

The City Record

Official Publication of the City of Cleveland

July the Second, Nineteen Hundred and Ninety-Seven

Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Artha Woods	
Ward	Name
1	Charles L. Patton, Jr.
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	John C. Skrha
14	Helen K. Smith
15	Merle R. Gordon
16	Larry Moran
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	7
Board of Zoning Appeals	8
Board of Building Standards and Building Appeals	8
Public Notices	10
Public Hearings	10
City of Cleveland Bids	10
Adopted Resolutions and Ordinances	11
Committee Meetings	17
Index	18

FIRST-CLASSMAIL
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

First Class Mail

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	John C. Skrha	5100 Broadway Avenue	44127
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council-Artha Woods, 216 City Hall, 664-2840.
First Assistant Clerk-Sandra Franklin.

MAYOR-Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Richard Werner, Executive Assistant for Governmental Affairs.
Susan E. Axelrod, Executive Assistant for Communications and Support Services
Linda Willis, Director, Office of Equal Opportunity

DEPT. OF LAW - Sharon Sobol Jordan, Director of Law, Room 106;
Karen E. Martines, Law Librarian; Criminal Branch-Justice Center, 8th Flr., Court Towers, 1200 Ontario
Carolyn Watts-Allen, Chief Asst. Prosecutor
Lessie M. Milton, Chief Counsel

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - A. Schneider, Commissioner, Room 19
City Treasury - Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses - Martin L. Carmody, Acting Commissioner, Room 122
Purchases and Supplies - William A. Moon, Commissioner, Room 128
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control - Keith D. Schuster, Controller, Room 18
Information Systems Services - Hamid Manteghi, Acting Commissioner, 1404 E. 9th St.

DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue
DIVISIONS - 1201 Lakeside Avenue
Water - Julius Ciaccia, Jr., Commissioner
Water Pollution Control - Darnell Brown, Commissioner
Utilities Fiscal Control - M. Blech, Commissioner
Cleveland Public Power - Jim Majer, Acting Commissioner
Street Lighting Bureau - Frank Schilling, Acting Chief.

DEPT. OF PORT CONTROL - William F. Cunningham, Jr., Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;
Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner
Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.
Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards
Architecture - Kenneth Nobile, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.
DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Joseph W. Jasper, Jr., Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne Ave.

DEPT. OF PARKS, RECREATION & PROPERTIES - Oliver B. Spellman, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Property Management - Vernon Robinson, Commissioner, E. 49th & Harvard

Parking Facilities - Michael Cox, Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Park Maintenance and Properties - Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.
Recreation - Michael Cox, Acting Commissioner, Room 8
Research, Planning & Development - M. Fallon, Commissioner, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director, 3rd Floor, City Hall.
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Jack F. Krumhansl, Acting Commissioner.
Neighborhood Development - Terri Hamilton, Commissioner.
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Joseph Nolan, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT - Christopher P. Warren, Director, Room 210

DEPT. OF AGING - Rm. 122, Delores A. Lynch, Director

COMMUNITY RELATIONS BOARD - Room 11, Gary L. Holland, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Donna K. Nelson, Secretary; Margaret Hopkins, Member, Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; _____, Director; President of Council Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Anthony Costanzo, Sec'y.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room 516, J. F. Denk, Chairman; J. Bowes, James Williams, Alternate Members - D. Cox, P. Frank, E. P. O'Brien, Richard Pace, Arthur Saunders, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS - Law Director, Sharon Sobol Jordan; Pres. Finance Director, _____, Director Sec'y. Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Henry Guzmán, Service Director; Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director, Sharon Sobol Jordan, Utilities Director, Michael Konicek; President of Council, Jay Westbrook.

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; _____, Vice Chairman, David Bowen, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney, Councilman Edward W. Rybka.

CLEVELAND BOXING AND WRESTLING COMMISSION - Robert Jones, Chairman; Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____, Councilman Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Raymond Ossovicki, Chairman; _____, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.

CLEVELAND LANDMARKS COMMISSION - Room 519, _____, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth Nobile, Theodore Sande, Randall Shorr, Shirley Thompson, Councilmen Craig E. Willis and Helen K. Smith.

CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT
JUDGE COURTROOM ASSIGNMENTS

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	12A
Judge Robert S. Triozzi	13D

Earle B. Turner-Clerk of Courts, John J. O'Toole-Court Administrator, Robert C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle L. Paris-Chief Referee

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 84

WEDNESDAY, JULY 2, 1997

No. 4360

CITY COUNCIL

MONDAY, JUNE 30, 1997

The City Record

Published weekly under authority of the Charter of the City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated \$6.00 per month
Address all communications to

ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Johnson, Chairman; Rybka, Vice Chairman; Patton, Robinson, Skrha, Sweeney, White.

9:30 A.M.—**Public Health Committee:** Robinson, Chairman; Zone, Vice Chairman; Britt, Gordon, Jackson, Melena, Skrha.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; White, Vice Chairman; Britt, Johnson, Melena, Moran, Smith, Sweeney, Westbrook.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patmon, Chairman; Robinson, Vice Chairman; Gordon, Lewis, Melena, Moran, Polensek.

MONDAY

2:00 P.M.—**Finance Committee:** Westbrook, Chairman; Polensek, Vice Chairman; Britt, Coats, Johnson, Lewis, Patmon, Robinson, Rybka, Smith, Zone.

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Lewis, Vice Chairman; Britt, Coats, Gordon, Melena, Patmon, Smith, Willis.

1:30 P.M.—**Legislation Committee:** Willis, Chairman; Melena, Vice Chairman; Dolan, Johnson, Rybka, Sweeney, White.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Smith, Chairman; Sweeney, Vice Chairman; Dolan, Patmon, Skrha, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Dolan, Gordon, Jackson, Moran, Patmon, Patton, Zone.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patton, Chairman; Polensek, Vice Chairman; Coats, Dolan, Lewis, Moran, Patmon, Skrha, Willis.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Britt, Vice Chairman; Jackson, Gordon, Skrha, White, Zone.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

The following measures will be on their final passage at the next meeting:

NONE

BOARD OF CONTROL

June 25, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 25, 1997, at 11:00 a.m., with Director Sobol Jordan presiding.

Present: Directors Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Absent: Mayor White.
Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 472-97.

By Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Westside Power Wash, for an estimated quantity of Fleet Washing (All Items), for the Various Divisions of City Government, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract received on the June 11, 1997, pursuant to the authority of Ordinance No. 258-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to One Hundred Twenty-Three Thousand Eight Hundred Eighty-Two and 40/100 Dollars, (\$123,882.40), (2% 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a require-

ment contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00844 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 473-97.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Danis Heavy Construction Company, contractor for the public improvement of the rehabilitation and expansion of the Crown Waterworks Facility, Phase III, under City Contract No. 50057, authorized by Ordinance No. 965-93, passed July 14, 1993 and Board of Control Resolution No. 475-96, adopted July 17, 1996 is hereby approved.

Subcontractor Work

Dore & Associates Contracting	Asbestos abatement
-------------------------------	--------------------

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 474-97.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1298-96, passed by the Council of the City of Cleveland on September 23, 1996, World International Testing, Inc. is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide evaluation and inspection services of various water storage tanks, for the Division of Water, Department of Public Utilities.

al services necessary to test, evaluate and verify construction material for conformity with specifications, and to conduct environmental assessments, provide geotechnical services and visual recording documentation services for a term commencing June 27, 1997 and expiring December 31, 1998. The work to be done by the Consultant will be as determined by the Director of Public Service.

Be it further resolved that the Director of Public Service hereby is authorized to enter into contract with said Consultant, based upon its proposal dated April 26, 1997, which contract shall provide that the compensation to be paid shall not exceed \$225,000.00. The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by Professional Service Industries, Inc. for the contract herein authorized hereby is approved:

SUBCONTRACTORS

Ralph Tyler Companies
(MBE - 15%)
1120 Chester Avenue, Suite 200
Cleveland, OH 44114-3513

G & T Associates, Inc.
(MBE - 10%)
Strongsville Professional Building
Suite 401
11925 Pearl Road
Strongsville, Oh 44136-3285

American Petrographic D.a.R.
(MBE - 5%)
3665 Medina Line Road
Richfield, OH 44286

Yelder Business Service
(FBE - 4%)
5311 Northfield Road
Bedford Heights, OH 44146

Chem-Ty Environmental, Inc.
(FBE - 4%)
23800 Aurora Road
Bedford, OH 44146

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 480-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for the following: two (2) cab and chassis with heavy duty dump bodies and two (2) cab and chassis with medium duty dump bodies (items 1 and 2) for the Division of Motor Vehicle Maintenance, Department of Public Service, received on the 2nd day of May, 1997, pursuant to the authority of Ordinance Nos. 918-96, passed June 18, 1996 and 1476-96, passed August 14, 1996, which on the basis of order quantity would amount to \$299,232.00 is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into contract for such items.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of

the following subcontractor by Valley Ford Truck Sales, Inc. for two (2) cab and chassis with heavy duty dump bodies and two (2) cab and chassis with medium duty dump bodies (items 1 and 2), hereby is approved:

Logical Services
MBE - \$950.00 per unit

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 481-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Tire Distributors, Inc. for an estimated quantity of tire recapping (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the May 30, 1997, pursuant to the authority of Ordinance No. 1969-96, passed December 16, 1996, which on the basis of the estimated quantity would amount to approximately One Hundred Fifty Thousand and no/100 (\$150,000.00) Dollars, (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105664 which shall be certified against such contract in the sum of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 482-97.

