

NEW LEGISLATION

April 10, 2023

Temp. No.	Introduced	Committee	Description
B-34	4/10/23	PZ	An ordinance authorizing and approving the Final Subdivision Plat for dedication of the Bellaire Lane cul-de-sac located on Bellaire Lane approximately 2,500 feet west of Quick Road, and declaring an emergency.
B-35	4/10/23	PZ	An ordinance approving a regulatory text amendment to Section 1133.04(A)(5) to allow for the keeping of chickens in R-2, R-3 and R-4 Zoning Districts, and declaring an emergency.
B-36	4/10/23	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Second Street Sanitary Sewer Rehabilitation, and declaring an emergency.
B-37	4/10/23	PA	A resolution expressing support for and urging passage of Issue 8, the Woodridge Local School District Levy, at the Primary Election to be held on May 2, 2023, and declaring an emergency.

CALENDAR
April 10, 2023

The following legislation will be up for passage at the Council Meeting on April 10, 2023.

Temp. No.	Introduced	Committee	Description
B-29	3/27/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Bell Equipment Company to purchase a used rear load sanitation truck, and declaring an emergency.
B-30	3/27/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Sherman and Reilly Inc. for the purchase of braking reel trailer equipment, appurtenances, and services and declaring an emergency.
B-32	3/27/23	PA	A resolution authorizing the Mayor to apply for the Ohio Department of Natural Resources Clean Ohio Trails Fund Grant to construct Phase II of the Mud Brook Greenway, and declaring an emergency.
B-33	3/27/23	PA	An ordinance authorizing the Mayor to execute the participation forms for settlement with Teva, Allergan, CVS, Walgreens, and Walmart pursuant to the OneOhio Memorandum of Understanding and consistent with the material terms of the proposed settlement agreements, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
B-31	3/27/23	SEE	An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with Northeast Ohio Public Energy Council, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.

PENDING LEGISLATION

April 10, 2023

Temp. No.	Introduced	Committee	Description
B-29	3/27/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Bell Equipment Company to purchase a used rear load sanitation truck, and declaring an emergency.
B-30	3/27/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Sherman and Reilly Inc. for the purchase of braking reel trailer equipment, appurtenances, and services and declaring an emergency.
B-16^	2/27/23	PA	An ordinance creating a Designated Outdoor Refreshment Area known as the Downtown Cuyahoga Falls Designated Outdoor Refreshment Area, enacting regulations, and declaring an emergency.
B-32	3/27/23	PA	An ordinance authorizing the Mayor to execute the participation forms for settlement with Teva, Allergan, CVS, Walgreens, and Walmart pursuant to the OneOhio Memorandum of Understanding and consistent with the material terms of the proposed settlement agreements, and declaring an emergency.
B-33	3/27/23	PA	A resolution authorizing the Mayor to apply for the Ohio Department of Natural Resources Clean Ohio Trails Fund Grant to construct Phase II of the Mud Brook Greenway, and declaring an emergency.

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^ A public hearing regarding this temporary ordinance will be held on April 17, 2023 at 6:30 p.m.

Temp. No.	Introduced	Committee	Description
B-31	3/27/23	SEE	An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with Northeast Ohio Public Energy Council, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.

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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2023

7
8 AN ORDINANCE AUTHORIZING AND APPROVING THE
9 FINAL SUBDIVISION PLAT FOR DEDICATION OF THE
10 BELLAIRE LANE CUL-DE-SAC LOCATED ON
11 BELLAIRE LANE APPROXIMATELY 2,500 FEET WEST
12 OF QUICK ROAD, AND DECLARING AN EMERGENCY.

