

The City Record

Official Publication of the City of Cleveland

March the Third, Nineteen Hundred and Ninety-Nine


Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Cecelia R. Huffman	
Ward	Name
1	Joseph T. Jones
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	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
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	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44111
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 - Cecelia R. Huffman, 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
Laura Ann Williams, Director, Office of Equal Opportunity
Milan T. Polacek, Executive Assistant for Legislative Affairs

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George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19
City Treasury - Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses - Robert J. Schneider, 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 - Robert Dolan, Controller, Room 18
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DIVISIONS - 1201 Lakeside Avenue
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Water Pollution Control - Darnell Brown, Commissioner
Utilities Fiscal Control - Morry Blech, Commissioner
Cleveland Public Power - James F. Majer, Commissioner
Street Lighting Bureau - Frank Schilling, Acting Chief.

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Streets - Randell T. Scott, Commissioner, Room 25
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Architecture - Paul Burik, Acting Commissioner, Room 517

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DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

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DIVISIONS - Police - Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue
Traffic Engineering & Parking - Mark Ricchiuto, Acting Commissioner, 4150 East 49th Street, Building #1
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES - Nicholas P. Jackson, 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, East 49th & Harvard

Parking Facilities - Dennis Donahue, 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 - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Linda M. Hudecek, Director, 3rd Floor, City Hall.
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Louise V. Jackson, Commissioner.
Neighborhood Development - Donald T. Moss, Commissioner.
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Jeffrey K. Patterson, Director, Room 121

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

DEPT. OF AGING - Susan E. Axelrod, Director, Room 122

COMMUNITY RELATIONS BOARD - Room 11, Dennis D. Dove, Acting 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; Cynthia Sullivan, Secretary; Margaret Hopkins, Member, Earl Preston, Member.

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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 Cornell P. Carter, President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Cornell P. Carter; Utilities Director Michael Konicek; Council President Jay Westbrook.

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Anthony J. Coyne, Acting Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Edward D. Small, Councilman Odelia V. Robinson.

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

MORAL CLAIMS COMMISSION - Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

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

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; James Gibans, Sandra Morgan, Hunter Morrison, Kenneth Nobilio, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Craig E. Willis, Councilman Joe Cimperman, Robert Keiser, Executive Secretary.

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 Colleen C. Cooney	14A
Judge C. Ellen Connally	15C
Judge Sean C. Gallagher	12B
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	14C
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Gerald F. Sweeney	13D
Judge Robert J. Triozzi	12A

Earle B. Turner - Clerk of Courts, Linda M. DeLillo-Court Administrator, Robert C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle L. Paris-Chief Magistrate

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, MARCH 3, 1999

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CITY COUNCIL

MONDAY, MARCH 1, 1999

The City Record

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Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

9:30 A.M.—**Public Health Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Britt, Cintron, Dolan, Jackson, Robinson.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Sweeney, Chairman; Melena, Vice Chairman; Britt, Cintron, Johnson, Jones, O'Malley, Patmon, Polensek.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Cintron, Vice Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka.

MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Rybka.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Johnson, Vice Chairman; Britt, Cimperman, Jackson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, O'Malley, White, Willis.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

1:30 P.M.—**City Planning Committee:** Robinson, Chairman; Cimperman, Vice Chairman; Dolan, Jackson, O'Malley, White, Willis.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio March 1, 1999.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

Councilmen present: Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis.

Also present were Chief of Staff Sheffield-McClain and Directors Carter, Carmody, Konicek, Balraj, Richiuto, Jackson, Hudecek, Warren, Patterson, Morrison, Axelrod and Acting Directors Whitlow and Dove.

Absent: Mayor White and Director Guzman.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Father Remus Grama, Pastor of St. Mary's Romanian Orthodox Church, located at 3256 Warren Road in Ward 21. Pledge of Allegiance

MOTION

On the motion of Councilman Polensek, the reading of the minutes of the last meeting was dispensed with and the journal approved.

COMMUNICATIONS

File No. 148-99-B.

From Ohio Housing Finance Agency - Appraising Council of a Residential Development Project: SKK Development Company re: 13000 Brackland Avenue. Received.

Cleveland Housing Network, Inc. re: Cleveland Housing Network Limited Partnership XVI. Received.

File No. 929-98-B.

From The Richard E. Jacobs Group, Inc. re: Shade Tree Assessments on P.P.N. 101-36-24 and 101-36-48. Received.

File No. 297-99.

From the Department of Port Control re: Notice to Council of Subsidiary Agreements. Received.

File No. 298-99.

From the State of Ohio Office of the Auditor re: Special Audit Committee reviews The Report on Agreed-Upon Procedures. Received.

File No. 299-99.

From the Cleveland Landmarks Commission re: Agenda - Regular Meeting February 25, 1999. Received.

File No. 300-99.

From the Board of Building Standards and Buildings Appeals re: Agenda of Public Hearing March 3, 1999. Received.

File No. 301-99.

From Division of Assessments and Licenses re: Assessment Notice to Downtown Property Owners. Received.

File No. 302-99.

From the Department of City Planning re: The Building Zone Maps of the City of Cleveland, 1998. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 303-99.

Re: New Application - 4980630 - Lakeview Supermarket II, Inc. dba Lakeview Superette, 970 Lakeview Road. (Ward 8). Received.

File No. 304-99.

Re: Transfer of Ownership Application - 2759506 - 5178 Inc. dba Benny Shapiro's Restaurant, 5178-80 Pearl Road. (Ward 16). Received.

File No. 305-99.

Re: Transfer of Ownership Application - 1545444 - Cleveland Eagles, Inc., 8309 Madison Avenue, first floor and basement. (Ward 17). Received.

CONDOLENCE RESOLUTIONS

The rules were suspended and the following resolutions were adopted by a rising vote:

Res. No. 339-99—Robert Raymond Ryan.

Res. No. 344-99—Reverend James E. Hannah.

Res. No. 345-99—Pearl Lee Barry.

Res. No. 346-99—John Ellis Malone.

Res. No. 347-99—Robert Banks, Jr.

Res. No. 348-99—Bishop Mary Amelia Hill Akins.

Res. No. 349-99—Helen E. Whittington.

Res. No. 350-99—Willie Joe Burston.

Res. No. 351-99—William Bell.

Res. No. 352-99—Chester Kolojek.

CONGRATULATORY RESOLUTIONS

The rules were suspended and the following resolutions were adopted without objection:

Res. No. 353-99—Lt. Col. Lloyd Clark.

Res. No. 354-99—Charlie Kennedy.

Res. No. 355-99—Theodore M. Mann, Jr.

Res. No. 356-99—Lt. Bill Cavett.

Res. No. 357-99—Joseph F. Petric, Jr.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 306-99.****By Mayor White.**

An emergency ordinance to amend various sections of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances relating to fees, permits and licenses; and to repeal Section 533.09 of the codified ordinances, as amended by Ordinance No. 99566, passed May 22, 1933, relating to customers to protect meters, liability.

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 following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 129.18, as amended by Ordinance No. 2661-81, passed December 14, 1981,
 Section 133.29, as amended by Ordinance No. 923-95, passed November 20, 1995,
 Section 133.30, as amended by Ordinance No. 2044-92, passed December 7, 1992,
 Section 133.33, as amended by Ordinance No. 925-96, passed June 10, 1996,
 Section 133.331, as amended by Ordinance No. 1828-95, passed December 18, 1995,
 Section 135.16, as amended by Ordinance No. 1133-92, passed April 26, 1993,
 Section 135.332, as amended by Ordinance No. 348-93, passed April 26, 1993,
 Sections 207.01 and 213.01, as amended by Ordinance No. 2460-93, passed June 6, 1994,
 Section 215.03, as amended by Ordinance No. 2587-80, passed March 2, 1981,
 Section 217.02, as amended by Ordinance No. 2460-93, passed June 6, 1994,
 Sections 223.02 and 225.04, as amended by Ordinance No. 2587-80, passed March 2, 1981,
 Section 227.06, as amended by Ordinance No. 664-65, passed April 13, 1965,
 Section 231.08, as amended by Ordinance No. 2587-80, passed March 2, 1981,
 Section 241.05, as amended by Ordinance No. 2015-95, passed December 18, 1995,
 Section 245.18, as amended by Ordinance No. 1461-64, passed June 29, 1964,
 Section 329.05, as amended by Ordinance No. 375-83, passed March 7, 1983,
 Sections 381.051, 381.052 and 381.053, as amended by Ordinance No. 1654-89, passed January 22, 1990,
 Section 3103.21, as amended by Ordinance No. 1564-89, passed July 26, 1989,
 Section 411.05, as amended by Ordinance No. 2590-80, passed June 1, 1981,
 Section 439.021, as amended by Ordinance No. 2743-91, passed December 16, 1991,
 Section 445.07, as amended by Ordinance No. 2590-80, passed June 1, 1981,
 Section 457.03, as amended by Ordinance No. 2603-91, passed August 19, 1992,
 Sections 533.10, 533.16 and 535.24, as amended by Ordinance No. 99566, passed May 22, 1933,
 Section 551.12, as amended by Ordinance No. 773-A-80, passed December 14, 1981,
 Section 551.191, as amended by Ordinance No. 676A-82, passed June 21, 1982,
 Section 555.08, as amended by Ordinance No. 1668-91, passed October 21, 1991,
 Section 603.03, as amended by Ordinance No. 1464-94, passed January 30, 1995,
 Section 672.02, as amended by Ordinance No. 1330-58, passed March 9, 1959,
 Section 673.03, as amended by Ordinance No. 2588-80, passed June 1, 1981,
 Section 675.08, as amended by Ordinance No. 1428-92, passed June 22, 1992,
 Section 677A.21, as amended by Ordinance No. 1053-A-80, passed January 21, 1981,
 Section 683.04, as amended by Ordinance No. 2487-A-89, passed June 18, 1990,
 Sections 683A.03 and 683A.07, as amended by Ordinance No. 222-87, passed May 11, 1987,
 Section 690.10, as amended by Ordinance No. 2588-80, passed June 1, 1981, and
 Section 698.05, as amended by Ordinance No. 1290-A-43, passed October 22, 1945
 are hereby amended, to read, respectively, as follows:

Section 129.18 Contracts for Disinfection of Water Mains

The Director of Public Utilities is hereby authorized to enter into contracts to provide for the disinfection of water mains by chlorination or flushing, including sampling, as follows:

(a) Chlorination.

Size of Main (Inches)	Cost Per Foot	Minimum Charge
4	\$.55	\$ 630.00
6	.55	630.00
8	.70	730.00
10	.70	730.00
12	.85	825.00
16	.90	945.00
20 and over	Actual cost	-0-

In case rechlorinating and sampling are necessary because the water from the new main is unsatisfactory for domestic use, another fee shall be charged for each additional chlorinating and sampling based on the same schedule as for the first chlorinating and sampling.

(b) Flushing. Where the length of a water main to be disinfected is less than 350 feet, a flat rate of two hundred fifty dollars (\$250.00) shall be made for flushing such main, taking water samples and making laboratory examinations to determine the purity of the water. When the first examinations indicate that water from such main is unsatisfactory for domestic use, the main shall be chlorinated based on the same schedule as for first chlorinating.

Section 133.29 Golf Course and Cross County Skiing Fees

(a) **Effective April 1, 1999, the** Director of Parks, Recreation and Properties shall be authorized to collect the following fees at municipal golf courses:

(1) Regular rates:	Monday-Friday	Weekends
9 holes	\$ 8.00	\$ 8.50
18 holes	\$15.00	\$16.00
(2) Senior rates:	Monday-Friday	Weekends
9 holes	\$ 5.00	\$ 5.00
18 holes	\$ 9.00	\$ 9.00

To qualify for senior rates, a player must be at least sixty (60) years old and must provide positive photo identification.

(3) Junior rates	Monday-Friday	Weekends
9 holes	\$5.00 for non-residents and Free for City residents	\$5.00 for non-residents and Free for City residents
18 holes	\$9.00	\$9.00

To qualify for junior rates, a player must be no more than eighteen (18) years old and must provide positive photo identification upon request.

(4) Winter rates		
9 holes	\$ 6.00	\$ 6.00
18 holes	\$11.00	\$11.00

The Commissioner of Recreation shall determine, based on weather and course conditions, the dates during which winter rates shall be in effect.

(5) Additional 9 holes. Players under categories listed in divisions (1) through (5) of this section who purchase a 9-hole ticket and wish to play an additional 9 holes may do so by presenting the 9-hole ticket to the cashier within three hours from the time of purchase and paying the additional amount required to equal the 18-hole rate.

- (6) Tent Rental: \$200.00
- (7) Locker Rental at Highland Park \$50.00 per season
- (8) Banquet Room Rental at Highland Park - Catered Events:

No. of People	Golf Outing*	Other Functions
less than 75	\$150.00	\$200.00
75 to 150	\$250.00	\$300.00

*Discount rate for golfers who wish to rent the facility.

Rental is based on a **four (4)** hour period with two hours prior to the rental. The banquet room closes at **12:00 midnight**. The dance floor may be rented for an additional \$150.00 per event. The City's restaurant concession shall be used exclusively to provide food for catered events, unless the Director approves the use of an independent caterer. Any alcohol beverages must be purchased from the City's Concessionaire. Security is to be arranged through the Village of Highland Hills' police department and is the responsibility of the group renting the banquet room.