By Director Staib.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 267-96, adopted April 24, 1996, amending Resolution No. 83-95 by increasing the compensation to be paid to A-1 Nursing Care of Cleveland, Inc. for the provision of nursing services to the Department of Public Health from \$50,000 to 85,000, is hereby amended by deleting \$85,000 and replacing it with \$135,000.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 483-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 115-16-023, 115-16-021 and 115-16-015 under said Land Reutilization Program; and

Whereas, Ordinance No. 616-97 passed June 2, 1997 authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Collinwood Community Service Center has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 616-97 passed June 2, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Collinwood Community Service Center for the sale and development of Permanent Parcel Nos. 115-16-023, 115-16-021 and 115-16-015, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100 (each), which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 484-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 005-25-070 under said Land Reutilization Program; and

Whereas, Ordinance No. 568-97 passed June 2, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, James E. and Sheila Wright have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 568-97 passed June 2, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with James E. and Sheila Wright for the sale and development of Permanent Parcel No. 005-25-070, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$500.00, which amount is hereby

determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 485-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 121-16-028 under said Land Reutilization Program; and

Whereas, Ordinance No. 567-97 passed June 2, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Bertha Mae Smith has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 567-97 passed June 2, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Bertha Mae Smith for the sale and development of Permanent Parcel No. 121-16-028, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 486-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-33-046, northerly 8 feet, located at 1850 West 52 Street in Ward 17; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Angeline McNett, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Angeline McNett for the sale and development of Permanent Parcel No. 002-33-046, northerly 8 feet, located at 1850 West 52 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 487-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 120-02-084 located at 10922 Churchill Avenue, N.E. in Ward 9; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Deborah J. Jones, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Deborah J. Jones for the sale and development

of Permanent Parcel No. 120-02-084 located at 10922 Churchill Avenue, N.E., in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 488-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 109-18-034, located at 1276-78 East 108 Street in Ward 8; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, United Pentecostal Apostolic Faith Church, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with United Pentecostal Apostolic Faith Church for the sale and development of Permanent Parcel No. 109-18-034, located at 1276-78 East 108 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 489-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-28-108, located at 3116 West 43 Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Mary Ann Bir, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Mary Ann Bir for the sale and development of Permanent Parcel No. 007-28-108, located at 3116 West 43 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 490-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-35-079, located at 1924 West 48th Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Helen Robertson, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Helen Robertson for the sale and development of Permanent Parcel No. 002-35-079, located at 1924 West 48th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 491-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on January 31, 1997 for not to exceed four (4) three wheel street sweepers for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance Nos. 918-96 and 1476-96, passed by the Council of the City of Cleveland on June 18, 1996 and August 14, 1996 be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 492-97.

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Whitmer Company for an estimated quantity of Pool Chemicals, Items 1 and 2 for the Division of Recreation, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the June 13 1997, pursuant to the authority of Ordinance No. 425-97, passed May 5, 1997, which on the basis of the estimated quantity would amount to Thirty Seven Thousand Eight Hundred Seventy Five and 00/100 (\$37,875.00) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties, is hereby requested to enter into a requirement contract for

such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 106130 and 106131 which shall be certified against such contract in the sum of Four Thousand Three Hundred and 00/100 (\$4,300.00) Dollars and Eighteen Thousand Eight Hundred and 00/100 (\$18,800.00) Dollars.

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 493-97.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that all bids received on June 13, 1997, for computer hardware, software, and peripherals, installation and training for the Division of Recreation, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 260-97, passed by the Council of the City of Cleveland on March 24, 1997 be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

PHYSICAL EXAMINATION: All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JULY 14, 1997

9:30 A.M.

Calendar No. 97-136: 2072 West 101st Street (Ward 18 - Jay Westbrook) Kathleen Kotalik, owner, proposes to erect a 22.3' x 19.7' garage addition and 10.67' x 20' storage addition to existing 22.3' x 22.3' one-story frame garage building in the rear yard of a 40' x 143.47' irregular shaped lot located in a Two-Family Residential District at 2072 West 101st Street. Said addition is in excess of the floor area limitation for garages as stated in division (a)(7)(A) of Section 337.23 of the Codified Ordinances; said addition plus existing garage to total 5,739 square feet instead of the 728 square feet permitted for a lot of this size, i.e., 5,739 square feet. (Filed 5-29-97)

Calendar No. 97-137: 4317 West 130th Street (Ward 19 - Joseph Zone) Norris Holding, Incorporated (owner), c/o Rossie Norris, dba Carco Auto Painters, proposes to erect a 60' x 67' addition to rear of building and 26' x 96' addition to south side of building, for use as auto body paint shop, on a lot located in a Semi-Industry District at 4317 West 130th Street. Said proposal is contrary to Section 343.18(d), which limits driveway width to 30' as opposed to the 70' wide driveway shown; and said proposal also being contrary to Section 349.09(g), which requires 9 parking spaces as opposed to the 6 parking spaces provided; and said proposal being contrary to Section 352.08 and 352.09, which requires a 10' "maximum" transition landscape strip along the north property line; and said proposal being contrary to Section 352.10, which requires a 6' "medium" frontage landscape strip. (Filed 5-30-97)

Calendar No. 97-138: 2097 West 33rd Street (Ward 14 - Helen Smith) Ohio City Near West Development Corporation, owner, c/o John Wilbur, proposes to subdivide a parcel of land and erect a 22' x 26' single family dwelling and a detached garage on a 32.32' (wide) and approximately 122' (deep) irregular shaped lot, 3,960 sq. ft. in area, in a Two-Family District at 2097 West 33rd Street. Such proposal, fails to conform to the Zoning Code in the following respects. 1) The proposed lot is 32.32' in width, rather than the 40' minimum lot width required by division 355.04(a) of the Code. 2) The proposed lot is 3,960 square feet in area, rather than the 4,800 square feet minimum lot size required by division 355.04(a) of the Code. 3) The front porch of the proposed dwelling is 5' from the street right-of-way line, rather than the 10' minimum front yard setback required by division 357.13 (b) (4) of the Code. 4) The proposed dwelling is located 8.75' from the dwelling on the adjoining lot at 2085 West 85th Street, rather than the 10' minimum distance required by division 357.09(b)(2)(A) of the Codified Ordinances. (Filed 6-2-97)

Calendar No. 97-139: 2101 West 33rd Street (Ward 14 - Helen Smith) Ohio City Near West Development Corporation, owner, c/o John Wilbur, proposes to subdivide a parcel of land and erect a 22' x 26' single family dwelling and a detached garage on a 32.31' (wide) and approximately 122' (deep) irregular

shaped lot, 4,061 sq. ft. in area, in a Two-Family District at 2101 West 33rd Street. Such proposal, fails to conform to the Zoning Code in the following respects. 1) The proposed lot is 32.31' in width, rather than the 40' minimum lot width required by division 355.04 (a) of the Code. 2) The proposed lot is 4,061 square feet in area, rather than the 4,800 square feet minimum lot size required by division 355.04(a) of the Code. 3) The front porch of the proposed dwelling is 5' from the street right-of-way line, rather than the 10' minimum front yard setback required by division 357.13 (b)(4) of the Code. (Filed 6-2-97)

Calendar No. 97-140: 5400 Behrwald Avenue (Ward 16 - Larry Moran) Brian Spurgeon, owner, proposes to erect a 4'6" x 30' wood fence along the Fulton Road frontage at the corner of Fulton Road and Behrwald Avenue and an "L" shaped 6' x 55' wood fence along the Fulton Road frontage and along the rear lot line of a 75' (wide) x 120' (deep) corner lot in a Two-Family District at 5400 Behrwald Avenue. Such proposal fails to conform with the Zoning Code in the following respects. 1) The proposed fence at the corner of Fulton and Behrwald is 4'6" in height rather than the 2'6" maximum height established in division 357.13 (b)(3) for any portion of a fence located within 30' of the intersecting street lines on a corner lot. 2) The proposed fence along Fulton Road (and the rear lot line) is 6' in height rather than the 4'6" maximum height, established in division 357.13 (b) for fences within a side street yard area. (Filed 6-2-97)

10:30 A.M.

