

ORDINANCE NO.: 130-2007  
INTRODUCED BY: O'Toole

**AN ORDINANCE REPEALING SECTION 1335.03 OF THE  
BUILDING CODE RELATED TO A PUBLIC UTILITIES  
EXEMPTION; AND DECLARING AN EMERGENCY.**

WHEREAS, a review of the City's Codified Ordinances has revealed that Section 1335.03 of the Building Code exempts public utilities as defined in Ohio Revised Code 4905.02 from obtaining a license to perform work in the City's public rights-of-way; and

WHEREAS, this Council has passed a comprehensive right-of-way regulation to be codified as Chapter 901 of the Codified Ordinances which requires certain registrations of public utility companies in order to maintain facilities in the public right-of-way and to perform work on such facilities; and

WHEREAS, it is therefore necessary to repeal Section 1335.03 of the Building Code in order to facilitate the administration of new Chapter 901 of the Codified Ordinances;

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

Section 1. Section 1335.03, "Public Utilities Exemption", of Chapter 1335, "Contractor Registration, Procedure, Suspension and Revocation", of Part Thirteen, the Building Code of the City of Richmond Heights, is hereby repealed.

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

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and for the reason that it is necessary for this Ordinance to be in effect immediately upon its passage in order to provide for the registration of those entities which use the public rights-of-way for various facilities and so as not to be in conflict with Codified Ordinance Chapter 901;

WHEREFORE, this Ordinance shall take effect and be in force from and after the date of passage by a vote of five members of the Council and its approval by the Mayor.

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

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Daniel J. Ursu, Mayor

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

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

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David H. Roche  
President of Council