- (9) Banquet Room Rental at Highland Park — Non-Catered Events:

The banquet room may be rented Monday through Thursday for meetings of **50 people or less**. Food or beverages must be purchased from the City's concessionaire, or, with the Director's approval, may be provided by the group renting the banquet room. The rental rate shall be twenty-five (\$25.00) per hour with a maximum of a four (4) hour rental period. The banquet room will close no later than **9:00 p.m.**, Monday through Thursday.

(b) **Effective January 1, 2000, the** Director of Parks, Recreation and Properties shall be authorized to collect the following fees at municipal golf courses:

(1) Regular rates	Monday-Friday	Weekends
9 holes	\$ 8.50	\$ 9.00
18 holes	\$16.00	\$17.00

(2) Senior rates are available only weekdays from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing:

	Monday-Friday	Weekends
9 holes	\$ 5.50	\$ 5.50
18 holes	\$10.00	\$10.00

To qualify for senior rates, a player must be at least sixty (60) years old and must provide positive photo identification.

(3) Junior rates are available only on weekdays from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing:

	Monday-Friday	Weekends
Junior rates		
9 holes	\$5.50 for non-residents and Free for City residents	\$5.50 for non-residents and Free for City residents
18 holes	\$10.00	\$10.00

To qualify for junior rates, a player must be no more than eighteen (18) years old and must provide positive photo identification upon request.

(4) Winter rates:

9 holes	\$ 6.50	\$ 6.50
18 holes	\$12.00	\$12.00

The Commissioner of Recreation shall determine, based on weather and course conditions, the dates during which winter rates shall be in effect.

(5) Additional 9 holes. Players under categories listed in division (1) through (5) of this section who purchase a 9-hole ticket and wish to play an additional 9 holes may do so by presenting the 9-hole ticket to the cashier within three hours from the time of purchase and paying the additional amount required to equal the 18-hole rate.

(6) Tent Rental: \$200.00

(7) Locker Rental at Highland Park \$50.00 per season

(8) Banquet Room Rental at Highland Park - Catered Events:

No. of People	Golf Outing*	Other Functions
less than 75	\$150.00	\$225.00
75 to 150	\$250.00	\$325.00

*Discount rate for golfers who wish to rent the facility.

Rental is based on a four (4) hour period with two hours prior to the rental. The banquet room closes at 12:00 midnight. The dance floor may be rented for an additional \$150.00 per event. The City's restaurant concession shall be used exclusively to provide food for catered events, unless the Director approves the use of an independent caterer. Any alcohol beverages must be purchased from the City's Concessionaire. Security is to be arranged through the Village of Highland Hills' police department and is the responsibility of the group renting the banquet room.

(9) Banquet Room Rental at Highland Park — Non-Catered Events:

The banquet room may be rented Monday through Thursday for meetings of 50 people or less. Food or beverages must be purchased from the City's concessionaire, or, with the Director's approval, may be provided by the group renting the banquet room. The rental rate shall be thirty dollars (\$30.00) per hour with a maximum of a four (4) hour rental period. The banquet room will close no later than 9:00 p.m., Monday through Thursday.

(c) Effective January 1, 2001, the Director of Parks, Recreation and Properties shall be authorized to collect the following fees at municipal golf courses:

	Monday-Friday	Weekends
(1) Regular rates:		
9 holes	\$ 9.00	\$ 9.50
18 holes	\$17.00	\$18.00

(2) Senior rates are available only weekdays from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing:

	Monday-Friday	Weekends
9 holes	\$ 6.00	\$ 6.00
18 holes	\$11.00	\$11.00

To qualify for senior rates, a player must be at least sixty (60) years old and must provide positive photo identification.

(3) Junior rates are available only on weekends from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing;

	Monday-Friday	Weekends
9 holes	\$6.00 for non-residents and Free for City residents	\$6.00 for non-residents and Free for City residents
18 holes	\$11.00	\$11.00

To qualify for junior rates, a player must be no more than eighteen (18) years old and must provide positive photo identification upon request.

(4) Winter rates:

9 holes	\$ 7.00	\$ 7.00
18 holes	\$13.00	\$13.00

The Commissioner of Recreation shall determine, based on weather and course conditions, the dates during which winter rates shall be in effect.

(5) Additional 9 holes. Players under categories listed in division (1) through (5) of this section who purchase a 9-hole ticket and wish to play an additional 9 holes may do so by presenting the 9-hole ticket to the cashier within three hours from the time of purchase and paying the additional amount required to equal the 18-hole rate.

- (6) Tent Rental: \$200.00
- (7) Locker Rental at Highland Park \$50.00 per season
- (8) Banquet Room Rental at Highland Park - Catered Events:

No. of People	Golf Outing*	Other Functions
less than 75	\$150.00	\$225.00
75 to 150	\$250.00	\$325.00

*Discount rate for golfers who wish to rent the facility.

Rental is based on a four (4) hour period with two hours prior to the rental. The banquet room closes at 12:00 midnight. The dance floor may be rented for an additional \$150.00 per event. The City's restaurant concession shall be used exclusively to provide food for catered events, unless the Director approves the use of an independent caterer. Any alcohol beverages must be purchased from the City's Concessionaire. Security is to be arranged through the Village of Highland Hills' police department and is the responsibility of the group renting the banquet room.

(9) Banquet Room Rental at Highland Park - Non-Catered Events:

The banquet room may be rented Monday through Thursday for meetings of 50 people or less. Food or beverages must be purchased from the City's concessionaire, or, with the Director's approval, may be provided by the provided by the group renting the banquet room. The rental rate shall be thirty-five dollars (\$35.00) per hour with a maximum of a four (4) hour rental period. The banquet room will close no later than 9:00 p.m., Monday through Thursday.

(d) Effective January 1, 2002, the Director of Parks, Recreation and Properties shall be authorized to collect the following fees at municipal golf courses:

(1) Regular rates:

	Monday-Friday	Weekends
9 holes	\$ 9.50	\$10.00
18 holes	\$18.00	\$19.00

(2) Senior rates are available only weekdays from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing:

	Monday-Friday	Weekends
9 holes	\$ 6.50	\$ 6.50
18 holes	\$12.00	\$12.00

To qualify for senior rates, a player must be at least sixty (60) years old and must provide positive photo identification.

(3) Junior rates are available only on weekdays from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing:

	Monday-Friday	Weekends
9 holes	\$6.50 for non-residents and Free for City residents	\$6.50 for non-residents and Free for City residents
18 holes	\$12.00	\$12.00

To qualify for junior rates, a player must be no more than eighteen (18) years old and must provide positive photo identification upon request.

(4) Winter rates:

9 holes	\$ 7.50	\$ 7.50
18 holes	\$14.00	\$14.00

The Commissioner of Recreation shall determine, based on weather and course conditions, the dates during which winter rates shall be in effect.

(5) Additional 9 holes. Players under categories listed in divisions (1) through (5) of this section who purchase a 9-hole ticket and wish to play an additional 9 holes may do so by presenting the 9-hole ticket to the cashier within three hours from the time of purchase and paying the additional amount required to equal the 18-hole rate.

(6) Tent Rental: \$200.00

(7) Locker Rental at Highland Park \$50.00 per season

(8) Banquet Room Rental at Highland Park - Catered Events:

No. of People	Golf Outing*	Other Functions
less than 75	\$150.00	\$225.00
75 to 150	\$250.00	\$325.00

*Discount rate for golfers who wish to rent the facility.

Rental is based on a four (4) hour period with two hours prior to the rental. The banquet room closes at 12:00 midnight. The dance floor may be rented for an additional \$150.00 per event. The City's restaurant concession shall be used exclusively to provide food for catered events, unless the Director approves the use of an independent caterer. Any alcohol beverages must be purchased from the City's Concessionaire. Security is to be arranged through the Village of Highland Hills' police department and is the responsibility of the group renting the banquet room.

(9) Banquet Room Rental at Highland Park - Non-Catered Events:

The banquet room may be rented Monday through Thursday for meetings of 50 people or less. Food or beverages must be purchased from the City's concessionaire, or, with the Director's approval, may be provided by the group renting the banquet room. The rental rate shall be forty dollars (\$40.00) per hour with a maximum of a four (4) hour rental period. The banquet room will close no later than 9:00 p.m., Monday through Thursday.

(e) Effective January 1, 2003, the Director of Parks, Recreation and Properties shall be authorized to collect the following fees at municipal golf courses:

(1) Regular rates:	Monday-Friday	Weekends
9 holes	\$10.00	\$10.50
18 holes	\$19.00	\$20.00

(2) Senior rates are available only weekdays from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing:

	Monday-Friday	Weekends
9 holes	\$ 7.00	\$ 7.00
18 holes	\$13.00	\$13.00

To qualify for senior rates, a player must be at least sixty (60) years old and must provide positive photo identification.

(3) Junior rates are available only weekdays from opening until 3:00 p.m. and on weekends and holidays after 3:00 p.m. until closing:

	Monday-Friday	Weekends
9 holes	\$7.00 for non-residents and Free for City residents	\$7.00 for non-residents and Free for City residents
18 holes	\$13.00	\$13.00

To qualify for junior rates, a player must be no more than eighteen (18) years old and must provide positive photo identification upon request.

(4) Winter rates:

	Monday-Friday	Weekends
9 holes	\$ 8.00	\$ 8.00
18 holes	\$15.00	\$15.00

The Commissioner of Recreation shall determine, based on weather and course conditions, the dates during which winter rates shall be in effect.

(5) Additional 9 holes. Players under categories listed in divisions (1) through (5) of this section who purchase a 9-hole ticket and wish to play an additional 9 holes may do so by presenting the 9-hole ticket to the cashier within three hours from the time of purchase and paying the additional amount required to equal the 18-hole rate.

(6) Tent Rental: \$225.00

(7) Locker Rental at Highland Park \$50.00 per season

(8) Banquet Room Rental at Highland Park - Catered Events:

No. of People	Golf Outing*	Other Functions
less than 75	\$150.00	\$225.00
75 to 150	\$250.00	\$325.00

*Discount rate for golfers who wish to rent the facility.

Rental is based on a four (4) hour period with two hours prior to the rental. The banquet room closes at 12:00 midnight. The dance floor may be rented for an additional \$150.00 per event. The City's restaurant concession shall be used exclusively to provide food for catered events, unless the Director approves the use of an independent caterer. Any alcohol beverages must be purchased from the City's Concessionaire. Security is to be arranged through the Village of Highland Hills' police department and is the responsibility of the group renting the banquet room.

(9) Banquet Room Rental at Highland Park - Non-Catered Events:

The banquet room may be rented Monday through Thursday for meetings of 50 people or less. Food or beverages must be purchased from the City's concessionaire, or, with the Director's approval, may be provided by the group renting the banquet room. The rental rate shall be forty-five dollars (\$45.00) per hour with a maximum of a four (4) hour rental period. The banquet room will close no later than 9:00 p.m., Monday through Thursday.

(f) The Director of Parks, Recreation and Properties shall be authorized to collect the following fees for cross country skiing:

(b) Cross Country Fees.

(1) Trail fees	
Daily	\$3.50
Seasonal (single)	35.00
Seasonal (family)	70.00

Season passes shall be honored seven (7) days per week.

(2) Equipment Rental (includes boots, skis and poles)	
Hourly	\$3.50
Daily	10.00

(3) Lessons (per hour)	
Individual	\$ 9.50

(4) Group rates for trail fees, equipment rental and lessons will be arranged on a group-by-group basis and will depend on the size of the group, duration of the group's use of City facilities, availability of City equipment and facilities and similar factors.

(5) There shall be no charge for trail fees or equipment rental for participants who are enrolled in cross country ski programs conducted by the Division of Recreation.