Calendar No. 97-63: 1511 Lakeside Avenue, N.E. (Ward 13 - John Skrha) 1476 Davenport Ltd. Partnership, owner, c/o 1476 Davenport Inc., general partner, c/o James Kassouf, president, proposes to erect a 48' x 165', five story, 100-room hotel building on a 348' x 231' corner parcel located in a Semi-Industry District on the northwest corner of East 16th Street and Lakeside Avenue, and known as 1511 Lakeside Avenue. The proposed building is located approximately 183' from the adjoining General Industry District to the north, rather than the minimum 200' distance required by division 345.03 (b) of the Zoning Code. (Filed 3-26-97)

HUNTER MORRISON,
Acting Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 30, 1997

At the Meeting of the Board of Zoning Appeals on, Monday, June 23, 1997, the following appeals were heard by the Board, and on, Monday, June 30, 1997 decided by the Board.

The following appeals were **Granted**:

Calendar No. 97-87: 4533 State Road, S.W. Gloria Ltd., a partnership, owner, c/o Antoine Georges, partner, to erect a 63' x 43' one story masonry stores building.

Calendar No. 97-122: 11517 Clifton Boulevard, N.W. Liberty Development Company, owner, c/o Thomas Kuluris and Hollywood Entertainment, prospective tenant, request to construct a 73' x 105' one story wood frame building.

Calendar No. 97-125: 952 Ansel Road, N.E. Samuel Coleman, owner, requested to install approximately 280 linear feet of 4' high chain link fence.

The following appeal was **Refused**:

Calendar No. 97-121: 7030 Wade Park Avenue, N.E. Sammie Davis, owner, and Robert Jackson, tenant, requested to change use to an Auto Repair garage the 40' x 80' one story masonry garage building.

The following appeal was **Dismissed**:

Calendar No. 97-124: 3332 Denison Avenue.

The following appeals were **Postponed**:

Calendar No. 97-130: 1973 West 96th Street to July 14, 1997.

Calendar No. 97-126: 4720 Brookpark Road, S.W. to July 21, 1997.

Calendar No. 97-128: Appeal of Delta Plumbing Inc., dba Fox Construction & Equipment to July 21, 1997.

Calendar No. 97-127: 1806 Forestdale Ave. S.W. to August 18, 1997.

HUNTER MORRISON,
Acting Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
June 25, 1997

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action the subject meeting is given for publication in the City Record:

* * *

Docket L-10-97.

RE: Appeal of August A. Tornabene, from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated May 14, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Tornabene to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

Docket L-11-97.

RE: Appeal of Joseph Timco, from a LETTER OF DENIAL FOR RENEWAL OF JOURNEYMAN PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated May 14, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled for July 23, 1997.

* * *

Docket A-51-97.

RE: Appeal of C. Burris Construction, Inc. & McDevitt Mechanical Contractors, Inc., Contractors for the Property located on the premises known as 10900 Euclid Avenue (CWRU) from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated March 10, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled for August 6, 1997.

* * *

Docket A-78-97.

RE: Appeal of United Companies Lending Corp., Mortgagee of the Residential Property located on the premises known as 679 East 96th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated April 11, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by January 9, 1998. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-79-97.

RE: Appeal of L.A. Limited Partnership (Longwood Apartment Complex), Owner of the Property located on the premises known as 3800 Longwood Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated March 18, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-79-97 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-82-97.

RE: Appeal of Donald Bram, Owner of the Property located on the premises known as 5301 Broadway Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated April 21, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-82-97 has been POSTPONED; to be rescheduled for July 9, 1997.

* * *

Docket A-83-97.

RE: Appeal of Juan Chahda, Owner of the Property located on the Premises known as 14735 Lorain Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated March 26, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action.

* * *

Docket A-93-97.

RE: Appeal of Midtown Industrial Warehouse, Inc., Owner of the Property located on the premises known as 1146 East 152nd Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated April 4, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-93-97 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-97-97.

RE: Appeal of Harbor Heritage Society, Owner of the Property located on the premises known as 1001 East 9th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated April 10, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to OBBC Section 1005.06 and permit occupancy of the upper deck of the Steamship William G. Mather under A-3, permitting for a maximum of 300 people; noting that the unevenness of the deck has been compromised by hand strips and that signs will be posted both in the brochure and at the top of the stairs indicating that unevenness does occur and the deck walkway will be painted a different color. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-105-97.

RE: Appeal of Campus Movers, Inc., Owner of the Property located on the premises known as 2160 West 106th Street from a NOTICE OF VIOLATION of the Chief of the Division of Fire dated April 16, 1997, requiring

ing compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action by the Board this date, the docket will remain open and be rescheduled upon notification to the Board by either the Appellant or the Fire Prevention Bureau.

* * *

Docket A-118-97.

RE: Appeal of Jerome H. Schmelzer, Owner of the Property located on the premises known as 750 Prospect Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated May 13, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled for a later date.

* * *

Docket A-128-97.

RE: Appeal of Sean P. Andrews, Owner of the Residential Property and Swimming Pool located on the premises known as 15819 Edgecliff Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated June 10, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten foot (10 ft.) requirement and permit the pool to be installed as indicated on the drawings, six feet/ten inches (6 ft./10 ins.) from the property line, noting the letter of concurrence of the adjacent property owner. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-129-97.

RE: Appeal of Helen Chaplin, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 1297 West 116th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated June 10, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten foot (10 ft.) requirement and permit the pool to be installed as indicated, eight feet (8 ft.) from the property line, noting the letter of concurrence of the adjacent neighbor. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-130-97.

RE: Appeal of David R. & Patricia Campbell, Owners of the Residential Property located on the premises known as 11415 Harborview Drive from a NOTICE OF NONCONFORMANCE of the Commis-

sioner of the Division of Building and Housing dated June 11, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time grant the variance and permit occupancy of the third floor as proposed on the drawings (dated 06/05/97) with the provision that the windows in the bedrooms be in conformance with the one and two-family requirement of 5.8s.f. of opened area; and to also require that the extension of the hardwired smoke detection system to the third floor area. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-132-97.

RE: Appeal of Playhouse Square Foundation, Owner of the Property located on the premises known as 1515 Euclid Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated June 10, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the construction to continue in all areas at the property located at 1515 Euclid Avenue to those buildings complying with the requirements for a fully sprinklered building, noting the Appellant's comments that it will be fully sprinklered in accordance with the Codified Ordinances of the City of Cleveland Section 906.2; and that construction may continue and occupancy may continue for a period of six months (6 mos.) until compliance is certified by the City. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-134-97.

RE: Appeal of Steven & Colette Shank, Owners of the Residential Property and Proposed Swimming Pool located on the premises known as 1940 West 77th Street from a NOTICE OF NONCOMFORMANCE of the Commissioner of the Division of Building and Housing dated June 17, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the pool to be installed as indicated on the drawings, with the variances to the side lot lines reduced to four feet (4 ft.) and the rear line to eight feet (8 ft.), noting the letters of concurrence from the adjacent neighbors. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

Docket A-137-97.

RE: Appeal of George J. Argie, Owner of the Property located on the premises known as 2183 Murray Hill Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing redated June 20, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the unisex toilet for the requirement of (15) people, and all the occupancy of the restaurant to use the unisex toilet on the first floor. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

EXTENSION OF TIME:

Docket A-209-96.

Principal Residential Mortgage — 3413 East 108th Street: A motion is in order at this time to DENY the Appellant's request for a six month (6 mos.) "Extension of Time" in which to abate the violations, the property is REMANDED at this time to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

A-207-96—Preferred Solutions, Inc.
A-12-97—Full Life Church of God In Christ.

A-76-97—Stephen S. Spackey.
A-126-97—Pierre Nadeau.
Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Separate motions were entered by Mr. Williams and seconded by Mr. Saunders for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

L-7-97—Paul A. Saunders.
L-9-97—John E. Perovesk.
A-48-97—Republic Savings Bank.
A-90-97—Morton T. & Pearl Myers.
Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Separate motions were entered by Mr. Sullivan and seconded by Mr. Williams for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

L-8-97—John J. Healey.
A-53-97—The Alexander Company, Inc.
A-103-97—The Alexander Company, Inc.
A-123-97—Huntington Building.
Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Saunders and seconded by Mr. Williams for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

June 11, 1997

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid

opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, JULY 10, 1997

Sidewalk Assessment Program, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1072-96.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Labor and Materials Necessary to Maintain and Repair Elevators at Various Health Centers, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 807-97.

Various Citation Forms, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 118-97, passed by the Council of the City of Cleveland, March 24, 1997.

Medical Supplies, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 220-97, passed by the Council of the City of Cleveland, April 14, 1997.