13
14 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all
15 decisions made by the Planning Commission be submitted to Council, and

16
17 WHEREAS, the Planning Commission is required to review and provide a
18 recommendation for all Final Subdivision Plans in the City of Cuyahoga Falls,
19 Ohio, and

20
21 WHEREAS, on April 4, 2023, the Planning Commission approved the Final
22 Subdivision Plat for Dedication of the Bellaire Lane Cul-de-Sac consisting of
23 street improvements, general utility and access easements located on Bellaire
24 Lane approximately 2,500 feet west of Quick Road, within the City of Cuyahoga
25 Falls, Ohio, as detailed in File FMP-23-00010.

26
27 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
28 Falls, County of Summit, and State of Ohio:

29
30 Section 1.That the City Council approves the Final Subdivision Plat for
31 Dedication of the Bellaire Lane cul-de-sac consisting of street improvements,
32 general utility and access easements located on Bellaire Lane approximately
33 2,500 feet west of Quick Road, within the City of Cuyahoga Falls, Ohio, in
34 accordance with all Cuyahoga Falls General Development Code regulations and
35 as stipulated in the Codified Ordinances of the City of Cuyahoga Falls as
36 approved by the Planning Commission as per all plans and stipulations contained
37 in Project File FMP-23-00010.

38
39 Section 2.That any other ordinances or resolutions or portions of ordinances
40 and resolutions inconsistent herewith be and the same are hereby repealed, but
41 any ordinances and resolutions not inconsistent herewith and which have not
42 previously been repealed are hereby ratified and confirmed.

43
44 Section 3.That it is found and determined that all formal actions of this
45 Council concerning and relating to the adoption of this ordinance were adopted
46 in an open meeting of this Council, and that all deliberations of this Council and
47 of any of its committees that resulted in such formal action, were in meetings
48 open to the public, in compliance with all legal requirements, to the extent
49 applicable, including Chapter 107 of the Codified Ordinances.

50 Section 4. That this ordinance is hereby declared to be an emergency measure
51 necessary for the preservation of the public peace, health, safety, convenience
52 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and
53 provided it receives the affirmative vote of two-thirds of the members elected or
54 appointed to Council, it shall take effect and be in force immediately upon its
55 passage and approval by the Mayor; otherwise it shall take effect and be in force
56 at the earliest period allowed by law.

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59 Passed: _____

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President of Council

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Clerk of Council

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66 Approved: _____

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Mayor

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4/24/23

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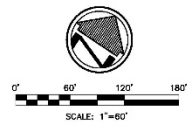
\\cf-file04\LDPublic\Council\2023ords\04-24-23\FMP-23-00010 Bellaire Ln

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Dedication.docx

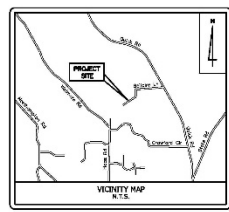
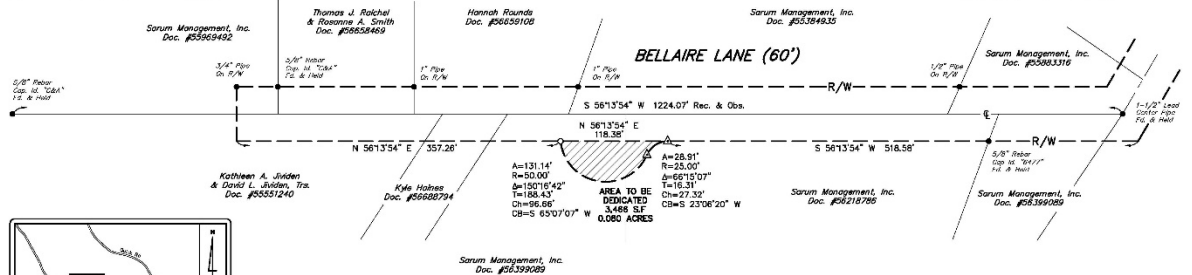
DEDICATION PLAT

STATE OF OHIO, COUNTY OF SUMMIT, CITY OF CUYAHOGA FALLS, BEING PART OF ORIGINAL NORTHAMPTON TOWNSHIP LOT 31



BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS GRID NORTH OF THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (2011).