Section 133.30 Cemetery Rates

(a) **Effective April 1, 1999**, the Director of Park Maintenance and Properties shall collect the following charges for services, space and supplies at City-owned cemeteries:

(1) Graves

A. Single grave section	
Adult grave	\$289.00
Interment (Mon-Fri)	\$263.00
Interment (Sat)	\$395.00
B. Baby grave (container of 4 feet or less)	\$80.00
Interment (Mon-Fri)	\$70.00
Interment (Sat)	\$105.00

(2) Lot sections

A. Flush marker sections	
One grave	\$462.00
Family Lot (Two Graves)	\$924.00
B. Raised marker section	
One grave	\$557.00
Family Lot (Two Graves)	\$1,114.00
C. Interment in lot sections	
1. Adult grave	
Interment (Mon-Fri)	\$394.00
Interment (Sat)	\$591.00
2. Adult grave — extra deep (depth of 8 feet)	
Interment (Mon-Fri)	\$483.00
Interment (Sat)	\$725.00
D. Interment on top of extra deep	
Interment (Mon-Fri)	\$394.00
Interment (Sat)	\$591.00
E. Baby grave or still born on top	
Interment (Mon-Fri)	\$70.00
Interment (Sat)	\$105.00
F. Cremated remains in urn	
Interment (Mon-Fri)	\$168.00
Interment (Sat)	\$252.00
G. Cremated remains in vault	
Interment (Mon-Fri)	\$210.00
Interment (Sat)	\$315.00
H. Placement of additional remains in casket at time of burial (recording fee)	\$74.00

(3) Urn garden section

A. Single plot grave	\$189.00
B. Interment (includes marker setting and vault)	
(Mon-Fri)	\$231.00
(Sat)	\$346.50

(4) Veteran Section

Interment (Mon-Fri)	\$289.00
Interment (Sat)	\$433.00

(5) Disinterments (Monday-Friday only)

A. Adult grave	\$853.00
B. Adult grave - extra deep	\$908.00
C. Baby grave	\$242.00
D. Cremated remains in urn garden	\$292.00
E. Cremated remains - location other than urn garden	\$187.00
F. Crypts - unsealing	\$292.00
G. Niches - unsealing	\$187.00

(6) Highland Park Chapel Mausoleum:	
Charges for resale of niches and crypts that have been repurchased by the City of Cleveland	
A.	Niches in Highland Park Mausoleum \$945.00
	Sealing (Mon-Fri) \$179.00
	Sealing (Sat) \$269.00
B.	Crypts in Highland Park Mausoleum \$2,625.00
	Sealing (Mon-Fri) \$278.00
	Sealing (Sat) \$417.00
(7) Memorial Parks	
A.	(Infirmiry burial - City or County) \$263.00
B.	Baby \$ 70.00
(8) Setting and foundation charges	
A.	Markers
	1. 18" x 15" (baby) \$79.00
	2. 2' x 1' \$131.00
	3. 3' x 1' or 4' x 1' \$205.00
	4. Resetting: one-half (1/2) of price listed above for replacement of same size markers
B.	Monument foundation (per cubic foot) \$20.00
C.	Veteran stones (flat granite) \$131.00
D.	Flower container (installation) \$16.00
(9) Miscellaneous services	
A.	Opening and closing grave for inspection
	1. Identify without disturbing remains \$743.00
	2. Remove for autopsy; replace in open grave \$809.00
B.	Use of chapel for services
	1. First hour \$ 75.00
	2. Each hour thereafter or fraction thereof \$ 65.00
(10) Service and Late Charges	
A.	Service Charge
	1. Bad Check Charge \$ 26.00
B.	Late Charges
	1. Charges not received by time of interment including checks that cannot be processed because of errors \$ 25.00
	2. Setting charges not received up to the time stone is delivered including checks that cannot be processed because of errors \$ 25.00
	Additional charge per day \$ 5.00
	3. Charge to funeral home for interment services after 3:30 p.m. \$140.00 per hour
	4. Charge to vault company when vault is not lowered into grave 45 minutes prior to scheduled burial time \$140.00 per hour

5. Charge to vault company when vault cover is not placed onto vault 30 minutes after completion of burial	\$140.00 per hour
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(11) Charges for damages: Anyone who causes damage to the cemetery ground, including without limitation, fences, hydrants or headstones, and who does not restore the damaged portion to its previous condition shall be liable to the City for the City's cost of restoration.

(b) Effective January 1, 2000, the Commissioner of Park Maintenance and Properties shall collect the following charges for services, space and supplies at City-owned cemeteries:

(1) Graves

A. Single grave section	
Adult grave	\$303.00
Interment (Mon-Fri)	\$276.00
Interment (Sat)	\$414.00
B. Baby grave (container of 4 feet or less)	\$80.00
Interment (Mon-Fri)	\$70.00
Interment (Sat)	\$105.00

(2) Lot sections

A. Flush marker sections	
One grave	\$485.00
Family Lot (Two Graves)	\$970.00
B. Raised marker section	
One grave	\$585.00
Family Lot (Two Graves)	\$1,170.00
C. Interment in lot sections	
1. Adult grave	
Interment (Mon-Fri)	\$414.00
Interment (Sat)	\$621.00
2. Adult grave — extra deep (depth of 8 feet)	
Interment (Mon-Fri)	\$507.00
Interment (Sat)	\$761.00
D. Interment on top of extra deep	
Interment (Mon-Fri)	\$414.00
Interment (Sat)	\$621.00
E. Baby grave or still born on top	
Interment (Mon-Fri)	\$70.00
Interment (Sat)	\$105.00
F. Cremated remains in urn	
Interment (Mon-Fri)	\$176.00
Interment (Sat)	\$264.00
G. Cremated remains in vault	
Interment (Mon-Fri)	\$221.00
Interment (Sat)	\$332.00
H. Placement of additional remains in casket at time of burial (recording fee)	\$78.00

(3) Urn garden section

A. Single plot grave	\$198.00
B. Interment (includes marker setting and vault)	
(Mon-Fri)	\$243.00
(Sat)	\$365.50

(4) Veteran Section

Interment (Mon-Fri)	\$303.00
Interment (Sat)	\$454.00

(5) Disinterments (Monday-Friday only)	
A. Adult grave	\$938.00
B. Adult grave - extra deep	\$999.00
C. Baby grave	\$266.00
D. Cremated remains in urn garden	\$321.00
E. Cremated remains - location other than urn garden	\$206.00
F. Crypts - unsealing	\$321.00
G. Niches - unsealing	\$206.00
(6) Highland Park Chapel Mausoleum:	
Charges for resale of niches and crypts that have been repurchased by the City of Cleveland	
A. Niches in Highland Park Mausoleum	\$992.00
Sealing (Mon-Fri)	\$188.00
Sealing (Sat)	\$282.00
B. Crypts in Highland Park Mausoleum	\$2,756.00
Sealing (Mon-Fri)	\$292.00
Sealing (Sat)	\$438.00
(7) Memorial Parks	
A. (Infirmary burial - City or County)	\$276.00
B. Baby	\$ 70.00
(8) Setting and foundation charges	
A. Markers	
1. 18" x 15" (baby)	\$83.00
2. 2' x 1'	\$138.00
3. 3' x 1' or 4' x 1'	\$215.00
4. Resetting: one-half (1/2) of price listed above for replacement of same size markers	
B. Monument foundation (per cubic foot)	\$21.00
C. Veteran stones (flat granite)	\$138.00
D. Flower container (installation)	\$17.00
(9) Miscellaneous services	
A. Opening and closing grave for inspection	
1. Identify without disturbing remains	\$817.00
2. Remove for autopsy; replace in open grave	\$890.00
B. Use of chapel for services	
1. First hour	\$ 75.00
2. Each hour thereafter or fraction thereof	\$ 65.00
(10) Service and Late Charges	
A. Service Charge	
1. Bad Check Charge	\$ 27.00
B. Late Charges	
1. Charges not received by time of interment including checks that cannot be processed because of errors	\$ 25.00
2. Setting charges not received up to the time stone is delivered including checks that cannot be processed because of errors	\$ 25.00
Additional charge per day	\$ 5.00

3. Charge to funeral home for interment services after 3:30 p.m.	\$147.00 per hour
4. Charge to vault company when vault is not lowered into grave 45 minutes prior to scheduled burial time	\$147.00 per hour
5. Charge to vault company when vault cover is not placed onto vault 30 minutes after completion of burial	\$147.00 per hour

(11) Charges for damages: Anyone who causes damage to the cemetery ground, including without limitation, fences, hydrants or headstones, and who does not restore the damaged portion to its previous condition shall be liable to the City for the City's cost of restoration.

(c) Effective January 1, 2001, the Commissioner of Park Maintenance and Properties shall collect the following charges for services, space and supplies at City-owned cemeteries:

(1) Graves

A. Single grave section	
Adult grave	\$318.00
Interment (Mon-Fri)	\$290.00
Interment (Sat)	\$435.00
B. Baby grave (container of 4 feet or less)	\$80.00
Interment (Mon-Fri)	\$70.00
Interment (Sat)	\$105.00

(2) Lot sections

A. Flush marker sections	
One grave	\$509.00
Family Lot (Two Graves)	\$1,018.00
B. Raised marker section	
One grave	\$614.00
Family Lot (Two Graves)	\$1,228.00
C. Interment in lot sections	
1. Adult grave	
Interment (Mon-Fri)	\$435.00
Interment (Sat)	\$653.00
2. Adult grave — extra deep (depth of 8 feet)	
Interment (Mon-Fri)	\$532.00
Interment (Sat)	\$798.00
D. Interment on top of extra deep	
Interment (Mon-Fri)	\$435.00
Interment (Sat)	\$653.00
E. Baby grave or still born on top	
Interment (Mon-Fri)	\$70.00
Interment (Sat)	\$105.00
F. Cremated remains in urn	
Interment (Mon-Fri)	\$185.00
Interment (Sat)	\$278.00
G. Cremated remains in vault	
Interment (Mon-Fri)	\$232.00
Interment (Sat)	\$348.00
H. Placement of additional remains in casket at time of burial (recording fee)	\$82.00

(3) Urn garden section	
A. Single plot grave	\$208.00
B. Interment (includes marker setting and vault) (Mon-Fri)	\$255.00
(Sat)	\$383.50
(4) Veteran Section	
Interment (Mon-Fri)	\$318.00
Interment (Sat)	\$477.00
(5) Disinterments (Monday-Friday only)	
A. Adult grave	\$1,032.00
B. Adult grave - extra deep	\$1,099.00
C. Baby grave	\$293.00
D. Cremated remains in urn garden	\$353.00
E. Cremated remains - location other than urn garden	\$227.00
F. Crypts - unsealing	\$353.00
G. Niches - unsealing	\$227.00
(6) Highland Park Chapel Mausoleum: Charges for resale of niches and crypts that have been repurchased by the City of Cleveland	
A. Niches in Highland Park Mausoleum	\$1,042.00
Sealing (Mon-Fri)	\$197.00
Sealing (Sat)	\$296.00
B. Crypts in Highland Park Mausoleum	\$2,894.00
Sealing (Mon-Fri)	\$307.00
Sealing (Sat)	\$461.00
(7) Memorial Parks	
A. (Infirmarv burial - City or County)	\$290.00
B. Baby	\$ 70.00
(8) Setting and foundation charges	
A. Markers	
1. 18" x 15" (baby)	\$87.00
2. 2' x 1'	\$145.00
3. 3' x 1' or 4' x 1'	\$226.00
4. Resetting: one-half (1/2) of price listed above for replacement of same size markers	
B. Monument foundation (per cubic foot)	\$22.00
C. Veteran stones (flat granite)	\$145.00
D. Flower container (installation)	\$18.00
(9) Miscellaneous services	
A. Opening and closing grave for inspection	
1. Identify without disturbing remains	\$899.00
2. Remove for autopsy; replace in open grave	\$979.00
B. Use of chapel for services	
1. First hour	\$ 75.00
2. Each hour thereafter or fraction thereof	\$ 65.00

(10) Service and Late Charges

A. Service Charge	
1. Bad Check Charge	\$ 28.00
B. Late Charges	
1. Charges not received by time of interment including checks that cannot be processed because of errors	\$ 25.00
2. Setting charges not received up to the time stone is delivered including checks that cannot be processed because of errors	\$ 25.00
Additional charge per day	\$ 5.00
3. Charge to funeral home for interment services after 3:30 p.m.	\$154.00 per hour
4. Charge to vault company when vault is not lowered into grave 45 minutes prior to scheduled burial time	\$154.00 per hour
5. Charge to vault company when vault cover is not placed onto vault 30 minutes after completion of burial	\$154.00 per hour

(11) Charges for damages: Anyone who causes damage to the cemetery ground, including without limitation, fences, hydrants or headstones, and who does not restore the damaged portion to its previous condition shall be liable to the City for the City's cost of restoration.