June 25, 1997 and July 2, 1997

TUESDAY, JULY 15, 1997

Avis and Dollar Rental Car Facility Demolition at Cleveland Hopkins International Airport. Bids packages are available from URS-Greiner, Inc., 800 West St. Clair Avenue, Cleveland, Ohio 44113-1232 (216) 622-2400 for the **NON-REFUNDABLE FEE** of \$75.00. BIDS WILL BE RECEIVED AT R.O.C. BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 UNTIL 3:00 P.M. JULY 15, 1997.

July 2, 1997 and July 9, 1997

THURSDAY, JULY 17, 1997

Computer Hardware, Software and Peripherals, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 260-97, passed by the Council of the City of Cleveland, March 24, 1997. A PRE-BID MEETING WILL BE HELD ON THURSDAY, JULY 10, 1997.

Computer Furniture and Security System, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 260-97, passed by the Council of the City of Cleveland, March 24, 1997. A PRE-BID MEETING WILL BE HELD ON THURSDAY, JULY 10, 1997.

Labor and Materials to Maintain and Repair Elevators, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 807-97, passed by the Council of the City of Cleveland.

July 2, 1997 and July 9, 1997

WEDNESDAY, JULY 23, 1997

Laboratory Equipment, Testing and Analytical Services: ION Chromatograph and Accessories, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

Underwater Diving Services, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 729-97, passed by the Council of the City of Cleveland, June 2, 1997.

Manholes, Castings and Grating, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

July 2, 1997 and July 9, 1997

THURSDAY, JULY 24, 1997

Traffic Signal and Sign Material and Equipment — Aluminum Sign Blanks, for the Division of Traffic Engineering and Parking, Department of Public Safety, as authorized by Ordinance No. 266-97, passed by the Council of the City of Cleveland, April 14, 1997.

Modifications to Existing Plumbing, for the City of Cleveland Dog Kennels, Department of Public Safety, as authorized by Ordinance No. 2839-90, passed by the Council of the City of Cleveland, January 28, 1991.

July 2, 1997 and July 9, 1997

SPECIAL BIDS NOTICE

Sealed bids will be received for requests for qualifications for Public Relations for the Cleveland Theater District. Bid specs can be picked up at **Playhouse Square Foundation, 1501 Euclid Avenue, Suite 810, Cleveland, Ohio 44115**. Sealed bids must be received no later than noon, Monday, July 21st, 1997 at the above address. Inquiries can be made to Sarah at 348-5326.

Sealed bids will be received for requests for proposals for development of a district quarterly newsletter for the Cleveland Theater District. Bid specs can be picked up at **Playhouse Square Foundation, 1501 Euclid Avenue, Suite 810, Cleveland, Ohio 44115**. Sealed bids must be received no later than noon, Monday, July 21st, 1997 at the above address. Inquiries can be made to Sarah at 348-5326.

Sealed bids will be received for requests for proposals for development of a district promotional brochure for the Cleveland Theater District. Bid specs can be picked up at **Playhouse Square Foundation,**

1501 Euclid Avenue, Suite 810, Cleveland, Ohio 44115. Sealed bids must be received no later than noon, Monday, July 21st, 1997 at the above address. Inquiries can be made to Sarah at 348-5326.

July 2, 9 and 16, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

REPRINT

Ord. No. 2215-96.
By Councilman Rybka (by departmental request).

An emergency ordinance to enact Sections 325.121 and 347.15 of the Codified Ordinances of Cleveland, Ohio, 1976, and to amend Sections 337.10, 343.01, 343.11, 345.01, 345.02 and 345.03, as enacted by various ordinances, all relating to correctional halfway houses.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 325.121 and 347.15 thereof to read, respectively, as follows:

Section 325.121 Correctional Halfway House

"Correctional halfway house" means a premises which provides room and board and correctional oversight, pursuant to a contract to provide those services for the Federal Bureau of Prisons or the Ohio Department of Rehabilitation and Corrections or the Cuyahoga County Court of Common Pleas Department of Probation or any other governmental entity with jurisdiction to provide correctional services, to adults who have been assigned to such facility by either a governmental authority or a court of law. Such premises may be one building or a grouping of buildings located on contiguous properties.

Section 347.15 Correctional Halfway Houses

Correctional halfway houses, as defined in Section 325.121, shall be permitted only in accordance with the following regulations and other applicable regulations of the Codified Ordinances of the City of Cleveland.

(a) **Purpose.** The regulations of this section are intended to provide suitable locations for residential institutions which assist in enabling individuals to live independently, productively and lawfully as members of the larger community, following a period of incarceration or following a conviction for criminal activity. These regulations are also intended to ensure that such institutions are operated in a manner which serves the best interests of their residents, while protecting the safety of residents living in nearby neighborhoods.

(b) **Certificate of Occupancy.** No correctional halfway house shall be established or expanded before issuance by the Commissioner of Building and Housing of a Certificate of Occupancy. The Commissioner shall issue such Certificate only after approval by the Board of Zoning Appeals, as required in division (c) of this section.

(c) Board of Zoning Appeals Approval. No Certificate of Occupancy for establishment or expansion of a correctional halfway house shall be issued without approval of such application by the Board of Zoning Appeals, after public notice and a public hearing. In order to ensure compatibility between a proposed correctional halfway house, or expansion thereof, and surrounding properties, the Board may require modifications to a proposal as a condition of its approval. The Board shall determine the suitability of a proposed correctional halfway house, or expansion thereof, at a particular location, through consideration of, among others, the following factors.

(1) conformance of the proposal to the requirements of this section and to other applicable regulations of the City's Codified Ordinances;

(2) the record of the proposed operator in managing similar facilities; and

(3) the size of the proposed facility as it affects potential over-concentration of a correctional system population in the immediate vicinity.

(d) Permitted Locations. Correctional halfway houses shall be allowed in General Retail Business, Residence-Industry and Semi-Industry zoning districts, in accordance with all applicable regulations.

(1) Separation Standards. No correctional halfway house shall be established on a lot or lots within five hundred (500) feet of a Residential zoning district nor within five hundred (500) feet of the lot or lots occupied by a playground, public park, public recreation center, church or similar place of worship, public library, pre-school, day-care center, kindergarten, special education center, or primary or secondary school, measured in accordance with the standards of division (d)(3) of this section. Specifically, however, along the rear lot line of a property to be occupied by a correctional halfway house, this separation standard may be waived by the Board of Zoning Appeals, if, in the determination of the Board, adequate fencing, buffer areas and/or other barriers are in place or will be put in place to screen and separate the adjoining properties, and to prevent access between the properties.

(2) Spacing Standard. No correctional halfway house shall be established on a lot or lots within two thousand (2,000) feet of a lot or lots occupied by another such facility measured in accordance with the standards of division (d)(3) of this section. Furthermore, not more than two (2) correctional halfway houses shall be located in any Police District.

(3) Measurement Standard. In all instances where this section requires separation or spacing by a specified distance, such distance shall be measured in a geometrically straight line which represents the shortest distance between the lot or lots accommodating the proposed correctional halfway house and the lot or lots or zoning district from which the correctional halfway house is to be separated. Such measurement shall be made using a scaled map, or a survey if deemed necessary, and shall be made without regard to intervening structures, objects, uses, the street grid, landforms, waterways, or any other topographic feature.

(e) Licensing and Supervision. All correctional halfway houses operating in the City of Cleveland shall have all required licenses, including any required for operation of a correctional halfway house. On-site supervision by qualified staff shall

be provided for all hours during which residents are on the premises. Security measures shall be sufficient to protect the safety of residents and other citizens in the vicinity of the facility.

(f) Floor Area and Occupancy Standards. A minimum of two hundred (200) square feet of habitable floor area shall be provided, on average, for each resident of a correctional halfway house, including staff members normally on the premises after 11:00 p.m. A maximum of one hundred (100) residents subject to correctional oversight shall be accommodated at any correctional halfway house. No correctional halfway house may operate with a total resident population of less than twenty (20) persons, which twenty persons may include individuals not subject to correctional oversight.

(g) Parking. A minimum of one off-street parking space shall be provided for every three residents of a correctional halfway house, plus one space for each staff person on duty during the largest shift. Such spaces shall be provided either on or directly adjacent to the property occupied by the facility.

(h) Excluded Residents. Correctional halfway houses shall not admit or accommodate residents who, at the time of their admission or at any time during their stay, exhibit a pattern of violent behavior, nor shall correctional halfway houses admit or accommodate residents who have been convicted of any of the following crimes: murder, rape or felony crimes against children.

(i) Revocation of Certificate. The Commissioner of Building and Housing shall revoke the Certificate of Occupancy issued to a correctional halfway house if it is determined that the facility is no longer licensed as required in this section or if compliance with City regulations or with requirements of the Board of Zoning Appeals is not maintained.

(j) Application. An application for a Certificate of Occupancy for a correctional halfway house shall include the following information, in addition to such information and drawings otherwise required under these Codified Ordinances.

