Phillip E. Scott
SIGNED /s/ Phillip E. Scott
President of Council
Jodie Perry
APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

* Publication required.

BY: MS. MEIER

Amending Sections 5 and 18 of Ordinance No. 23-201 adopting personnel positions, pay grades, and salaries for certain employees of the City of Mansfield 2024 payroll year by creating new positions in the Clearfork Reservoir Division and the Parks and Recreation Division and declaring an emergency.

WHEREAS, pursuant to Sections 1 through 37 of Ordinance No. 23-201, passed December 19, 2023, this Council adopted certain personnel positions, pay grades, and salaries for certain employees of the City of Mansfield for the 2024 payroll year, and

WHEREAS, pursuant to Section 5 of said Ordinance, positions and pay rates are outlined for the Clearfork Reservoir Division and it has become necessary to create a new position in that Division to provide better services within the City and to the community as a whole, and

WHEREAS, pursuant to Section 18 of said Ordinance, positions and pay rates are outlined for the Parks and Recreation Division and it has become necessary to create a new position in that Division to provide better services within the City and to the community as a whole.

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

SECTION 1. That Section 5 of Ordinance No. 23-201, passed December 19, 2023, be, and the same is hereby amended to read and provide as follows:

“SECTION 5. CLEARFORK RESERVOIR DIVISION - PERSONNEL. The Clearfork Reservoir Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Operations Supervisor	\$40,000 - \$69,500
b. Supervisor I°	\$35,000 - \$59,500
c. Special Police/Maintenance Technician (2)	16
d. Motor Equipment Operator	14
e. Park Police Officer /Laborer (2)	11
f. Laborer (2) (3)	11
g. Seasonal Park Police/Full-time Temporary (2)	State Minimum Wage - \$14.00 per hr.”

SECTION 2. That Section 18 of Ordinance No. 23-201, passed December 19, 2023, be, and the same is hereby amended to read and provide as follows:

“SECTION 18. PARKS AND RECREATION DIVISION – PERSONNEL. The Parks and Recreation Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Superintendent + (Administrative)	\$50,000 - \$78,000

b. Administrative Assistant + (Administrative) °	\$28,000 - \$54,500
c. Carpenter/Building Maintenance Aide	16
d. Park Equipment Operator (3) (4)	11
e. Recreation Coordinator II	\$30,500 - \$46,600
f. Park Police Officer/Laborer	11"

SECTION 3. That by reason of the immediate necessity to add additional positions to better fit the needs of the City and the Mansfield community, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect, and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 July 2024
 1st Reading 16 July 2024
 2nd Reading _____
 PASSED 16 July 2024

ATTEST *Delaine Weiner*
 /s/ Delaine Weiner
 Clerk of Council

Phillip E. Scott
 SIGNED /s/ Phillip E. Scott
 President of Council

Jodie Perry
 APPROVED /s/ Jodie Perry
 Mayor

APPROVED AS TO FORM: Roeliff E. Harper
 Law Director
 City of Mansfield, Ohio