(d) Effective January 1, 2002, the Commissioner of Park Maintenance and Properties shall collect the following charges for services, space and supplies at City-owned cemeteries:

(1) Graves

A. Single grave section	
Adult grave	\$334.00
Interment (Mon-Fri)	\$305.00
Interment (Sat)	\$458.00
B. Baby grave (container of 4 feet or less)	\$80.00
Interment (Mon-Fri)	\$70.00
Interment (Sat)	\$105.00

(2) Lot sections

A. Flush marker sections	
One grave	\$534.00
Family Lot (Two Graves)	\$1,068.00
B. Raised marker section	
One grave	\$645.00
Family Lot (Two Graves)	\$1,290.00
C. Interment in lot sections	
1. Adult grave	
Interment (Mon-Fri)	\$457.00
Interment (Sat)	\$686.00
2. Adult grave — extra deep (depth of 8 feet)	
Interment (Mon-Fri)	\$559.00
Interment (Sat)	\$839.00

	D. Interment on top of extra deep	
	Interment (Mon-Fri)	\$457.00
	Interment (Sat)	\$686.00
	E. Baby grave or still born on top	
	Interment (Mon-Fri)	\$70.00
	Interment (Sat)	\$105.00
	F. Cremated remains in urn	
	Interment (Mon-Fri)	\$194.00
	Interment (Sat)	\$291.00
	G. Cremated remains in vault	
	Interment (Mon-Fri)	\$244.00
	Interment (Sat)	\$366.00
	H. Placement of additional remains in casket at time of burial (recording fee)	\$86.00
(3) Urn garden section		
	A. Single plot grave	\$218.00
	B. Interment (includes marker setting and vault)	
	(Mon-Fri)	\$268.00
	(Sat)	\$402.00
(4) Veteran Section		
	Interment (Mon-Fri)	\$334.00
	Interment (Sat)	\$501.00
(5) Disinterments (Monday-Friday only)		
	A. Adult grave	\$1,135.00
	B. Adult grave - extra deep	\$1,209.00
	C. Baby grave	\$322.00
	D. Cremated remains in urn garden	\$388.00
	E. Cremated remains - location other than urn garden	\$250.00
	F. Crypts - unsealing	\$388.00
	G. Niches - unsealing	\$250.00
(6) Highland Park Chapel Mausoleum:		
	Charges for resale of niches and crypts that have been repurchased by the City of Cleveland	
	A. Niches in Highland Park Mausoleum	\$1,094.00
	Sealing (Mon-Fri)	\$207.00
	Sealing (Sat)	\$311.00
	B. Crypts in Highland Park Mausoleum	\$3,039.00
	Sealing (Mon-Fri)	\$322.00
	Sealing (Sat)	\$483.00
(7) Memorial Parks		
	A. (Infirmary burial - City or County)	\$305.00
	B. Baby	\$ 70.00
(8) Setting and foundation charges		
	A. Markers	
	1. 18" x 15" (baby)	\$91.00
	2. 2' x 1'	\$152.00
	3. 3' x 1' or 4' x 1'	\$237.00
	4. Resetting: one-half (1/2) of price listed above for replacement of same size markers	
	B. Monument foundation (per cubic foot)	\$23.00
	C. Veteran stones (flat granite)	\$152.00
	D. Flower container (installation)	\$19.00

(9) Miscellaneous services

A. Opening and closing grave for inspection	
1. Identify without disturbing remains	\$989.00
2. Remove for autopsy; replace in open grave	\$1,077.00
B. Use of chapel for services	
1. First hour	\$ 75.00
2. Each hour thereafter or fraction thereof	\$ 65.00

(10) Service and Late Charges

A. Service Charge	
1. Bad Check Charge	\$ 29.00
B. Late Charges	
1. Charges not received by time of interment including checks that cannot be processed because of errors	\$ 25.00
2. Setting charges not received up to the time stone is delivered including checks that cannot be processed because of errors	\$ 25.00
Additional charge per day	\$ 5.00
3. Charge to funeral home for interment services after 3:30 p.m.	\$162.00 per hour
4. Charge to vault company when vault is not lowered into grave 45 minutes prior to scheduled burial time	\$162.00 per hour
5. Charge to vault company when vault cover is not placed onto vault 30 minutes after completion of burial	\$154.00 per hour

(11) Charges for damages: Anyone who causes damage to the cemetery ground, including without limitation, fences, hydrants or headstones, and who does not restore the damaged portion to its previous condition shall be liable to the City for the City's cost of restoration.

Section 133.33 Parking Fees

(a) The Commissioner of Parking Facilities shall cause to be collected fees and charges (**tax included therein**), at the following parking facilities in accordance with the following schedule:

(1) Willard Park Garage:	
A. First hour or portion thereof	\$2.25
B. Each additional half hour or portion thereof	1.25
C. Daily maximum rate from 6 A.M. to 11:00 p.m.	up to 10.00
D. Additional overnight charge from 11:00 p.m. to 6 A.M.	up to 10.00
E. General monthly rate	up to 150.00
F.1. Special monthly rate for City employees	55.00
F.2. Special monthly rate for federal, state and county employees	up to 130.00
G. Special events (flat rate - pay enter)	up to 15.00
H. Charge for lost or stolen key card	50.00
I. Returned check charge	15.00
J. Late payment charge	5.00
K. Early Bird Rate (time to be determined by the Director of Parks, Recreation and Properties)	up to 10.00

- (2) **Cleveland Convention Center Garage:**
 - A. First hour or portion thereof **2.25**
 - B. Each additional half hour or portion thereof **1.25**
 - C. Daily maximum rate from 6 A.M. to 11:00 p.m. up to **10.00**
 - D. Additional overnight charge from 11:00 p.m. to 6 A.M. up to **10.00**
 - E. General monthly rate (the number of key cards may be limited at the discretion of the Commissioners of the Convention Center and Parking Facilities) up to **200.00**
 - F. Special events (flat rate - pay enter) up to **15.00**
 - G. Charge for lost or stolen key card 50.00
 - H. Returned check charge 15.00
 - I. Late payment charge 5.00
 - J. Early Bird Rate (time to be determined by the Director of Parks, Recreation and Properties) up to **10.00**

- (3) **Canal Basin Lot:**
 - A. Daily rate from 6 A.M. to 6:00 P.M. (flat rate - pay enter) up to **8.00**
 - B. General monthly rate (weekdays between 6 A.M. and 6 P.M.) **up to 100.00**
 - C. Special events, weekdays between 6:00 P.M. and 6 A.M., weekends and holidays (flat rate - pay enter) up to **15.00**
 - D. Returned check charge up to 15.00
 - E. Late payment charge 5.00
 - F. Charge for lost or stolen key card 50.00

- (4) **North Coast Municipal Parking Lot:**
 - A. Daily rate (flat rate - pay enter) up to **6.00**
 - B. City of Cleveland employees no charge
 - C. General monthly rate — non-City of Cleveland employees up to **110.00**
 - D. Special events (flat rate - pay enter) up to **15.00**
 - E. Charge for lost or stolen key card 50.00
 - F. Returned check charge 15.00
 - G. Late payment charge 5.00

- (5) **North Mall Parking Lot:**
 - A. **Daily rate (flat rate - pay enter) up to 10.00**
 - B. **Special events (flat rate - pay enter) up to 15.00**

(b) Wherever the schedule contained in division (a) of this section specifies a maximum fee, the fee to be charged shall be fixed by the Commissioner of Parking Facilities with the consent of the Director of Parks, Recreation and Properties up to the maximum specified.

(c) Monthly rate customer parking privileges at Willard Park Garage, Cleveland Convention Center Garage, Canal Basin Lot and North Coast Municipal Parking Lot do not include entry to these garages and lots for special events held on weekends, holidays or after 6 P.M. on weekdays.

(d) Fees collected from the Willard Park Garage, Canal Basin Lot, North Coast Municipal Parking Lot, shall be credited to the Division of Parking Facilities Enterprise Fund for general operations. Fees collected from the Convention Center Garage shall be credited to the Convention Center Enterprise Fund for general operations.

(e) The Commissioner of Parking Facilities is authorized to enter into an agreement with the Commissioner of the Convention Center for the operations, management and collection of parking fees at the Convention Center Garage.

(f) The Commissioner of Parking Facilities shall fix and collect such fees and charges as the Commissioner shall determine at parking facilities not identified in division (a) of this section but under the Commissioner's control until such time as the Council and the Board of Control fix fee schedules for such parking facilities.

(g) Notwithstanding any provision in this section to the contrary, the Commissioner of Parking Facilities shall:

- (1) Designate parking spaces located in Willard Garage for City employees to park their City vehicles at no cost for a maximum of **two (2) hours** when required by their jobs to visit City Hall for a short period of time during the work day; and
- (2) Designate a sufficient number of parking spaces located either in the North Mall Lot or in Willard Garage for City employees who are employed to clean City Hall and who commence work at 3:00 p.m. or later and work later than the closing of Willard Garage.

Section 133.331 Parking Fees for Community Development Surface Lots

The Commissioner of Parking Facilities shall cause to be collected fees and charges (**tax included therein**), at surface parking lots under the control of the Department of Community Development in accordance with the following schedule:

- (a) **Superior Avenue Lot:**
 - A. **Daily rate (flat rate - pay enter) up to 8.00**
 - B. **Special events (flat rate - pay enter) up to 25.00**
 - C. **General Monthly Rate up to 125.00**

- (b) **St. Clair Lot:**
 - A. **Special events (flat rate - pay enter) up to 25.00**
 - B. **General Monthly Rate up to 125.00**

- (c) **Chester Avenue Lot:**
 - A. **Daily rate (flat rate - pay enter) up to 8.00**
 - B. **Special events (flat rate - pay enter) up to 25.00**
 - C. **General Monthly Rate up to 125.00**

Section 135.16 Division of Dog Pound; Dog Warden; Spay and Neuter Clinic

(a) There is hereby established in the Department of Public Safety, a Division of Dog Pound, which shall consist of one Chief Dog Warden and at least one dog warden permanently assigned to each of the six police districts on a full time basis, and other such dog wardens as the Director of Public Safety may deem necessary. All of these employees shall be uniformed employees under the control and management of the Director, who shall designate the kind of uniform to be worn and direct the operation of such Chief and other dog wardens.

(b) The Chief Dog Warden and all other dog wardens are hereby authorized to give notice and issue citations to anyone found to be in violation of **Chapter 603 of the Codified Ordinances of Cleveland, Ohio, 1976**.

(c) There is hereby established in the Department of Public Safety, a Division of Dog Pound, a Spay and Neuter Clinic, to be administered and controlled by a Veterinarian in Charge, subject to the direction of the Director of Public Safety. City residents may neuter a male dog for a fee of thirty dollars (\$30.00), neuter a male cat for a fee of fifteen dollars (\$15.00), spay a female dog for a fee of forty dollars (\$40.00) and spay a female cat for a fee of twenty-five dollars (\$25.00) to be paid to the City of Cleveland at the time the neuter or spay operation is performed.

Section 135.332 Emergency Medical Service Charge

(a) **Effective April 1, 1999**, the Commissioner of Emergency Medical Service shall charge each transported user of emergency medical service **four hundred dollars (\$400.00)**. The Commissioner shall charge such additional fees for other services rendered, not to exceed the City's costs therefor, as the Board of Control shall from time to time establish.

(b) **Effective January 1, 2000**, the Commissioner of Emergency Medical Service shall charge each transported user of emergency medical service **four hundred twenty-five dollars (\$425.00)**. The Commissioner shall charge such additional fees for other services rendered, not to exceed the City's costs therefor, as the Board of Control shall from time to time establish.

(c) **Effective January 1, 2001**, the Commissioner of Emergency Medical Service shall charge each transported user of emergency medical service **four hundred fifty dollars (\$450.00)**. The Commissioner shall charge such additional fees for other services rendered, not to exceed the City's costs therefor, as the Board of Control shall from time to time establish.

(d) **Effective January 1, 2002**, the Commissioner of Emergency Medical Service shall charge each transported user of emergency medical service **four hundred seventy-five dollars (\$475.00)**. The Commissioner shall charge such additional fees for other services rendered, not to exceed the City's costs therefor, as the Board of Control shall from time to time establish.

(e) **Effective January 1, 2003**, the Commissioner of Emergency Medical Service shall charge each transported user of emergency medical service **five hundred dollars (\$500.00)**. The Commissioner shall charge such additional fees for other services rendered, not to exceed the City's costs therefor, as the Board of Control shall from time to time establish.

(f) **Effective January 1, 2004**, the Commissioner of Emergency Medical Service shall charge each transported user of emergency medical service **five hundred twenty-five dollars (\$525.00)**. The Commissioner shall charge such additional fees for other services rendered, not to exceed the City's costs therefor, as the Board of Control shall from time to time establish.

Section 207.01 License and Fee

(a) Each owner, operator or other responsible person before beginning and during operation of a marina shall make an application for and receive approval of a license in accordance with the requirements of RC 3733.24 to the Commissioner of Assessments and Licenses.

(b) Each application for a marine license shall be accompanied by a license fee according to the following schedule:

Number of Docks or Moorings	Fee
7-24	\$100.00
25-59	145.00
60-149	250.00
150-299	308.50
300-499	382.50
500 or more	512.00

(c) The Commissioner shall submit all applications for a license required pursuant to R.C. Chapter 3733 to the Director of Public Health for approval or disapproval of such application.

(d) The Commissioner is authorized to collect license fees and deposit such fees into the Marine Fund created pursuant to RC 3733.25.

(e) The Commissioner shall transmit twenty-two dollars and fifty cents (\$22.50) of each license fee collected pursuant to this section to the Director of Health for the State of Ohio for deposit in the General Operations Fund created by RC 3701.83, in accordance with the requirements of RC 3733.25.

Section 213.01 License and Fee

(a) Each owner, operator or other responsible person before beginning and during operation of a public swimming pool, public spa or special use pool shall make an application for and receive approval of a license in accordance with requirements of RC Chapter 3749 to the Commissioner of Assessments and Licenses.

(b) Each application fee for a license shall be accompanied by a combined license and inspection fee as follows:

- (1) Individual public swimming pools, individual public spas,
individual public special use pools. **\$220.00**
- (2) Public swimming pool, public spa, public special use
pool owned or operated by a governmental agency or tax-
supported primary or secondary public school **\$ 70.00**

(c) The Commissioner shall submit all applications for a license required pursuant to RC Chapter 3749 to the Director of Public Health for approval or disapproval of such application.

(d) The Commissioner is authorized to collect license fees and deposit such fees into the Swimming Pool Fund created pursuant to division (E) of RC 3749.04.

(e) The Commissioner shall transmit twenty-eight dollars (\$28.00) of each license fee collected pursuant to this section to the Treasurer of the State of Ohio in accordance with the requirements of the Revised Code for deposit in the General Operations Fund created by RC 3701.83, in accordance with the requirements of RC 3749.04.