(1) The name, address and telephone number of the operator, the agency holding the required State License, and the owner of the property on which the facility is to be established.

(2) The address of the proposed site.

(3) The name of the government agency providing or expected to provide a license to the operator; the term of such license; and the expiration date thereof.

(4) The proposed design capacity of the facility in terms of the number of residents and staff on the largest shift.

(5) Written policies of the operator governing admission to residence in the facility, and rules for residents, including rules for the storing and taking of medicine.

(6) A written affidavit from the operator that all residents will have been determined to be capable of functioning adequately in a community setting and will not constitute a reasonably foreseeable danger to the community.

(7) Client groups to be served by type, age range, level of functioning or rehabilitation, nature of past institutionalization or incarceration, present status in treatment and in the correctional system (e.g., with respect to furlough, parole or probation status).

(8) Description of supervision and security arrangements, and a description of arrangements for maintenance of the facility and the grounds.

(9) Description of services to be provided to residents in on-site and off-site locations.

(10) Addresses of all similar facilities currently or previously operated by the proposed operator and the licensing agency.

(11) Plans and statements of all exterior and interior building alterations proposed to accommodate the facility.

(12) Number, size, location and surfacing of all off-street parking spaces, and a statement of the operator's policy on keeping of cars by residents.

(13) Any other information deemed necessary by the Commissioner of Building and Housing to determine compliance with the provisions of this section and other applicable provisions of these Codified Ordinances.

(k) Notification. Upon receipt of an application for a Building Permit or Certificate of Occupancy for a correctional halfway house, the Division of Building and Housing shall send a copy to the Councilmember in whose ward the proposed facility would be located and shall submit a notification of the receipt of the application, including the proposed address, to the Council Clerk for publication in the City Record.

(l) Annual Registration. Prior to issuance of a Certificate of Occupancy for a correctional halfway house, the operator shall submit supervisor and operator information to the Division of Building and Housing. This information shall include the names and phone numbers of all on-site supervisors; the name, address and telephone number of the operator; if the operator is a partnership or a corporation, the names, addresses and telephone numbers of all general partners or officers; if any of the general partners and partnerships or corporations, the names, addresses and telephone numbers of all officers; and the name and address of the statutory agent, if any. The address for corporations and partnerships shall be the principal place of business and the address for natural persons shall be the home address. This information shall be amended upon a change to it, and shall be submitted annually to the Division of Building and Housing by the first day of February.

Section 2. That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 337.10, as amended by Ordinance No. 1871-73, passed September 24, 1973.

Section 343.01, as amended by Ordinance No. 2329-89, passed February 4, 1991.

Section 343.11, as amended by Ordinance No. 1205-94, passed June 13, 1994.

Sections 345.01 and 345.02, as amended by Ordinance No. 584-51, passed May 7, 1951.

Section 345.03, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, are hereby amended, to read, respectively, as follows:

Section 337.10 Permitted Buildings and Uses in Residence-Office Districts

In a Residence-Office District the following buildings and uses are permitted, provided that no sales, display or warehousing of merchandise shall be permitted on the premises:

(a) Apartment houses.
 (b) Apartment hotels.
 (c) The following, if located at least fifteen feet from the lot lines where the adjoining premises are not used for similar purposes:

(1) Administrative and professional office buildings.

(2) Hospitals, sanitariums, nursing, rest or convalescent homes, homes for the aged and clinics provided that none of these uses are operated primarily for abortions, the care of contagious diseases, the insane or feeble-minded, epileptics, drug or liquor patients.

(3) Junior or senior high schools, colleges and universities that are nonprofit.

(4) Dormitories, fraternity or sorority houses when related to an existing nonprofit public or private school, college or university located within the same Residence-Office District.

(5) Police and fire stations and other administrative governmental buildings.

(6) Nonprofit libraries and museums.

(7) Kindergartens, day nurseries, children's boarding homes, orphanages and other child care centers.

(8) Public utility buildings, provided that no storage yard or building shall be operated in connection therewith.

(9) Research laboratories not involving the manufacture, fabrication, processing or sale of products on or off the premises, provided that such does not create or emit offensive or noxious odors, fumes, dust, smoke, gas, noise or other similar air pollutants.

(10) An accessory ethical pharmacy used in connection with and for the exclusive use of the patients in a medical office building or any other permitted use devoted to medical care, provided that there shall be no display or advertising sign visible from the exterior of the building, and further that access to such pharmacy shall be had from within the main building only.

(11) Nonprofit lodges.

(12) Charitable institutions not for correctional purposes.

(d) Accessory uses as permitted and as regulated by divisions (a) (8), (a) (9) and (11) of Section 337.23.

Section 343.01 Local Retail Business District

(a) "Local Retail District" means a business district adjacent to or surrounded on at least three sides by Residence Districts in which such uses are permitted as are normally required for the daily local retail business needs of the residents of the locality only.

(b) **Permitted Buildings and Uses.**

The following buildings and uses are permitted in a Local Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one or more of the following specified uses, and there shall be no display of goods in front of a setback building line.

(1) Except as otherwise provided in this Zoning Code, all uses permitted and as regulated in the least restricted Residence District adjacent to any part of such Local Retail Business District.

(2) Retail business for local or neighborhood needs to the following limited extent:

A. The sale of baked goods, confectionery, dairy products, delicatessen, fruits, vegetables, groceries, meats.

B. The sale of dry goods and variety merchandise, excluding department stores.

C. The sale of men's and boys' furnishings, shoes, hats, women's ready-to-wear, furs, millinery, apparel, accessories.

D. The sale of china, floor covering, hardware, household appliances, radios, paint, wallpaper, materials and objects for interior decorating.

E. The sale of books, magazines and newspapers, including adult book stores subject to Section 347.07, cigars, drugs, flowers, gifts, music, photographic goods, sporting goods, stationery.

F. Eating places, lunch rooms, restaurants, cafeterias and places for the sale and consumption of soft drinks, juices, ice cream and beverages, but excluding buildings which provide entertainment or dancing and buildings in which beer and intoxicating liquor are sold for consumption on the premises, provided such building for the sale of beer or intoxicating liquor is within 500 feet of the boundary of a parcel of real estate having situated thereon a school, church, library, nonprofit recreational or community center building or public playground.

G. Service establishments: barber or beauty shops, custom tailors, laundry agencies, self-service laundries, hand laundries, shoe repair, ice stations and dry cleaning, pressing or tailoring shops in which not more than five persons are engaged in such work or business at any one time, and in which only nonexplosive and nonflammable solvents are used and no work is done on the premises for retail outlets elsewhere and pet shops, provided noise and odors are effectively confined to the premises. As used in this division (b)(2)G., "pet shops" does not include businesses which board dogs or cats overnight or any pet hospital.

(3) Business offices: real estate, insurance and other similar offices, and the offices of the architectural, clerical, engineering, legal, dental, medical or other established recognized professional, but excluding morticians, undertakers and funeral directors, in which only such personnel are employed as are customarily required for the practice of such business or profession and not exceeding a total of five persons at any one time.

(4) Automotive services: public garages, provided they conform to the applicable provisions of Sections 343.19 to 343.21 and Chapter 349; and parking lots which conform to the provisions of division (c) of Section 349.13, except that permission from the Board of Zoning Appeals shall not be required.

(5) Charitable institutions not for correctional purposes.

(6) Signs: permitted in accordance with the requirements of Chapter 350.

(7) Other main uses: any other neighborhood store, shop or service similar to the uses listed in this division in type of goods or services sold, in business hours, in the number of persons or cars to be attracted to the premises and in effect upon the adjoining Residence Districts.

(8) Accessory uses, only to the extent necessary normally accessory to the limited types of neighborhood service use permitted under this division.

Section 343.11 General Retail Business Districts

(a) "General retail business" means an enterprise for profit for the convenience and service of, and dealing directly with, and accessible to, the ultimate consumer; neither injurious to adjacent premises or to the occupants thereof by reason of the emission of cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibrations; nor dangerous to life or property. It includes buildings or spaces necessary to a permitted use for making or storing articles to be sold at retail on the premises. Except as provided in division (b) of this section, it does not include any establishment which supplies a retail outlet other than that on the premises, or any building or use specifically mentioned as permitted only in a Semi-Industry or Industry District.

(b) **Permitted Buildings and Uses.**
 The following buildings and uses are permitted in a General Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one or more of the following specified uses:

(1) Except as otherwise provided in this Zoning Code, all uses permitted and as regulated in any Local Retail Business District.