- LEGEND**
- REC. - RECORD DISTANCE
 - OBS. - OBSERVED DISTANCE
 - - MONUMENT FOUND, SIZE & TYPE AS INDICATED
 - - 3/8" REBAR, 30" IN LENGTH WITH ID. CAP "CAMPELL & ASSOC." SET
 - △ - MAG NAIL SET
 - ⊕ - CENTERLINE
 - R/W - RIGHT-OF-WAY
 - ▨ - RIGHT-OF-WAY TO BE DEDICATED



I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS DESCRIBED IN O.A.C. CHAPTER 4733-37.

JAMES P. TURKSCHATT REG. NO. 7809 DATE
CAMPELL & ASSOCIATES, INC.

DEDICATION PLAT
BELLAIRE LANE
CUYAHOGA FALLS, OHIO 44223

CA CAMPELL & ASSOCIATES, INC.
Land Surveying
6300 W. 12th St.
Cuyahoga Falls, OH 44223
www.campland.com
419.924.4432

Date: February, 2023
By: RJM
Scale: 1"=60'
Job: 20230003
Sheet 1 of 1

ACKNOWLEDGEMENT

I, THE UNDERSIGNED REPRESENTATIVE OF SARUM MANAGEMENT, INC., THE OWNER OF THE LAND SHOWN HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THIS PLAT AND DO OFFER FOR DEDICATION THE RIGHT-OF-WAY AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

OWNER: SARUM MANAGEMENT, INC. WITNESSES: _____

BY: _____

PRINT NAME: _____

TITLE: _____

STATE OF OHIO)
COUNTY OF SUMMIT) SS

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED THE ABOVE NAMED OWNER WHO ACKNOWLEDGED THE MAKING AND SIGNING OF THIS PLAT TO BE THEIR FREE ACT AND DEED.

IN WITNESS WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL ON THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

NOTARY SEAL _____

APPROVALS

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CUYAHOGA FALLS, OHIO, THIS _____ DAY OF _____, 20____.

CHAIRMAN: _____ SECRETARY: _____

APPROVED BY THE CITY COUNCIL OF CUYAHOGA FALLS, OHIO, AT ITS REGULAR SESSION THIS _____ DAY OF _____, 20____.

PRESIDENT: _____ CLERK OF COUNCIL: _____

APPROVED BY THE ENGINEER OF THE CITY OF CUYAHOGA FALLS, THIS _____ DAY OF _____, 20____.

TONY DEMASI
CITY ENGINEER

APPROVED BY THE PLANNING DIRECTOR OF THE CITY OF CUYAHOGA FALLS, THIS _____ DAY OF _____, 20____.

PLANNING DIRECTOR: _____

1 B-34

Presented by Councilors Nichols-Rhodes and Spinner
Upon Recommendation of the Planning Commission

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2023

7
8 AN ORDINANCE APPROVING A REGULATORY TEXT
9 AMENDMENT TO SECTION 1133.04(A)(5) TO ALLOW
10 FOR THE KEEPING OF CHICKENS IN R-2, R-3 AND R-
11 4 ZONING DISTRICTS, AND DECLARING AN
12 EMERGENCY.

13
14 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all
15 decisions made by the Planning Commission be submitted to Council; and

16
17 WHEREAS, on April 4, 2023, the Planning Commission recommended
18 approval of a regulatory text amendment to the Cuyahoga Falls General
19 Development Code in Section 1133.04(A)(5) to allow for the keeping of chickens
20 in R-2, R-3 and R-4 Zoning Districts as described in File TXT-22-00044.

21
22 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
23 Falls, County of Summit, and State of Ohio:

24
25 Section 1. The City Council approves the regulatory text amendment,
26 attached as Exhibit A to this ordinance and incorporated by reference, to the
27 Cuyahoga Falls General Development Code in Section 1133.04(A)(5) to allow for
28 the keeping of chickens in R-2, R-3 and R-4 Zoning Districts as described in File
29 TXT-22-00044.