Section 215.03 License Application Fee

Every application for a transient residential building license shall be on a City form and shall state the name and address of the applicant; the nature and extent of his interest and, if the applicant is not the proprietor, then the application shall also state the name and address of the proprietor. The application shall further contain an accurate description of the transient residential building, its location, the number of rooms therein, the maximum number of guests to be accommodated therein at any one time and such other information as may be required by the Commissioner of Assessments and Licenses. The application shall be accompanied by fees for each transient residential building pursuant to the following schedule:

Number of Rooms	Fee
0-50	\$ 70.00
51-100	150.00
101-200	250.00
over 200	500.00

Section 217.02 License and Fee

(a) Each owner, operator or other responsible person before beginning and during operation of a manufactured home park shall make an application for and receive approval of a license in accordance with requirements of RC Chapter 3733.03 to the Commissioner of Assessments and Licenses.

(b) Each application for a license shall be accompanied by a combined license and inspection fee as follows:

Park Trailer Capacity	Fee
50 and under	\$ 350.00
51 and more	300.00, plus an additional \$2.00 for each individual lot in excess of fifty

The Commissioner may also collect a fee for the collection and bacteriological examination of any water samples taken from a manufactured home park in an amount equal to the cost of such collection and examinations as determined by the Commissioner of Environment but in no event greater than five dollars (\$5.00). The license term shall be for a period of one (1) year from January 1 to December 31 of each year, and the fee shall not be prorated for any lesser period than one (1) year.

(c) The Commissioner shall submit all applications for a license required pursuant to RC 3733.03 to the Director of Public Health for approval or disapproval of such application.

(d) The Commissioner is authorized to collect fees and deposit such fees into the Manufactured Home Park Fund created pursuant to RC 3733.04.

(e) The Commissioner shall transmit twenty-eight dollars (\$28.00) of each license fee collected pursuant to this section to the Treasurer of the State of Ohio for deposit in the General Operations Fund in accordance with the requirements of RC 3733.04.

Section 223.02 License Required; Fee and Term

No person, firm or corporation shall establish, maintain or operate any public laundry without first obtaining a license from the Commissioner of Assessments and Licenses. Every applicant shall, upon being licensed, pay a fee of **fifty dollars (\$50.00)** for each year or fraction thereof. All licenses shall expire on June 30 next following their issue.

Section 225.04 Annual License Fees

The annual license fee shall be **fifty dollars (\$50.00)** for a barber shop and **one hundred dollars (\$100.00)** for a barber school. All licenses shall expire on December 31 following the date of issuance, and no license shall be issued except for the full license period and for the full license fee. Licenses shall not be transferable but shall be renewable under the same terms and conditions as required for the original issuance.

Section 227.06 Conditions on Which Permit is Granted; Fee

If the Commissioner of Health finds that the statements made in the application are correct; that the premises intended to be used as a day nursery are suitably located for a day nursery and adequately equipped with all necessary heating, ventilating and sanitary devices to insure the health and well-being of the children to be admitted to such day nursery; that the application is made in good faith for the care and betterment of the children; that the superintendent or person to be in charge of such day nursery is of good moral character and of sufficient knowledge, experience and ability to properly conduct, manage and maintain such day nursery; that the proposed day nursery and the premises occupied by the same comply in all respects with the requirements of this chapter; then, but not otherwise, the Commissioner of Health shall recommend to the Commissioner of Assessments and Licenses in writing, that a license be issued. The Commissioner of Assessments and Licenses shall thereupon issue or cause to be issued a permit authorizing the applicant or applicants in question to open and conduct a day nursery at the place specified, which permit shall state the maximum number of children that may be admitted to or cared for in such day nursery at one time. Every permit issued hereunder shall expire on December 31 of the year in which it is issued, and no second or succeeding permit shall be issued to any person, firm, association or corporation, except after a reinspection of the premises, as provided for in the case of the issuance of an original permit.

Section 231.08 License Fee

The license fee for each abortion service location shall be **two hundred fifty dollars (\$250.00)** payable as follows:

All applications shall be originally accompanied by a fee of fifty dollars (\$50.00), which in no event shall be refunded. After receipt of the application from the Director of Public Health approving the same, the Commissioner of Assessments and Licenses shall issue a license upon the payment of the balance of the fee of **two hundred dollars (\$200.00)**. All such licenses shall be for a period of one year and expire on December 31 next following the date of issuance. There shall be no rebate for any lesser time. The license required herein shall be conspicuously displayed on the premises.

Section 241.05 Food Shop Licenses and Fees; Food Vehicle Permit

(a) No food shop shall be operated without the person, firm, association or corporation conducting such business first applying for and obtaining an annual license issued by the Commissioner of Assessments and Licenses. No business vehicle used regularly for the transportation, delivery, vending or peddling of food except a commercial carrier transporting food incidental to other deliveries, shall transport, deliver, vend or peddle food in the City without the owner obtaining an annual food vehicle permit for such vehicle.

(b) Effective April 1, 1999, for retail food handling establishments, the annual fee shall be as follows:

Less than 2,500 square feet	\$ 50.00
2,500 to 10,000 square feet	75.00
More than 10,000 square feet	100.00

For a wholesale food handling establishments, the annual fee shall be as follows:

Less than 5,000 square feet	\$ 90.00
5,000 square feet or more	125.00

(c) Effective January 1, 2000, for retail food handling establishments, the annual fee shall be as follows:

Less than 2,500 square feet	\$ 75.00
2,500 to 10,000 square feet	125.00
More than 10,000 square feet	175.00

For a wholesale food handling establishments, the annual fee shall be as follows:

Less than 5,000 square feet	\$125.00
5,000 square feet or more	175.00

(d) Effective January 1, 2001, for retail food handling establishments, the annual fee shall be as follows:

Less than 2,500 square feet	\$100.00
2,500 to 10,000 square feet	150.00
More than 10,000 square feet	250.00

For a wholesale food handling establishments, the annual fee shall be as follows:

Less than 5,000 square feet	\$150.00
5,000 square feet or more	250.00

(e) For a food vehicle permit the annual fee shall be **twenty-five dollars (\$25.00)**.

(f) Food handling establishment licenses and food vehicle permits shall expire not later than March 31 of the next ensuing year after issuance, and they shall not be transferable.

(g) The holder of a food service operation license as defined by state law shall not be required to obtain a food handling establishment license for sale at retail, nor shall the holder of a wholesale food handling establishment license be required to obtain a license for sale at retail.

(h) Each application to the Commissioner of **Assessments and Licenses** for a food service operation license required pursuant to Section 3732.03 of the Revised Code shall be accompanied by a combined license and inspection fee as follows:

	Fee
(1) Class I risk operations, which are food service operations that pose the smallest risk of foodborne disease:	\$138.49
(2) Class II risk operations, which are food service operations that pose an intermediate risk of foodborne disease:	\$236.67
(3) Class III risk operations, which are food service operations that pose the greatest risk of foodborne disease:	\$361.28
(4) Mobile food service operations:	\$263.44
(5) Vending machine locations:	\$29.10
(6) Temporary food service operations:	\$48.90 per day
(7) Joint Vocational School Operations:	\$1.00
(8) The Commissioner of Assessments and Licenses may also collect fees for collection and bacteriological examination of water samples and frozen dessert samples taken from a frozen dessert dispensing freezer from a food service operation in an amount equal to the cost of such collection and examination as determined by the Commissioner of Environment.	
(9) The Commissioner of Assessments and Licenses may also collect fees for plan reviews of new food service operations of an amount equal to thirty percent (30%) of the food service license fee for said operations, except for plans pertaining to mobile or temporary food service operations or vending locations.	

(i) All food service operations shall be considered commercial operations for the purposes of this section, operations which are vending machine locations or vending machine commissary food service operations shall be considered as vending machines, temporary food operations shall be considered those food operations established for an event wherein the food operation does not exceed five consecutive days, and food services for joint vocational schools shall be considered joint vocational school operations.

(j) The Commissioner shall submit all applications for a food service operation license required pursuant to Section 3732.03 of the Revised Code to the Director of Public Health for approval or disapproval of such application.

(k) The Commissioner is authorized to collect license fees and deposit such fees into the Food Service Operations Fund created pursuant to Section 3732.04 of the Revised Code.

(l) The Commissioner shall transmit seventeen dollars of each license fee collected from a food service operation, except temporary operations, and four dollars and fifty cents of each license fee collected from a vending machine food service operation pursuant to this section to the Director of Health of the State of Ohio for deposit in the General Operations Fund created by Section 3701.83 of the Revised Code, in accordance with the requirements of Section 3732.04 of the Revised Code.

(m) (1) For purposes of this Section, noncommercial organizations are defined as organizations such as churches, or non-profit organizations operated exclusively for charitable purposes as defined in Ohio Revised Code 5739.02(B)(12), provided that the number of days on which such food handling and service operations operate does not exceed one hundred and four (104) days in any calendar year.

(2) Noncommercial organizations shall be charged fifty percent of the fees listed above.

(n) A penalty of twenty five percent (25%) of any license fee required by this section must be paid prior to the issuance of the license if the required fee is not paid on or before the date it is due.

Section 245.18 Peddler's License Fee

(a) Each owner, operator or other responsible official of a food handling business desiring to peddle frozen desserts shall make an annual application to the Commissioner of Assessments and Licenses. Each such application shall be accompanied by a combined license and inspection fee as follows: **twenty dollars (\$20.00)** for each peddler's license desired and in addition, **ten dollars (\$10.00)** for each vehicle operated for the sale or delivery of frozen desserts.

(b) Only holders of a retail or wholesale food handling license may apply for licenses for peddling of frozen desserts.

(c) Any holder of a retail license may apply for and receive not more than five peddler's licenses.

(d) Any holder of a wholesale license may apply for and receive a license for each peddler of frozen desserts.

Section 329.05 Fees

Any applicant submitting an application to the Board of Zoning Appeals for any hearing before the Board or for any action by the Board shall include payment in full of the fee set forth in the following schedule:

(a) Exceptions to or Variances from the Application of Ordinances Governing Zoning.

(1) Appeals relating to accessory buildings or structures on the premises wherein the main use is an owner-occupied dwelling house	\$ 25.00
(2) Alterations or additions to a dwelling house	35.00
(3) Change of use of or to a dwelling house	35.00
(4) Alterations, additions, or changes of use relating to and/or resulting in a multiple dwelling or building of institutional, educational or assembly (not primarily carried out for gain) occupancy or classification	50.00
(5) Alterations, additions, or change of use of and/or resulting in a Business or Industrial occupancy or classification	75.00
(6) Signs	75.00
(7) New construction up to and including estimated cost of \$50,000.00 (not otherwise mentioned herein)	75.00
(8) New construction in excess of estimated cost of \$50,000.00 (not otherwise mentioned herein)	150.00
(9) Administrative orders or decisions not otherwise mentioned herein	50.00
(10) Affirmations of prior decisions	50.00
(11) Requests for rehearing	25.00

(b) Other.

(1) Decisions or orders of administrative officials not related to zoning	50.00
(2) Decisions or orders not otherwise mentioned herein	50.00

(c) Miscellaneous.

- (1) Copies or records (per page or part thereof) **1.00**
- (2) Certification of authenticity **5.00**
- (3) Photographs (existing). **5.00**
- (4) Photographs (to be developed). **10.00**

If an application as stated above could be construed to fit in more than one fee classification, then the higher fee shall be paid.

Section 381.051 Fees for Permits for Fire Protection Systems

(a) The fees for permits to install, enlarge or alter a fire protection system are hereby established as follows:

(1.) **Automatic Sprinkler Review:** The fee for the sprinkler review is based on the number of sprinkler heads in the system.

SPRINKLER HEADS	FEE
1 to 20	\$ 60.00
21 to 200	120.00
201 to 400	180.00
401 to 600	240.00
Over 600	300.00 plus \$.25 per head over 600

For systems with a fire pump, add **\$60.00**. Standpipes using the same supply as sprinkler systems with fire pumps are included in the sprinkler system fee.

(2.) **Hydraulically-designed Sprinkler Systems Review:** The fee for the hydraulically-designed sprinkler systems is based on multiplying the fees in division (a)(1) of this section by 1.5.

SPRINKLER HEADS	FEE
1 to 20	\$ 90.00
21 to 200	180.00
201 to 400	270.00
401 to 600	450.00
Over 600	560.00 plus \$.35 per head over 600

For systems with a fire pump, add **\$60.00**. Standpipes using the same supply as sprinkler systems with fire pumps are included in the sprinkler system fee.

(3.) **Standpipe Review: \$60.00;** with a fire pump or pumps, **\$120.00**

(4.) **Yard Hydrant System: \$60.00**

(5.) **Carbon Dioxide Suppression System:** Pre-engineered system, **\$60.00** per system. Engineered system, 1 to 175 pounds of agent, **\$60.00**. Over 175 pounds of agent, **\$60.00** plus **\$.30** per pound.

(6.) **Halon Suppression System:** Up to 35 pounds of agent, **\$60.00**. Over 35 pounds of agent, **\$60.00** plus **\$.30** per pound.

(7.) **Dry Chemical Suppression System:** Up to 30 pounds of agent, **\$42.00**. Over 30 pounds of agent, **\$60.00** plus **\$.30** per pound.