(2) All retail business uses and buildings specified in division (b) of Section 343.01, and uses and buildings to provide for:

A. The sale of food and beverages of all kinds, including sale for consumption on the premises;

B. The sale of general merchandise, including sale in department stores;

C. The sale of apparel of all kinds;

D. The sale of furniture and household goods, including furniture and accessory furniture storage;

E. The sale of other goods or merchandise;

F. Eating places of all types;

G. Service establishments: service establishment permitted in a Local Retail Business District without limitation on the number of persons engaged in such work or business; mortuary or undertaking establishment; printing shop, provided not more than five persons are engaged in such work or business; research laboratory, radio or television station, telephone exchange or transformer station, provided all buildings and structures except fences and barriers are located not less than fifteen feet from a Residence District; hospital, sanitarium, convalescent home, rest home, nursing home, orphanage or home for the infirm or aged, provided that all main buildings are not less than fifteen feet from any adjoining premises in a Residence District not used for a similar purpose; cat and dog hospital or pet shop, provided noise and odors are effectively confined to the premises.

H. Business offices and services: in addition to the uses permitted in Local Retail Districts, office buildings, banks, business colleges, private trade schools.

I. Automotive services: in addition to the uses permitted in Local Retail Districts:

1. Service garage.

2. Automobile laundry, provided the premises are located not less than 100 feet from a Residence District.

3. Parking lot.

4. Lot for the sale of new and secondhand motor vehicles or trailers except those of more than two tons net weight provided that all vehicles advertising matter, and all

structures, movable or fixed, are kept back of a structurally-sound barrier at least one and one-half feet high located as follows:

a. Where the building line is back of the street line, the barrier shall be located on or back of the setback building line.

b. Where the distance from the street line to the front line's of the nearest buildings at the sides of the premises and within 100 feet of the premises is less than that required by division (I)(4)A.1.a. of this section, the barrier may be erected to a line joining the near front corners of such buildings, or at the average distance of such buildings from the street line.

5. Service station which meets all the requirements and provisions of Section 343.13.

J. House trailer or travel trailer park, as defined in Section 3733.01 of the Revised Code, when approved by the Board of Zoning Appeals after public hearing, and when used and maintained in conformity with any conditions specified in such approval.

K. Signs: signs permitted in accordance with the requirements of Chapter 350.

L. Amusement and recreation: armory, assembly hall, bowling alley, dance hall, video and pinball arcade, pool and billiards theater, skating rink or other social, sport or recreational center operated as a business, all such uses subject to the regulations of Section 347.12 and adult entertainment uses, subject to Section 347.07, provided that the place or building in which any such amusement or recreation use is operated is sufficiently sound-insulated to confine the noise to the premises.

M. Transportation services: railroad station; public service station; bus passenger station; bus terminal, provided the roadway of the street upon which the bus entrance or exit is located is at least forty-four feet wide between curbs.

N. Office, display or sales space of a wholesale, jobbing or distributing establishment and specifically mentioned as permitted only in a less restricted district, in connection with which not more than twenty-five percent of the floor area of the building or part of the building occupied by the establishment is used for making, assembling, remodeling, repairing, altering, finishing or refinishing its products or merchandise and provided that:

1. Any resulting cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibration is effectively confined to the premises.

2. The ground floor premises facing upon and visible from a major street upon which the premises abut shall be used only for entrances, offices or display.

3. Adequate off-street loading and unloading facilities are provided and so designed that any standing vehicles using them shall be within the property lines and be either not visible from streets within Retail Business, Local Retail Business or Residence District, or not nearer than fifty feet to such streets.

O. Retail poultry business: either as a main use or as an accessory use, including the storing and killing of poultry or game to be sold entirely at retail upon the premises and directly to the ultimate consumer, provided that the enterprise is conducted in strict compliance with all applicable statutes, laws, rules and regulations, including those requiring rat-proofing, and that adjacent premises or the occu-

pants thereof are not injured by reason of the emission of dust, odor, smoke or noise or the accumulation of refuse or offal, and provided further that the buildings in which the killing, storing and selling are done are either detached masonry structures or part of a masonry building used entirely for the handling of poultry and/or game.

1. A detached masonry structure used for slaughtering or for storing of live poultry shall have not less than 100 square feet of floor area and shall be located at least ten feet from any other building or part thereof on the same lot which is used for human habitation, or as a place where other food is prepared, placed, kept or sold.

2. Where the slaughtering room is part of a masonry building used entirely for the handling of poultry and/or game, such slaughtering room shall be separated from the sales or storage room by a solid masonry wall in which there may be only one opening not greater than four square feet in size, located not less than four feet above the floors of both rooms, equipped with either a self-closing window or self-closing door. Such slaughtering room shall be entered only from outside the building.

3. In either case, such slaughtering room shall be used only for killing, flicking and dressing and shall be not less than twenty-five feet from the boundary of the premises upon which it is located. All offal and refuse must be kept in covered containers within such slaughtering room until removed from the premises.

4. Such slaughtering room and every building, room or space used for storage or sale of poultry or game in connection therewith shall be not less than 300 feet from any Residence District, church, school, playground, library or building of Institutional H Occupancy classification.

P. Any other building, use or service similar to the uses herein listed in the type of services or goods sold, in the number of persons or cars to be attracted to the premises or in the effect upon adjacent areas in more restricted use districts.

Q. Any accessory use customarily incident to a use authorized by this section, except that no use specified in divisions (b) and (c) of Section 345.04 as prohibited or permitted only by special permit in a General Industry District shall be permitted as an accessory use.

(3) Hotels.

(4) Motels.

(5) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15.

Section 345.01 Residence-Industry District Defined and Established

(a) As used in this Zoning Code, "Residence-Industry District" means an industrial area controlled with respect to character of occupancy, manufacturing processes, provision for off-street parking and off-street loading, location of driveways, setbacks from residential boundary lines and from residential streets and treatment of such setback open spaces, so as to protect the character of any adjoining or adjacent residential area.

(b) The Residence-Industry District is hereby created in order to permit lands suitable for industrial use and in locations where such use is consistent with the general plan for the City adopted by the City Planning Commission, including

locations which are adjoining or adjacent to a Residence District, to be used for industrial purposes under conditions that will not be detrimental to such Residence District.

Section 345.02 Permitted Buildings and Uses in Residence-Industry District

Within any Residence-Industry District no building or premises shall be erected, altered, used, arranged or designated to be used, in whole or in part for other than one or more of the following specified uses, provided that:

(a) All resulting cinders, dust, flashing, fumes, gases, noises, odors, refuse matter, smoke, vapors and vibrations are effectively confined to the premises;

(b) All materials are stored inside buildings;

(c) Setback building lines to the same extent as required in this Zoning Code for Residence Districts are observed on any street on which the Residence-Industry District adjoins a Residence District, and suitable planting is maintained in the setback area. Side yards and rear yards not less than twenty-five feet are provided at lot lines which are also boundary lines of Residence Districts or of lots used for residences in a Local Retail Business District or Shopping Center district. A chain link fence not less than six feet high is constructed on lot lines which are also boundary lines of Residence districts or of lots used for residences in a Local Retail Business District or Shopping Center District;

(d) There are adequate off-street loading and unloading facilities so designed that any standing vehicle using them is within the property lines and is either not visible from streets or not nearer than fifty feet to streets;

(e) There is adequate off-street car parking for the employees, owners and others coming to the premises on matters incidental to the uses thereof, and adequate off-street parking of trucks in space so located as not to be visible from the streets or not nearer than fifty feet to streets;

(f) Entrance and exit to any building or premises are from a street designated as a major thoroughfare on the general plan adopted by the City Planning Commission or, if the premises in question does not abut such street, then from any street approved by the Board of Zoning Appeals if it finds the probable volume and type of traffic to such premises will not change materially the existing character of such streets nor be detrimental to the adjoining or adjacent residential area;

(g) In the case of nonresidential use, trucking operations are not conducted evenings, nights, Sundays nor on holidays generally observed by business and single-shift industry;

(1) Any use permitted in a Multi-Family District.

(2) Office buildings, loft buildings, telephone exchanges, transformer stations, research laboratories.

(3) Retail tin shops and furnace shops, retail plumbing shops and plumbing supply shops, signs, display or decorating shops, printing shops.

(4) The following uses if located not less than 100 feet from a Residence district; repair garage for repair or painting of motor vehicles, creamery, milk bottling or milk distributing stations.

(5) Operation of any internal combustion engines in connection with any use permitted in the District, provided such engines are equipped and operated only with an effective muffling device.

(6) Carpet cleaning, dry cleaning or dyeing, laundries, cold storage plants, bottling works, ice plants, ice cream plants, cigar factories.

(7) Wholesale, jobbing, distributing or warehouse establishments for such materials as cotton, wool, clothing, fabrics, furniture, hardware, ice, leather, metals other than scrap or junk metals, rubber, shop and store supplies, including the making, assembling, remodeling, repairing, altering, finishing or refinishing of these products or merchandise, provided the processes used comply with the limitations specified in this section.

