

ORDINANCE NO. 4 -2010  
INTRODUCED BY: Alexander

**AN ORDINANCE AMENDING SECTION 1329.02 OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS, "CASH DEPOSIT FOR ADDITIONAL PROFESSIONAL SERVICES"; AND DECLARING AN EMERGENCY.**

WHEREAS, it has been determined by the Building Commissioner and the Director of Finance that the provisions of Section 1329.02 of the City's Building Code relating to cash deposits for professional services required for reviews of applications for building permits, preliminary and final site development plans, rezoning applications, etc. needs to be amended to accurately reflect the costs of such professional services so as to adequately reimburse the City for private projects within the City;

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Section 1329.02, "CASH DEPOSIT FOR ADDITIONAL PROFESSIONAL SERVICES", of the City's Building Code is hereby amended and redesignated as Section 1325.021 as follows:

**1325.021 CASH DEPOSIT FOR ADDITIONAL PROFESSIONAL SERVICES.**

(a) In addition to any other fees or deposits required by other sections of these Codified Ordinances, the Building Commissioner shall charge and the Director of Finance shall collect a deposit in the amount of two (2) percent (2%) of the City Engineer's estimate of the cost of the construction which is the subject of the building permit or other application but not less than one thousand dollars (\$1,000.00), unless the City Engineer approves, in his sole discretion, a lesser amount, to reimburse the City for expenses incurred for additional or supplemental engineering, legal, landscape architecture, or other professional services rendered as a result of the application for a building permit, the review of preliminary and final site development plans, land subdivisions, miscellaneous lot splits and consolidations, and/or rezoning applications.

(b) Charges for the professional services of the City Engineer, Director of Law, planning consultants, Landscape Architect, or their designees shall be at the rates set forth in their contracts or ordinances with the City.

(c) In the event that the monies deposited by an applicant as required in subsection (a) hereof are not sufficient to reimburse the City as provided in subsection (a), then the applicant shall be required to deposit additional monies in series of one thousand dollars (\$1,000.00) as requested by the City, up to the total amount for said reimbursement.

(d) Any sums not so charged against such deposit as required in subsection (a) and (b) hereof shall be refunded to the applicant no later than sixty days from the completion of the construction, the granting or refusal of the permit, the approval of the preliminary and final site development plans, subdivision or lot split or consolidation, or the granting or refusal of the rezoning application.

(e) In addition to all other remedies provided by these Codified Ordinances or by law, the City may issue a stop work order or rescind any permits or approvals for violations of this section.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public health, safety and general welfare of the citizens of, property owners and tenants in, and visitors to, the City of Richmond Heights and for the further reason that it is necessary to immediately provide for fees of professionals to review and administer applications for building permits and other private projects in the City of Richmond Heights for the protection of persons and property associated with such building permits and projects; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: March 23, 2010

Daniel J. Ursu  
Daniel J. Ursu, Mayor

APPROVED: March 23, 2010

ATTEST: Betsy Trabon  
Betsy Trabon

David H. Roche  
David H. Roche