(8.) **Wet Chemical Suppression System:** Up to 3 gallons of agent, **\$42.00**. Over 3 gallons of agent, **\$60.00** plus **\$2.00** per gallon.

(9.) **Automatic Fire Alarm Systems:** The fee for an automatic alarm system is based on the number of sending, signaling and detecting devices in the system. Add \$100 for a smoke control or removal system.

DEVICES	FEE
1 - 25	\$60.00
Over 25	\$60.00 plus \$.60 per device over 25

(10) Manual Fire Alarm Systems: The fee for a manual fire alarm system is based on the number of sending and signaling devices.

DEVICES	FEE
1 - 10	\$60.00
Over 10	\$60.00 plus \$.90 per device over 10

(b) The fees established by this section shall include review of the permit application, review of the plans, and the issuance of a permit. The fees established shall also include the presence of a representative of the Division of Fire at the testing of the system for a single day not exceeding eight hours. If the testing extends beyond a single day due to continuation of the acceptance test, failure of the system, or any other cause whatsoever, then an additional fee of **\$160.00** shall be paid for the presence of a representative of the Division of Fire at each additional day of testing or fraction thereof.

Section 381.052 Fees for Permits for Storage Tanks

(a) The following fees are hereby established to install, remove, repair or alter tanks for the storage of hazardous substances:

(1) To install outdoor above-ground or buried tanks inside street or alley lines or tanks inside buildings for storing any substance or combustible liquid other than water:

GALLON CAPACITY	FEE (EACH TANK)
Up to 1,000	\$ 60.00
Over 1,000 to 3,000	\$ 90.00
Over 3,000 to 12,000	\$120.00
Over 12,000 to 20,000	\$180.00
Over 20,000 to 50,000	\$240.00
Over 50,000 to 100,000	\$300.00
Over 100,000	\$360.00

(2) To install tanks inside buildings other than high hazard occupancy use group classification for storing hazardous substances:

GALLON CAPACITY	FEE (EACH TANK)
Up to 1,000	\$ 60.00
Over 1,000 to 3,000	\$ 90.00
Over 3,000 to 12,000	\$120.00
Over 12,000 to 25,000	\$180.00

(3) To install new piping for existing tanks. FEE: **\$60.00**

(4) To remove, abandon, place temporarily out of service or otherwise dispose of a tank. FEE: **\$60.00**

(5) To reline an underground liquid petroleum tank. FEE: **\$60.00**

(b) The fees established by this section shall include review of the permit application, review of the plans, and the issuance of a permit. The fees established shall also include the presence of a representative of the Division of Fire at the testing of the tank or piping, if applicable, for a single day not exceeding eight hours. If the testing extends beyond a single day due to continuation of the acceptance test, failure of the tank or the piping, or any other cause whatsoever, then an additional fee of **one hundred sixty dollars (\$160.00)** shall be paid for the presence of a representative of the Division of Fire at each additional day of testing or fraction thereof.

Section 381.053 Fees for Permits for Hazardous Substances and Explosives

(a) The fee for a permit to store, use or handle a hazardous substance other than an explosive shall be **seventy-five dollars (\$75.00)**. Each permit shall be issued for a period of not to exceed three years. In the event that a permit to handle a hazardous substance other than an explosive is issued for a period of five days or less, the permit fee shall be \$15.00.

(b) The fee for a permit to store, use, sell, give away, transport or dispose of an explosive shall be **seventy-five dollars (\$75.00)**. The permit shall be issued for a period of not to exceed one year.

Section 3103.21 Board Hearing and Time Extension Fees

When submitting an application for a hearing before the Board of Building Standards and Building Appeals, the application shall be accompanied by fee payment in full as follows:

Type Hearing	Fee
Single-family owner occupied dwelling appeals	\$ 20.00
One, two and three family dwelling appeals	\$ 35.00
All other structures appeals	\$250.00
Time extension appeals	\$ 20.00
House move appeals	\$100.00
Assessments and Licenses appeals	\$ 75.00

Section 411.05 Parades; Permit and Fee

(a) No person shall parade or hold a procession in or upon any of the streets, highways, parks or public grounds of the City without first obtaining a permit from the Commissioner of Assessments and Licenses.

(b) No driver of a vehicle shall drive between the vehicles or persons comprising a parade or other authorized procession when such vehicles or persons are in motion and are conspicuously designated as a parade or procession.

(c) The parade or procession permit shall be issued only upon approval of the application therefor by the Chief of Police and the director of the department having control of the streets, parks or public grounds on which such parade or procession is to be held. The permit or any order accompanying it may limit or prescribe reasonable conditions, including the hours, the places of assembly and of dispersal, the route of march or travel and the streets, highways or portions thereof which may be used or occupied.

(d) Each application for a permit shall be in duplicate, each copy thereof is to be signed by the applicant, and shall be in such form as the Commissioner prescribes. Applications shall be filed with the Commissioner at least five days prior to the date upon which the parade is to be held.

(e) For each permit issued under the provisions of this section, a fee of **twenty-five dollars (\$25.00)** shall be paid by the applicant upon making application therefor. If the permit is refused, such fee shall be returned to the person paying the same.

(f) Each permit when issued shall have attached thereto a duplicate copy of the application signed by the applicant, and each permit shall be in such form and as the Commissioner prescribes.

(g) The Commissioner may refuse to issue such permit if the applicant, group, organization or persons represented by the applicant have previously violated the provisions of a similar permit or have violated any City ordinances or laws of Ohio or of the United States in connection with a previous parade or procession in or upon the streets, parks or public grounds of the City or elsewhere; or if by reason of the nature of the proposed parade or procession or of the character and type of the objects to be promoted thereby or for the following reasons:

(1) The time, place, size or conduct of the parade including the assembly areas and route of march would unreasonably interfere with the public convenience and safe use of the streets and highways.

(2) The parade would require the diversion of so great a number of police officers to properly police the line of movement, assembly area and areas contiguous thereto so as to deny normal police protection to the City.

(3) The parade route of march or assembly areas would unreasonably interfere with the movement of police vehicles, fire-fighting equipment or ambulance service to other areas of the City.

(4) The parade would unreasonably interfere with another parade for which a permit has been issued.

(5) The information contained in the application is found to be false, misleading or incomplete in any material detail.

(6) An emergency such as a fire or storm would prevent the proper conduct of the parade.

(h) The permit herein provided for may be revoked at any time by the Commissioner for reasons set forth for the refusal of the same, provided that notice of revocation shall immediately be given to the applicant and that within the same time and in the manner provided in Section 403.09, an appeal may be taken.

Section 439.021 Categories of Permits for Overweight and/or Oversize Moves; Permit Fees

(a) The Director of Public Service shall utilize the following categories for purposes of assessing fees for permits issued pursuant to Section 439.02:

(1) **Active Permit.** An active permit shall be issued for a single movement over a designated route, and may allow for return to the place of origin over the same route with approval of the Director of Public Service. An active permit shall be issued for a duration of not to exceed seventy-two (72) hours, except that a permit allowing the movement of a load in excess of 120,000 lbs. shall be for a duration of not to exceed five (5) days.

(2) **Continuing Permit.** A continuing permit shall be issued for repeated movements of the same vehicle, including any approved load and axle spacing, over the same routing between the same two locations. A continuing permit shall be issued for a period of not to exceed three hundred sixty-five (365) days.

(3) **Construction Equipment Permit.** A construction equipment permit shall be issued for repeated movements of the same vehicle to and from construction work sites. A construction equipment permit shall be for a vehicle, including trailer and/or equipment or machinery, which does not exceed twelve (12) feet in width, and which does not exceed the weight, length and height limitations of this chapter and RC 5577.02 to 5577.05. A construction equipment permit shall be issued for a period of not to exceed three hundred sixty-five (365) days.

(4) **Inactive Permit.** An inactive permit shall be issued for repeated movements of the same vehicle, including the approved load and axle spacing. For an inactive permit, the route is not specified when the application is submitted. When a given route is subsequently submitted to and approved by the Director of Public Service, the Director shall issue a validation number, which shall activate the permit for a duration of not to exceed seventy-two (72) hours. An inactive permit shall be issued either for a period of not to exceed ninety (90) days, or for a period of not to exceed three hundred sixty-five (365) days, the duration of which shall be in accordance with the amount paid by the applicant pursuant to the schedule of fees set forth in division (b) of this section.

(b) The Director of Public Service shall charge the following fees for permits issued pursuant to Section 439.02:

Active Permit (single movement)	
Processing fee - 72 hours or 5 days	\$15.00
Overweight surcharge	7.50
Overwidth surcharge (over 12')	7.50
Overheight surcharge (over 14' 6")	15.00
Return trip surcharge with authorization	5.00
Continuing Permit	
Processing fee - 365 days	22.50
Overweight surcharge	7.50
Overwidth surcharge (over 12')	7.50
Overheight surcharge (over 14' 6")	15.00
Construction Equipment Permit (up to 12' wide)	
Processing fee - 365 days	\$15.00
Inactive Permit	
Processing fee - 365 days	\$15.00
90 days	7.50
Validation number charge (approval of routing) & return	5.00
Overweight surcharge	7.50
Overwidth surcharge (over 12')	7.50
Overheight surcharge (over 14' 6")	15.00

(c) In addition to the foregoing fees and charges, if a police escort is required by state law, or at any other time that the Director of Public Service and the Traffic Commissioner determine that a police escort is needed, the permittee shall also reimburse the City for the costs of the escort as determined by the Chief of Police.

Section 445.07 Fees for Driver's License

A fee of **fifteen dollars (\$15.00)** each shall be paid annually in advance for a motor bus operator's license or renewal thereof.

Section 457.03 License Issuance; Renewal

(a) Public Garages. Upon receipt of an application for a license to operate a public garage, and payment of the fee required by division **(g)(1)** of this section, the Commissioner of Assessments and Licenses shall issue the license on a form promulgated by the Commissioner for that purpose. No license shall be issued except to an applicant for a property which is in compliance with the terms of this chapter and is also in compliance with division (a) of Section 349.07, Section 349.09 and Section 350.17 of the Codified Ordinances, as applicable to the subject property.

(b) Parking Lots. Upon receipt of an application for a license to operate a parking lot, the Commissioner of Assessments and Licenses shall transmit the application to the Director of the City Planning Commission to determine whether the facility in question complies with the substantive provisions of the chapter. The Director of the City Planning Commission shall, within sixty (60) days of receipt of the application, notify the Commissioner of Assessments and Licenses whether the facility in question complies with all of the substantive provisions of this chapter. Upon notification of such compliance, the Commissioner of Assessments and Licenses shall issue the license on a form promulgated by the Commissioner for that purpose. No license shall be issued except to an applicant for property which is in compliance with the terms of this chapter and is also in compliance with division (a) of Section 349.07, Section 349.09 and Section 350.17 of the Codified Ordinances, as applicable to the subject property.

(c) Issuance and Renewal. All licenses issued pursuant to this section shall be issued for a period of one (1) year commencing November 1. Licenses may be renewed if an application for renewal containing the information listed in Section 457.02 is submitted to the Commissioner of Assessments and Licenses not less than ninety (90) days before termination of the previous license or registration. Applications for license renewal or for the licensing of a registered parking lot shall be accompanied by the required site plan and elevation drawing only in the following two instances: 1) in the year in which landscaping and screening compliance is required under division (i) of Section 457.07, and 2) if a change in the parking lot renders the previously submitted site plan or elevation drawing inaccurate.

(d) License Extension. If an application for a license renewal has been submitted in accordance with the provisions of Sections 457.02 and 457.03 of this chapter, and if, prior to expiration of the License, the City has not taken all administrative and legislative action required for approval of the license (including, if applicable, the granting of an encroachment permit), the Commissioner of Assessments and Licenses shall extend such license on a month-by-month basis until the City has taken action as required by this chapter.

(e) Applicability to Premises. Licenses issued pursuant to this section shall apply only to the premises described in such application, and a separate application and license shall be required for each noncontiguous site operated. Such license shall not be assignable or transferable.

(f) Notification of Police Chief. The Commissioner of Assessments and Licenses shall notify the Chief of Police of each license issued pursuant to this chapter.

(g) License Fee. Each application for a new or renewal license shall be accompanied by a fee as follows:

(1) For a parking garage:	\$200.00
(2) For a parking lot which has the capacity to hold not more than 25 motor vehicles:	40.00
(3) For a parking lot which has the capacity to hold 26 to 50 motor vehicles:	60.00
(4) For a parking lot which has the capacity to hold 51 to 100 motor vehicles:	80.00
(5) For a parking lot which has the capacity to hold more than 100 motor vehicles:	100.00

(h) Site Plan Review Fee. Each application for a new or renewal license, including a new or revised site plan, shall be accompanied by an additional fee of one hundred dollars (\$100.00).

Section 533.10 Lost, Stolen, or Damaged Meters

Customers shall be held responsible for and shall reimburse the Division of Water for the loss or theft of **or damage to** any meter set on the service pipe supplying the premises occupied by them. **There shall be a charge of fifty dollars (\$50.00) for repairing a broken meter seal or meter lock.**

Section 533.16 Charges for Reading Re-Registering Meters

The charge for reading each re-registering meter shall be **four dollars (\$4.00) per quarter for residential re-registering meters and seven dollars (\$7.00) per quarter for commercial re-registering meters.** This charge shall be added to and made a part of the charge for water furnished through the main meter.