(8) Machine shops in which only lathes, drill presses, hydraulic presses, shavers, milling machines, planers, grinders and similar tools are used, and no hammering, rolling, spinning, heat treating by other than induction processes or riveting is done and no forges, metal saws other than automatic hack saws, heavy shears, multiple spindle automatic screw machines or other noise or vibration-producing tools or machines are operated.

(9) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15.

(10) Hospitals, sanitariums, nursing, rest or convalescent homes.

(11) Any other building or use similar in character and operation and in effect on conforming uses in adjoining more restricted use districts as the buildings or uses herein permitted.

Section 345.03 Semi-Industry Districts

(a) Definition. As used in this Zoning Code, "Semi-Industry District" means an area usually adjacent to a Retail Business District or more restricted use district, in which storage, wholesaling, passenger or motor-freight transportation terminals, light manufacturing and other semi-industrial operations of such nature as not to be detrimental to an adjacent Retail Business District or more restricted use district, are permitted.

(b) Retail Business Uses, Conditions. Within any Semi-Industry District no building or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one or more of the following specified uses; provided that all resulting cinders, dust, flashing, fumes, gases, odors, refuse matter, smoke and vapor either are effectively confined to the premises or are disposed of in a manner which will not create a nuisance or hazard to safety or health, and provided further that noise and vibration are effectively prevented from being audible or perceptible at a distance of fifty feet from such premises:

Except as otherwise provided in this Zoning Code, all uses permitted and as regulated in a General Retail Business District. However, after the effective date of this Zoning Code no dwelling house, row house or multiple dwelling, and no building or Institutional H Occupancy Classification, shall be located within 200 feet of the boundary line of an adjoining General or Unrestricted Industry District, and no existing building within 200 feet of such boundary line shall be converted or altered to any such use, except that the Board of Zoning Appeals may, in specific instances, permit such erection, conversion or alteration when the development of the immediately surrounding area is essentially residential in character and the erection or establishment of an

additional residence building would not be incompatible with or hamper or obstruct the use of the Semi-Industry District and the adjoining General or Unrestricted Industry Districts for the uses for which they are intended, and except that the Board may grant special permission for temporary dwellings, or for permanent dwellings for a limited number of personnel required to reside on the premises of a permitted use for the safe and proper operation of that use.

(c) Additional Commercial and Semi-Industrial Buildings and Uses

(1) Second-hand truck lot.

(2) Repair garage for repair or painting of motor vehicles, provided that such use is located not less than 100 feet from a Residence District.

(3) Amusement enterprises operated as a business; provided that the Board may, in specific instances, exempt such enterprises from the requirement that noise be effectively prevented from being audible at a distance of fifty feet from such premises where the premises upon which such enterprise is located and operated is sufficiently distant from any existing residential occupancy, and noise is confined to a practicable degree, or where the use is of a temporary nature, or where the audibility of noise beyond the fifty-foot limit would not adversely affect the use of surrounding premises, if the Board determines that the intent and purpose of such requirement are adequately served, under the circumstances.

(4) Operation of internal combustion engines in connection with any use permitted in the District, provided such engines are equipped and operated only with an effective muffling device.

(5) Carpet cleaning.

(6) Dry cleaning or dyeing.

(7) Laundries employing any number of persons.

(8) Cold storage plants.

(9) Bottling works.

(10) Ice plants.

(11) Ice cream plants.

(12) Creamery, milk bottling or milk distributing stations, if such buildings or uses are located not less than 100 feet from a Residence District.

(13) Except where prohibited by division (a) of Section 347.01, motor freight depots or trucking terminals; provided such buildings or uses are not less than 300 feet from a Residence District and the entrances thereto and exits therefrom are not located where prohibited by division (b) of Section 347.01, and are to or from a permitted street whose near curb, in front of the property, is not less than twenty-two feet from the center line of the street; and provided further than any loading or unloading platform facing such street is not less than eighty feet from the center line of the street and not less than fifty feet behind any setback building line on the street.

(14) Tin shops, furnace shops.

(15) Plumbing shops, plumbing supply shops, blacksmith shops.

(16) Sign, display or decorating shops.

(17) Wagon sheds or stables for any number of the horses.

(18) Wholesale bakeries.

(19) Manufacture of food products.

(20) Manufacture of confections.

(21) Breweries or distilleries.

(22) Cigar factories.

(23) Garment factories.

(24) Printing shops.

(25) Newspaper plants.

(26) Painting or varnishing shops.

(27) Cold mixing or grinding of paint.

(28) Vulcanizing shops.

(29) Woodworking shops.

(30) Monument shops.

(31) Machine shops in which only lathes, drill presses, hydraulic presses, shapers, milling machines, planers, grinders and similar tools are used, and no hammering, rolling, spinning, heat treating by other than induction processes or riveting is done, and no forges, metal saws other than automatic hack saws, heavy shears, multiple spindle automatic screw machines or other noise or vibration-producing tools or machines are operated.

(32) Any other manufacturing or industrial enterprise, operation or process, whether making, assembling, repairing, buffing, finishing, plating, painting, annealing or brazing by electric furnace, polishing, tempering, packing, shipping or storing, of a character, extent and hazard similar to those specified above and not specifically permitted only in a General Industry or Unrestricted Industry District, provided the building or use complies with the requirements of this section relating to the control of cinders, dust, flashing, fumes, gases, odors, refuse matter, smoke, vapor, noise and vibration.

(33) Storage in bulk of, or warehouse for, such materials as building materials, contractors' equipment, cotton, wool, clothing materials, fabrics, feed, furniture, hardware, ice, leather, machinery, metals other than scrap or junk metals, petroleum and other flammable liquids in above-ground tanks of less than 10,000 gallons capacity each, paint and paint materials, pipe, rubber, shop and store supplies, provided that any material stored in unenclosed premises to a height greater than four feet above grade level shall be a surrounded by a substantial seven-foot high wall or fence erected to observe all required building lines. Any lumber used for such wall or fence shall be new sound material surfaced and painted on the outside. There shall be no storage of salvaged lumber or other used building material, junk, paper, glass, rags, rubber, unclean or unrepaired containers or other discarded or salvaged articles or materials either in buildings or on premises, and there shall be no wrecking or dismantling of motor vehicles or storage of vehicles pending wrecking or dismantling on the premises.

(34) Storage of coal in buildings, silos, hoppers or packages and storage of coke, wood or other solid fuel; provided that all dust, dirt and noise incident to such storage or handling are effectively confined to the premises and a fence or wall is provided around unenclosed premises when and as required by division (c)(33) of this section.

(35) Wholesale businesses.

(36) Produce markets.

(37) Poultry raising for profit.

(38) Wholesale sale of poultry or the storage or sale of poultry in crate lots, or the killing of poultry or game in wholesale quantities for persons other than the ultimate consumer, provided that such business is conducted in strict compliance with applicable statutes, laws, ordinances, rules and regulations including those requiring rat proofing, and provided further that the building in which the slaughtering is done, either for wholesale or for retail purposes, is located, arranged, built and equipped as required by division (b)(2) of Section 343.11.

(39) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15.

(40) Any other building or use similar in operation and in effect on adjacent premises in adjoining more restricted use districts as the buildings or uses herein listed.

(41) Signs: Signs permitted in accordance with the requirements of Chapter 350.

(42) An accessory use customarily incident to a use authorized by this section, except that no use prohibited or permitted only by special permit in a General Industry District shall be permitted as an accessory use in a Semi-Industry District unless authorized under division (c)(43) of this section.

(43) The Board of Zoning Appeals may, after public notice and hearing and subject to appropriate conditions and safeguards, permit the location of a use authorized in a General Industry District on any lot in a Semi-Industry District that adjoins a railroad right of way, or adjoins a nonconforming use which is regularly permitted only in an industrial district.

Section 3. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976,

Section 337.10, as amended by Ordinance No. 1871-73, passed September 24, 1973,

Section 343.01, as amended by Ordinance No. 2329-89, passed February 4, 1991,

Section 343.11, as amended by Ordinance No. 1205-94, passed June 13, 1994,

Sections 345.01 and 345.02, as amended by Ordinance No. 584-51, passed May 7, 1951, and

Section 345.03, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, are hereby repealed.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 7, 1997.

Effective April 7, 1997.

REPRINT

Ord. No. 713-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with various agencies to provide housing, commercial, industrial and real estate development activities.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide housing, commercial, industrial and real estate development activities:

City-wide Development Assistance Program

Cleveland Neighborhood Development Corporation

Cleveland Housing Network: Reachship Project

Cleveland Restoration Society

Cleveland Tenants Organization
Hispanic Business Association
Living in Cleveland Center
Lutheran Housing Corporation:
Tool Loan Program
Lutheran Housing Corporation:
Furnace Repair Program
Neighborhood Housing Services of Cleveland, Inc.
United Labor Agency

CDC Competitive Grant Program
Amistad Development Corporation
Bellaire Puritas Development Corporation

Broadway Area Housing Corporation

Buckeye Area Development Corporation

Burten, Bell, and Carr Development Corporation

Clark Metro Development Corporation

Collinwood Community Services Center/Collinwood Area Development Corporation

Collinwood Village Development Corporation/Waterloo Trade Association

Cudell Improvement, Inc.