30
31 Section 2. Any other ordinances or resolutions or portions of ordinances and
32 resolutions inconsistent herewith be and the same are hereby repealed, but any
33 ordinances and resolutions not inconsistent herewith and which have not
34 previously been repealed are hereby ratified and confirmed.

35
36 Section 3. It is found and determined that all formal actions of this Council
37 concerning and relating to the adoption of this ordinance were adopted in an
38 open meeting of this Council, and that all deliberations of this Council and of any
39 of its committees that resulted in such formal action, were in meetings open to
40 the public, in compliance with all legal requirements, to the extent applicable,
41 including Chapter 107 of the Codified Ordinances.

42
43 Section 4. This ordinance is hereby declared to be an emergency measure
44 necessary for the preservation of the public peace, health, safety, convenience
45 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and
46 provided it receives the affirmative vote of two-thirds of the members elected or
47 appointed to Council, it shall take effect and be in force immediately upon its
48 passage and approval by the Mayor; otherwise it shall take effect and be in force
49 at the earliest period allowed by law.

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Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

4/10/23

\\cf-file04\LDPublic\Council\2023ords\04-10-23\TXT-22-00044 Amend
Section 1133.04(A)(5) Chickens R-2, R-3, R-4.docx

Proposed Text Amendment

Section 1. Chapter 1133, Title 1, Part 11, Section 1133.04(A)(5) of the Codified Ordinances of the City of Cuyahoga Falls, is hereby amended to read as follows (new text **bold**; deleted text in ~~strikethrough~~):

5. Domestic Animals.

- a. No more than 3 (three) adult dogs, six months or older are permitted in any residential district, except as specified in 1131-1: Zoning Districts and Uses.
- b. Keeping of swine, goats, llamas, mink, geese, chickens, pigeons and other fowl, and other similar domesticated animals is not permitted in residential districts, ~~except as specified in 1131-1: Zoning Districts and Uses.~~ **as specified in subsections (c) and (d) below:**
- c. **Keeping of chickens is an allowed use in NP-1 and R-R Districts and a limited use in R-1 Districts under the “Animal Services, Large” classification as specified in Table 1131-1: Zoning Districts and Uses, and further regulated in Section 1133.02 (G)(3).**
- d. **Chickens, excluding roosters, may be permitted in R-2, R-3 and R-4 districts according to the following conditions:**
 - (1) **A total of 4 chickens are permitted in R-2, R-3 and R-4 zoning districts. Keeping of chickens is prohibited in any front yard or corner side yard.**
 - (2) **A minimum of lot width of 50 feet is required for the keeping of chickens**
 - (3) **All chickens shall be provided with a covered, predator-proof coop or other shelter that is thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals. Such structures shall be set back a minimum of twenty (20) feet from all property lines.**
 - (4) **Chickens must be kept in a coop or coop run as specified in subsection 3 above, at all times.**
 - (5) **All coops and associated structures shall require a zoning certificate from the Planning Division. All coops and associated structures shall be constructed of quality, weather resistant materials including wood that is stained or painted or simulated wood products. Roofs for the coop or run should be angled to ensure rain and snow stay outside of the coop and run. The coop run shall utilize 19 gauge hardware cloth or a similar material.**
 - (6) **Any perimeter fencing shall comply with the standards specified in Section 1145.09. Any coop building shall be included in the calculation regarding the number and square footage of accessory structures permitted as specified in Table 1132-2.**
 - (7) **The maximum area for a coop is 60 square feet.**
 - (8) **Provision must be made for the storage of feed. A fully enclosed container equipped with a roof or lid shall cover all stored feed which shall be setback minimum of twenty (20) feet from all property lines.**
 - (9) **Provision must be made for the disposal of animal waste.**
 - (10) **The maximum height of a coop building shall be 7 feet.**