Section 535.24 Charges for Water from Fire Hydrants

(a) In addition to other charges, if water is used from a public fire hydrant, upon special permit only, a charge for the permit and a hydrant rental must be paid in advance as follows: for each permit issued, **fifty dollars (\$50.00)**; for hydrant rental, **four dollars (\$4.00)** per day. A separate permit shall be issued for each hydrant which shall identify its location. Each permit shall expire four weeks from the date of issuance.

(b) Water may be furnished from a fire hydrant for any special purpose authorized by the Commissioner of the Division of Water. The charge for water so furnished is fifteen dollars (\$15.00) per 1,000 cubic feet or a fraction thereof. The quantity of water used may be estimated by the Commissioner based on information provided by the user as to the user's purpose and needs, or the Commissioner may require the installation of a meter at the connection to the hydrant to be used, in which event the user shall pay the cost of installing the meter and the cost of all water measured thereby.

Section 551.12 Certificates of Commercial Waste Collection Contract

(a) No owner of a commercial or industrial establishment shall fail to apply for, secure and post a Certificate of Commercial Waste Collection Contract which accurately reflects the party currently collecting and disposing of solid waste from the premises.

(b) An application for a Certificate of Commercial Waste Collection Contract shall be made by the owner or his or her authorized representative on forms obtained from the Director of Public Service. The Director may charge a fee of **seventy-five dollars (\$75.00)** to cover the cost of issuing the Certificate.

(c) The application and Certificate shall set forth the name and business address of the applicant, the name and address of the party with whom the applicant has contracted for solid waste collection and disposal and the duration of the contract. In addition, the application and Certificate shall both contain such other information as the Director of Public Service may require.

(d) The Certificate of Commercial Waste Collection shall be securely affixed in a conspicuous place on the premises where designated by the Director of Public Service.

Section 551.191 Waste Hauling Fee

The Director of Public Service is hereby authorized to assess an annual fee of **seventy-five dollars (\$75.00)** to be charged for the licensing of any private vehicle engaged in the business of collecting, transporting, carrying or hauling any solid waste.

Section 555.08 Fees

(a) For all inspections required in this section, the Commissioner shall collect a fee for testing and sealing weights and measures. All charges shall conform to the following schedule:

For the sealing of computer scales	\$30.00 each
For the sealing of counter scales	20.00 each
For the sealing of pre-package scales	40.00 each
For the sealing of spring scales	20.00 each
For the sealing of druggist prescription scales	20.00 each
For the sealing of overhead beam scales	30.00 each
For the sealing of dormant scales	
(0 - 2,000 pounds)	35.00 each
(2,001 - 5,000 pounds)	45.00 each
(over 5,001 pounds)	55.00 each
For the sealing of platform scales	
(0 - 100 pounds)	25.00 each
(101 - 400 pounds)	35.00 each
(over 401 pounds)	45.00 each
For the sealing of timing devices	35.00 per site
For the sealing of retail motor fuel dispenser	25.00 each
For the sealing of vehicle tank meters	60.00 each
For the sealing of linear measures, mechanical	20.00 each
For the sealing of jewelry scales	20.00 each
For the sealing of heavy scales (truck, hopper, crane)	85.00 each
For the sealing of scanners	30.00 per store
Prepackage Check Weighing Fee	30.00 annually
Charge for the time used in work of sealers in special service	55.00 per hour per man

(b) If an inspection fee prescribed by this section is not received by the Bureau of Weights and Measures within forty-five (45) days from the date it is due, a penalty of fifty percent (50%) of any such fee shall be imposed in addition to the original fee.

(c) No weight and/or measure of any kind shall be tested and/or sealed by the Commissioner unless full payment has been received for any previous testing and/or sealing of said weight and/or measure.

Section 603.03 Impounding Dogs and Cats

(a) When any unmuzzled dog or cat is found at large in violation of Section 603.02, or when any dog's owner or the person in charge or control of any dog, or owner or person in charge of such premises upon which a dog is located, has violated the provisions of Section 603.04 more than three (3) times within a four (4) month period, a police officer or dog warden shall take up and impound such dog or cat in a city pound. No dog or cat shall be released from the pound until a fee of **forty-five dollars (\$45.00)** is paid to the City, and upon providing the animal with a valid registration tag pursuant to Section 603.05 if it has none.

(b) If a police officer or dog warden impounds a dog or cat which is wearing a license tag or other form of identification showing the name and address of its owner, the police officer or dog warden shall immediately give the owner notice of the impoundment.

(c) Any impounded dog or cat which is unredeemed after three (3) days from the later of the date of impoundment or the date upon which notice of impoundment was given may be destroyed or otherwise disposed of upon order of the Director of Public Safety. For purposes of this division "otherwise disposed of" includes sale of the animal to a suitable buyer for an amount not to exceed the City's cost of boarding the animal.

(d) The owner, upon redeeming a dog or cat being held at the kennel pending the outcome of a court action or other hearing regarding a violation of any of the provisions in this Chapter shall pay a fee of ten dollars (\$10.00) per day for each day the animal was boarded at the kennel. This charge shall be in addition to any other payments that may be owed pursuant to this chapter.

(e) Payment of charges for redeeming a dog or cat which was impounded because it was found in violation of Section 603.02 shall not exempt the owner of the dog or cat from prosecution under that section.

(f) Any fee established pursuant to this section may be waived by the Director of Public Safety if the owner of the impounded animal is determined by the Director to be indigent, the owner has never before received the waiver, and, including the impounded animal, there is only one animal in the owner's household.

Section 672.02 License Issuance; Fee

An applicant for the license required by Section 672.01 prior to December 1 of the year in which the sale shall take place shall file an application therefor with the Commissioner of Assessments and Licenses upon forms to be provided by the Commissioner. Such forms shall include the name and address of the person, firm or corporation on whose behalf the sale is to be conducted, the dates during which the sale will take place, the location where such sale will take place, the approximate value of the trees proposed to be sold at such sale and such other information as the Commissioner may reasonably require. The Commissioner, upon being satisfied as to the truth of any application, shall issue a license for the sale of Christmas trees for a period not exceeding thirty days. Any person, firm or corporation to whom a license is granted shall, upon the granting of the license, pay a fee of **fifty dollars (\$50.00)** to the Commissioner.

Section 673.03 License Fees

Each application for a license or license renewal for any thirty day period or part thereof shall be accompanied by the following fee:

Itemized Inventory	Fee
Not more than \$5,000	\$ 50.00
\$5,001 to \$10,000	60.00
\$10,001 to \$25,000	75.00
More than \$25,000	100.00

Section 675.08 Permit: Mobile Peddling Outside the Central Business District

(a) The application for the permit required by division (e) of Section 675.04 shall be made to the Director of Public Service upon forms to be prescribed by said director. Upon receipt of a permit application, the Director of Public Service shall notify the Council member or members in whose ward or wards the peddler intends to peddle that said application has been received. The application shall contain the following:

- (1) the peddler's name, address, and peddler's license number;
- (2) a statement that the peddler intends to move continuously from place to place upon those highways, streets, or sidewalks that are located outside of the Central Business District. The statement shall specify the ward or wards in which the peddler intends to peddle;
- (3) a copy of the ordinance of council specifying the ward or wards in which the peddler is authorized to peddle; and
- (4) a description of the vending device, truck, or temporary structure, if any, from which the applicant intends to peddle, including its size.

(b) Upon receipt of a completed application and a permit fee of **twenty-five dollars (\$25.00)**, the Director of Public Service shall issue a permit which shall cover the period commencing August 1 and ending July 31 of the following year.

(c) The permit shall be kept upon the vending device, truck, or structure at all times during which the peddler is engaged in peddling and shall contain the following information:

- (1) the peddler's name and address;
- (2) the ward or wards in which the peddler is authorized to peddle;
- (3) the number and passage date of the ordinance described in division (a)(3) of this section;
- (4) a description of the vending device, truck, or temporary structure, if any, from which peddling is authorized including its size; and
- (5) the permit number and permit expiration date.

Section 677A.21 License Fees

A license fee of **fifteen dollars (\$15.00)** shall be paid for an original driver's license or for a renewal thereof.

Section 683.04 License and Permit Application; Fees; Issuance

(a) Every person desiring to operate a sound amplifying device mounted upon a vehicle shall make a separate application to the Commissioner of Assessments and Licenses, upon forms to be prescribed by him, for a license for each such vehicle.

(b) Upon receipt of a **fifty dollars (\$50.00)** fee, the Commissioner of Assessments and Licenses shall issue a license which shall cover the calendar year in which the application is made.

(c) In addition to the license referred to above, each person desiring to operate a sound amplifying device mounted on a vehicle must obtain a permit from the Commissioner of Assessments and Licenses each time such person desires to operate said device.

(d) Upon receipt of a **ten dollars (\$10.00)** fee, the Commissioner of Assessments and Licenses, with the approval of the Director of Public Safety, shall issue a permit which specifies the date of operation, the time during which the device may be operated, the exact location where the operation will be permitted and the specific purpose of the device's operation.

Section 683A.03 Permit Application; Fee

(a) Every applicant for a permit to maintain, operate or conduct a massage establishment shall file an application in duplicate, under oath, with the Commissioner of Assessments and Licenses upon a form provided by said Commissioner and pay a nonrefundable filing fee of **two hundred dollars (\$200.00)** to the City Treasurer, who shall issue a receipt which shall be attached to the application filed with the Commissioner of Assessments and Licenses.

(b) The Commissioner of Assessments and Licenses shall, within five days, refer copies of such application to the Fire Division, the Health Commissioner, the Building Inspection Division and the Police Division. These agencies shall, within 30 days, inspect the premises proposed to be operated as a massage establishment and make written recommendations to the Commissioner of Assessments and Licenses concerning compliance with the codes and regulations that they administer.

(c) Within ten days of receipt of the recommendations of the aforesaid agencies, the Commissioner of Assessments and Licenses shall notify the applicant that his application is granted, denied or held for further investigation. The period of such additional investigation shall not exceed an additional 30 days unless otherwise agreed to by the applicant. Upon the conclusion of such additional investigation, the Commissioner of Assessments and Licenses shall advise the applicant, in writing, whether the application is granted or denied.

(d) Whenever an application is denied or held for further investigation, the Commissioner of Assessments and Licenses shall advise the applicant in writing of the reasons for such action.

(e) The failure or refusal of the applicant to promptly give information relevant to the investigation of the application or his or her refusal to submit to or cooperate with any inspection required by this Chapter shall constitute an admission by the applicant that he or she is ineligible for such permit and shall be grounds for denial thereof by the Commissioner of Assessments and Licenses.

(f) If the application is denied, the applicant shall have the right to appeal to the Board of Appeals established pursuant to Section 76-6 of the Charter. The applicant shall within ten days after notification of denial file notice in writing with the Commissioner of Assessments and Licenses of applicant's intention to appeal to the Board. The Board, after public hearing, may sustain, disapprove or modify such order.

Section 683A.07 Masseur or Masseuse Permit Required

Any person, including an applicant for a massage establishment permit, who engages in the practice of massage, shall file an application for a masseur or masseuse permit with the Commissioner of Assessments and Licenses upon a form provided by such Commissioner of Assessments and Licenses and shall pay a non-refundable filing fee of **fifty dollars (\$50.00)** for an application to the City Treasurer who shall issue a receipt which shall be attached to the application filed with the Commissioner of Assessments and Licenses.

Section 690.10 Temporary Permit; Fees

No person, firm, society, club or corporation shall hold a public dance or public ball in any licensed dance hall within the limits of the City without having first obtained a permit therefor from the Director of Public Safety. Application for such permit must be made at least two days before the dance authorized thereunder is to be held. The fees for such permits shall be as follows:

Floor Space (sq. ft.)	Fee
Less than 2,500	\$ 15.00
2,500 to 6,500	30.00
Over 6,500	50.00

No permit shall be required from the owner of a duly licensed hall, when he personally conducts such dance; but application for such permit shall be made. The person desiring such a permit shall use the application which may be obtained from the Inspector of Dance Halls.

Section 698.05 License Issuance; Fees; Posting

Upon the posting of the bond required by Section 698.04 and payment of a fee of **two hundred dollars (\$200.00)** per year for the first or principal location and twenty-five dollars (\$25.00) per year for each additional location, the Commissioner of Assessments and Licenses shall issue a license. All such licenses shall be for the period of one year and shall expire on August 31 next following the date of issuance and there shall be no rebate for any lesser time. Each license shall contain the name under which the business is to be conducted and the name of the person to whom issued. The license shall not be transferable and the business shall be conducted only at the location or locations specified in the license. The license shall be conspicuously exhibited upon the premises licensed thereunder.