Detroit-Shoreway Community Development Organization

Fairfax Renaissance Development Corporation

Famicos Foundation

Flats Oxbow Association

Glenville Development Corporation

Historic Gateway Development Corporation

Historic Warehouse District Development Corporation

Hough Area Partners in Progress, Inc.

Kamms Corner Development Corporation

Midtown Corridor, Inc.

Miles Ahead, Inc.

Mt. Pleasant Now Development Corporation

Nolasco Housing Corporation

Northeast Shores Development Corporation

Northeastern Neighborhood Development Corporation

Ohio City Near West Development Corporation

Old Brooklyn Community Development Corporation

Shaker Square Development Corporation

Slavic Village Broadway Development Corporation

Southeast Improvement Association

St. Clair-Superior Coalition

St. Vincent Quadrangle

Tremont West Development Corporation

Union-Miles Development Corporation

Westown Community Development Corporation

Section 2. That the cost of said contracts shall be in an amount not to exceed \$2,230,000.00, and shall be paid from Fund Nos. 14 SF 023, Request Nos. 23070 and 23071.

Section 3. That the Director of Community Development is authorized to accept program income and to deposit that program income in Fund No. 14 to be used a revolving fund to finance additional housing, commercial, industrial and real estate development activities.

Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 9, 1997.

Effective June 18, 1997.

REPRINT

Ord. No. 998-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with various agencies to provide social service programs.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide social service programs:

A Cultural Exchange

Achievement Centers for Children

Aids Related Services (Health Department)

Alta House

American Sickle Cell Anemia

Arab American Community Center for Economic Social Services

Bellflower Center For Prevention of Child Abuse

Better Living Center

Boys and Girls Club (Broadway)

Boys and Girls Club (Mt. Pleasant)

Boys and Girls Club (West Side)

Brooklyn Memorial Community Youth Center

Brownettes Academy of Charm

Catholic Charities Services/Hispanic Senior Center

Catholic Charities Services/Martin DePorres Center

Center for Families and Children

Center for the Prevention of Domestic Violence

Chorale

Cleveland Mediation Center

Cleveland Police Athletic League

Cleveland Women, Inc.

Collinwood Community Services Center

Community Re-Entry

Community Socialization Program

Cory United Methodist Church

Custom Enrichment

Delta Tutoring and Nutrition Program

East End Neighborhood House

EBC's Ferry Development Corp.

El Barrio

Esperanza, College Prep

Federation for Community Planning/Hunger Network

Garden Valley Neighborhood House

Glad Center

Golden Age Centers

Golden Age Centers/Cornerstone Connection

Goodrich Gannett Neighborhood Center

Greater Cleveland Neighborhood Centers Association

Greater Cleveland Neighborhood Centers Association/Schools as a Neighborhood Resource

Guardian House Shelter

Harambee

Harvard Community Services Center

Hijos de Borinquen Spanish American Center

InterChurch Council of Greater Cleveland

Karamu House

Lexington Bell Center

M. C. Chatman Center
 Marotta Montessori Schools
 May Dugan/Near West Multi-Service Center
 Merrick House
 Mum-Ford Visual Health Care
 National Federation of the Blind
 Neighborhood Counseling Service
 New Cleveland Food Basket
 Nottingham Youth Center
 Old Brooklyn USA
 Phillis Wheatley Association
 Project Heat
 Project Unity
 Salvation Army
 Salvation Army (Tremont)
 Senior Citizens Resources
 Senior Outreach Services
 Services For Independent Living
 Spanish American Committee

Starting Point
 Substance Abuse Initiative
 Vietnamese Community in Greater Cleveland
 Vocational Guidance Services
 Werner Community Outreach
 West Side Community House
 West Side Counseling Consortium
 West Side Ecumenical Ministry
 YMCA-Broadway
 YMCA-Central/West Side
 YMCA-Glenville
 YMCA-Midtown East
 YMCA-West Park
 Youth At Risk (Safety Department)
Section 2. That the City Departments implementing the Community Development Block Grant social service programs are hereby authorized

to enter into contract with non-profit agencies providing social services.
Section 3. That the aggregate cost of the contracts authorized in Sections 1 and 2 of this ordinance shall be in an amount not to exceed \$3,000,000.00, and shall be paid from Fund No. 14 SF 023, Request No. 23088.
Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.
 Passed June 16, 1997.
 Effective June 24, 1997.

REPRINT

Ord. No. 1086-97.
By Councilmen Skhra, Coats and Westbrook (by departmental request).
An emergency ordinance authorizing and directing the Director of Public Service to make alterations and modifications in Contract No. 49329 for the West 9th Street Bridge project with National Engineering and Contracting Company, for the Department of Public Service.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:
Section 1. That the Director of Public Service is hereby authorized and directed to make the following alterations and modifications in Contract No. 49329 with National Engineering and Contracting Company, for the West 9th Street Bridge project, for the Department of Public Service:

West 9th Street Bridge

OVERRUN ITEMS					
NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
		OVERRUN			OVERRUN
105	14"CAST IN PLACE PILES	3,366.00	LF	\$ 20.00	\$ 67,320.00
129	DYNAMIC TESTING	16	HR	\$ 300.00	\$ 4,800.00
					\$ 72,120.00
CHANGE ORDER ITEMS					
NO.	DESCRIPTION	C.O. QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
CO-1	COFFERDAMS CRIBS & SHEETING	1	LUMP	\$ 106,845.51	\$ 106,845.51
CO-2	PIER II WOOD PILE REMOVAL	1	LUMP	\$ 33,787.84	\$ 33,787.84
CO-3	FLAGGING FOR R.T.A.	1	LUMP	\$ 12,080.74	\$ 12,080.74
CO-4	CONSTRUCTION COMPLEXITY	1	LUMP	\$ 19,624.43	\$ 18,865.91
CO-5	STRUCTURAL STEEL ERECTION OVER R.T.A.	1	LUMP	\$ 20,000.00	\$ 20,000.00
CO-6	PROTECTIVE SHELTER OVER R.T.A DURING CONSTRUCTION	1	LUMP	\$ 15,000.00	\$ 15,000.00
CO-7	PORTABLE LIGHTING FOR NIGHT WORK DURING R.T.A.SHUTDOWN	1	LUMP	\$ 5,300.00	\$ 5,300.00
CO-8	ENGINEERING & CONSTRUCTION FORCE ACCOUNT, A CONTINGENCY ON CONTRACT QUANTITIES	1	LUMP	\$ 116,000.00	\$ 116,000.00
	Total Change Order Items			\$ 327,880.00	
	Total Overruns			+ 72,120.00	
	Total Subsidiary Additions			\$ 400,000.00	
	Original Contract Amount			\$ 3,645,465.75	
	Total Subsidiary Additions			+ 400,000.00	
	REVISED CONTRACT AMOUNT			\$ 4,045,465.75	

which alteration has been recommended in writing by the said Director of Public Service, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$400,000.00, to be paid from Fund Nos. 20 SF 883, 20 SF 146, 20 SF 181, 20 SF 322, 20 SF 221, and 17 SF 683.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.
 Passed June 16, 1997.
 Effective June 24, 1997.

COUNCIL COMMITTEE MEETINGS

Wednesday, July 2, 1997

Public Parks, Property & Recreation Committee (joint with City Planning Committee): 11:00 A.M. — Present: Rybka, Vice Chrm.; Patton, Skrha, Sweeney, White. Excused: Johnson, Chrm., Robinson.

City Planning Committee (joint with Public Parks, Property & Recreation Committee): 11:00 A.M. — Present: Rybka, Chrm.; Britt, Vice Chrm.; Jackson, Gordon, Skrha, White, Zone.

Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Community Development

Enter into contracts with various agencies to provide social service programs (O 998-97) **1244-R**
 Provide housing, commercial, industrial and real estate development activities (O 713-97) **1244-R**

Finance Department

Provide housing, commercial, industrial and real estate development activities (O 713-97) **1244-R**

Purchases/Contracts

Contract No. 49329 — West 9th Street Bridge Project — National Engineering and Contracting
 Company — Service Department (O 1086-97) **1245-R**

Repealed Ordinances and Resolutions (Not Codified)

Enact Sections 325.121 and 347.15 of Codified Ordinances of Cleveland (O 2215-96) **1239-R**

Service Department

Contract No. 49329 — West 9th Street Bridge Project — National Engineering and Contracting
 Company — Service Department (O 1086-97) **1245-R**

Zoning

Enact Sections 325.121 and 347.15 of Codified Ordinances of Cleveland (O 2215-96) **1239-R**