- (11) A solid privacy fence a minimum of 6 feet in height shall be required in order to screen the coop from view of adjacent properties.**
- (12) No slaughtering of chickens shall be permitted in any residential district.**
- (13) No commercial sales of eggs shall be permitted on any properties located in R-2, R-3, or R-4 districts.**

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2023

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
9 ACCORDING TO LAW, FOR THE SECOND STREET SANITARY
10 SEWER REHABILITATION, AND DECLARING AN
11 EMERGENCY.
12

13 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and
14 State of Ohio:

15
16 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
17 contracts, according to law, for the Second Street Sanitary Sewer Rehabilitation.
18

19 Section 2. The Director of Finance is hereby authorized and directed to make payment
20 for same from the Sanitary Sewer Fund, line item Capital Outlay.
21

22 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions
23 inconsistent herewith be and the same are hereby repealed, but any ordinances and
24 resolutions not inconsistent herewith and which have not previously been repealed are
25 hereby ratified and confirmed.
26

27 Section 4. It is found and determined that all formal actions of this Council concerning
28 and relating to the adoption of this ordinance were adopted in an open meeting of this
29 Council, and that all deliberations of this Council and of any of its committees that resulted
30 in such formal action, were in meetings open to the public, in compliance with all legal
31 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.
32

33 Section 5. This ordinance is hereby declared to be an emergency measure necessary for
34 the preservation of the public peace, health, safety, convenience and welfare of the City of
35 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote
36 of two thirds of the members elected or appointed to Council, it shall take effect and be in
37 force immediately upon its passage and approval by the Mayor; otherwise it shall take
38 effect and be in force at the earliest period allowed by law.
39

40
41 Passed: _____
42 _____
43 President of Council

44 _____
45 Clerk of Council

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47 Approved: _____
48 _____
49 Mayor

49 4/10/23

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 RESOLUTION NO. - 2023

6
7 A RESOLUTION EXPRESSING SUPPORT FOR AND
8 URGING PASSAGE OF ISSUE 8, THE WOODRIDGE
9 LOCAL SCHOOL DISTRICT LEVY, AT THE PRIMARY
10 ELECTION TO BE HELD ON MAY 2, 2023, AND
11 DECLARING AN EMERGENCY.

12
13 WHEREAS, the Woodridge Local School District includes three public schools
14 in the City of Cuyahoga Falls, serving almost 2,000 students; and

15
16 WHEREAS, a properly funded public school system is foundational to civic and
17 economic success; and

18
19 WHEREAS, the Woodridge Local School District has caused a proposed levy to
20 be placed on the May 2, 2023 ballot as Issue 8; and

21
22 WHEREAS, this levy is a renewal, not an increase, commencing in 2023, and
23 continuing for 10 years.

24
25 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga
26 Falls, County of Summit and State of Ohio, that:

27
28 Section 1. The Council and Administration express their support for the
29 Woodridge Local School District and urge the passage of Issue 8 at the May 2,
30 2023 Primary Election.

31
32 Section 2. It is found and determined that all formal actions of this Council
33 concerning and relating to the adoption of this resolution were adopted in an
34 open meeting of this Council and that all deliberations of this Council and of any
35 of its committees that resulted in such formal action were in meetings open to
36 the public, in compliance with all legal requirements, to the extent applicable,
37 including Chapter 107 of the Codified Ordinances.

38
39 Section 3. This resolution is hereby declared to be an emergency measure
40 necessary for the preservation of the public peace, health, safety, convenience
41 and welfare of the City of Cuyahoga Falls and the inhabitants thereof and
42 provided it receives the affirmative vote of two-thirds of the members elected or
43 appointed to Council, it shall take effect and be in force immediately upon its
44 passage and approval by the Mayor; otherwise it shall take effect and be in force
45 at the earliest period allowed by law.

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Passed: _____

President of Council

Clerk of Council

Approved _____

Mayor

4/10/23

\\\\cf-file04\LDPublic\Council\2023ords\04-10-23\Woodridge Levy Renewal
Res 2023.docx