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

Section 129.18, as amended by Ordinance No. 2661-81, passed December 14, 1981,
 Section 133.29, as amended by Ordinance No. 923-95, passed November 20, 1995,
 Section 133.30, as amended by Ordinance No. 2044-92, passed December 7, 1992,
 Section 133.33, as amended by Ordinance No. 925-96, passed June 10, 1996,
 Section 133.331, as amended by Ordinance No. 1828-95, passed December 18, 1995,
 Section 135.16, as amended by Ordinance No. 1133-92, passed April 26, 1993,
 Section 135.332, as amended by Ordinance No. 348-93, passed April 26, 1993,
 Sections 207.01 and 213.01, as amended by Ordinance No. 2460-93, passed June 6, 1994,
 Section 215.03, as amended by Ordinance No. 2587-80, passed March 2, 1981,
 Section 217.02, as amended by Ordinance No. 2460-93, passed June 6, 1994,
 Sections 223.02 and 225.04, as amended by Ordinance No. 2587-80, passed March 2, 1981,
 Section 227.06, as amended by Ordinance No. 664-65, passed April 13, 1965,
 Section 231.08, as amended by Ordinance No. 2587-80, passed March 2, 1981,
 Section 241.05, as amended by Ordinance No. 2015-95, passed December 18, 1995,
 Section 245.18, as amended by Ordinance No. 1461-64, passed June 29, 1964,
 Section 329.05, as amended by Ordinance No. 375-83, passed March 7, 1983,
 Sections 381.051, 381.052 and 381.053, as amended by Ordinance No. 1654-89, passed January 22, 1990,
 Section 3103.21, as amended by Ordinance No. 1564-89, passed July 26, 1989,
 Section 411.05, as amended by Ordinance No. 2590-80, passed June 1, 1981,
 Section 439.021, as amended by Ordinance No. 2743-91, passed December 16, 1991,
 Section 445.07, as amended by Ordinance No. 2590-80, passed June 1, 1981,
 Section 457.03, as amended by Ordinance No. 2603-91, passed August 19, 1992,
 Section 533.09, as amended by Ordinance No. 99566, passed May 22, 1933,
 Sections 533.10, 533.16 and 535.24, as amended by Ordinance No. 99566, passed May 22, 1933,
 Section 551.12, as amended by Ordinance No. 773-A-80, passed December 14, 1981,
 Section 551.191, as amended by Ordinance No. 676A-82, passed June 21, 1982,
 Section 555.08, as amended by Ordinance No. 1668-91, passed October 21, 1991,
 Section 603.03, as amended by Ordinance No. 1464-94, passed January 30, 1995,
 Section 672.02, as amended by Ordinance No. 1330-58, passed March 9, 1959,
 Section 673.03, as amended by Ordinance No. 2588-80, passed June 1, 1981,
 Section 675.08, as amended by Ordinance No. 1428-92, passed June 22, 1992,
 Section 677A.21, as amended by Ordinance No. 1053-A-80, passed January 21, 1981,
 Section 683.04, as amended by Ordinance No. 2487-A-89, passed June 18, 1990,
 Sections 683A.03 and 683A.07, as amended by Ordinance No. 222-87, passed May 11, 1987,
 Section 690.10, as amended by Ordinance No. 2588-80, passed June 1, 1981, and
 Section 698.05, as amended by Ordinance No. 1290-A-43, passed October 22, 1945
 are hereby repealed.

Section 3. 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.

Referred to Directors of Public Utilities, Parks, Recreation and Properties, Public Safety, Public Health, Public Service, City Planning Commission, Finance, Law; Committees on Public Utilities, Public Parks, Property and Recreation, Public Safety, Public Health, Public Service, Community and Economic Development, City Planning Commission, Legislation, Finance.

Ord. No. 307-99.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract of the rental of pagers, including paging service, for the various divisions of City government, for a period not to exceed three years.

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 Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three (3) years for the necessary items of the rental of pagers, including paging service, in the approximate amount as procured during the preceding term, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City Government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three (3) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, shall be made

on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24674)

Section 3. 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.

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 308-99.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the payment of membership dues of the City of Cleveland in various professional organizations.

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 Finance is hereby authorized to cause payment of 1999 membership dues of the City of Cleveland to be made to the Ohio Municipal League, from Fund No. 01-99-98-0231, Request No. 23267. Said membership dues will include forty-five (45) subscriptions to Cities and Village Magazine.

Section 2. That the Director of Finance is hereby authorized to cause payment of 1999 membership dues of the City of Cleveland to be made to Build Up Greater Cleveland, from Fund No. 01-99-98-0239, Request No. 23267.

Section 3. That the Director of Finance is hereby authorized to cause payment of 1999 membership

dues of the City of Cleveland to be made to the Mayors and Managers Association, from Fund No. 01-99-98-0233, Request No. 23268.

Section 4. That the Director of Finance is hereby authorized to cause payment of 1999 membership dues of the City of Cleveland to be made to the United States Conference of Mayors, from Fund No. 01-99-98-0237, Request No. 23268.

Section 5. That the Director of Finance is hereby authorized to cause payment of 1999 membership dues of the City of Cleveland to be made to the National League of Cities, from Fund No. 01-99-98-0238, Request No. 23269.

Section 6. That the Director of Finance is hereby authorized to cause payment of 1999 membership dues of the City of Cleveland to be made to the Downtown Development Corporation, from Fund No. 01-99-98-0230, Request No. 23269.

Section 7. That the Director of Finance is hereby authorized to cause payment of 2000 membership dues of the City of Cleveland to be made to NOACA, from Fund No. 01-99-98-0232, Request No. 23270.

Section 8. That the Director of Finance is hereby authorized to cause payment of 1999 membership dues of the City of Cleveland to be made to the Greater Cleveland International Trade Alliance, from Fund No. 01-99-98-0330, Request No. 23270.

Section 9. 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.

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 309-99.
By Councilmen Willis, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 531.81 and 535.46 relating to various charges for the Division of Water.

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 531.81 and 535.46 thereof, to read, respectively, as follows:

Section 531.81 Fees for Engineering Services

The following charges may be charged by the Division of Water for engineering services:

Service	Charge
Plan review of water main extensions, including hydraulics calculations	\$1.00 per linear ft. of water main (\$100.00 minimum)
Provision of copies of roll maps	\$3.00 per copy
Provision of copies of engineering drawings	\$3.00 per sheet
Processing of as-built drawings	\$100.00

Section 535.46 Fees for Returned Checks

The Division of Water shall charge an account holder twenty dollars (\$20.00) for any check returned for lack of sufficient funds.

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.

Referred to Directors of Public Utilities, Finance, Law; Committees on Public Utilities, Legislation, Finance.

Ord. No. 310-99.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into a Mutual Aid Agreement with The Cleveland Electric Illuminating Company for the interchange and use of personnel and equipment upon request during system emergencies.

Whereas, the prompt restoration of electric service during outages will benefit the health, safety and welfare of electric utility customers in the City of Cleveland; and

Whereas, electric service will be restored more promptly and efficiently through the execution of a Mutual Aid Agreement between Cleveland Public Power and The Cleveland Electric Illuminating Company; and

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 Utilities is hereby authorized to enter into a Mutual Aid Agreement with The Cleveland Electric Illuminating Company for emergency repair service and for emergency equipment, personnel and supplies during system emergencies.

Section 2. That the agreement authorized herein shall be consistent with the "Suggested Governing Principles" contained in File No. 310-99-A, and shall contain such other terms and conditions as the Director of Law deems appropriate to benefit and protect the public interest.

Section 3. That the costs, if any, related to the agreement authorized herein shall be paid from funds appropriated for the Division of Cleveland Public Power, Department of Public Utilities.

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.

Referred to Directors of Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

Ord. No. 311-99.
By Councilmen Westbrook, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 571.88 thereof, relating to fees for use of the airport by limousine service providers, hotel shuttle bus service providers, off-airport parking shuttle service providers, charter buses and all other courtesy vehicle operators using the airport, and couriers using the airport.

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 Section 571.88 thereof, to read as follows:

Section 571.88 Fees for Use of Airport by Various Courtesy Vehicle Operators and Couriers

The Director of Port Control is hereby authorized to charge and collect a fee for use of the Airport by limousine service providers, hotel shuttle bus service providers, off-airport parking shuttle service providers, charter buses and all other courtesy vehicle operators using the Airport, and couriers using the Airport. The fees authorized herein shall be fixed by the Director of Port Control in such amounts as deemed appropriate by said Director, and as approved by the Board of Control. The Director may establish different fees for each distinct type of business conducted by companies using the Airport. Such fees shall be reviewed and set annually by the Board of Control.

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.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Legislation, Finance.

Ord. No. 312-99.
By Councilman Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Ameritech to encroach into the right-of-way of West 7th Street and College Avenue with an above-ground telephone service cabinet.

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 hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Ameritech's Managing Office, 13630 Lorain Avenue, 4th Floor, Cleveland, Ohio 44111, its successors and assigns, for the construction, use and maintenance of an above-ground telephone service cabinet to be placed on the treelawn at the side of St. Peter and Paul Catholic Church which is located at 2280 West 7th Street and College Avenue, and which proposed encroachment for Ameritech's above-ground telephone service cabinet into the public right-of-way of West 7th Street and College Avenue is more fully described in detailed plans filed in the Office of the Clerk of the Council of the City of Cleveland as File Number 312-99-A.

Section 2. That said telephone service cabinet will be placed within the public right-of-way as aforesaid in Section 1, and said telephone service cabinet will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 313-99.
By Councilman Cimperman.
An emergency ordinance authorizing the Director of Public Service to issue a permit to the Mallorca Restaurant to encroach into the public right-of-way at 1390 West 9th Street with an entrance canopy with supports.

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 hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the Mallorca Restaurant, 1390 West 9th Street, Cleveland, Ohio 44113; its successors and assigns, for the construction, use and maintenance of an entrance canopy with supports which will encroach into the public right-of-way of West 9th Street, at the locations more fully described herein.

**ENCROACHMENT FOR CANOPY
W/SUPPORTS WITHIN
WEST 9TH STREET:**

Beginning on the Westerly line of West 9th Street (99 feet wide), at a point about 188 feet Southerly from the Southerly line of West St. Clair Avenue (width varies); thence Easterly, at right angles to the Westerly line of West 9th Street, about 14 feet to a point; thence Northerly and parallel with the Westerly line of West 9th Street about 7.7 feet to a point; thence Westerly at right angles to the last described line about 14 feet to the Westerly line of West 9th Street; thence Southerly along the Westerly line of West 9th Street, to the place of beginning.

Section 2. That said entrance canopy with supports will be placed within the public right-of-way as aforesaid in Section 1, and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 314-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to repair and maintain Ford trucks, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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 to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to repair and maintain Ford trucks in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24165)

Section 3. 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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 315-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of towing services, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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 to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of towing services in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24162)

Section 3. 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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 316-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair frames and for vehicle alignments, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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 to make a written requirement contract in accordance with the Charter

and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to repair frames and for vehicle alignments in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24164)

Section 3. 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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 317-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of landfill, transfer station or material recovery facilities for the direct haul and disposal of solid waste, for the Division of Waste Collection and Disposal, 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 to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the provision of landfill, transfer station and/or material recovery facilities, in such combination as the Board of Control shall determine, to which the City will direct haul solid wastes for disposal, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of one (1) year. The City shall have one (1) one-year option, exercisable by the Director of

Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

Section 2. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

Section 3. That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23188)

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.

EXHIBIT A

BID GUARANTY AND CONTRACT BOND

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned _____

(Name and Address)

as Principal and _____

(Name of Surety)

as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Oblige, in the penal sum hereinafter stated, pertaining to the bid submitted by the

Principal to the Oblige on _____ (date) to undertake the project known as _____

The penal sum referred to herein shall be _____

_____. For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW THEREFORE, if the Oblige accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Oblige may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Oblige does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Oblige accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Oblige against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Oblige herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or

to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this _____ day of _____, 19____.

PRINCIPAL: _____ SURETY: _____

BY: _____ BY: _____
Attorney-in-Fact

TITLE: _____

SURETY COMPANY'S ADDRESS: _____

Agency Name _____

Street _____

City _____ State _____ ZIP _____

SURETY AGENT'S ADDRESS: _____

Street _____

City _____ State _____ ZIP _____

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 318-99.

By Councilmen Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of reconstructing the Ridge Road Transfer Station; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ professional services necessary to perform architectural, engineering and other services necessary to design the public improvement; authorizing the purchase by requirement contract of equipment, furniture, communication and security systems, and other incidentals necessary for this improvement; and authorizing said director to apply for and accept grants from various entities necessary for this improvement.

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, it is hereby determined to make the public improvement of reconstructing the Ridge Road Transfer Station including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding for a gross

price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the Improvement.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Service from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Service for the purpose of compiling such a list. The compensation to be paid for such services shall be prepared by the Director of

Law, approved by the Director of Public Service, and certified by the Director of Finance.

Section 4. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, furniture, communication and security systems, and other incidentals necessary for the Improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition

against such contract duly certified by the Director of Finance. (RL 23253)

Section 5. That the Director of Public Service is hereby authorized to apply for and accept grants from various entities for the purpose of reconstructing the Ridge Road Transfer Station. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted pursuant to this ordinance and, upon acceptance of the funds by the Director, they shall be appropriated for the purposes set forth in this ordinance.

Section 6. That the costs of the Improvement and professional services herein contemplated shall be paid from Fund No. 20 SF 320, 20 SF 331, 20 SF 290, 20 SF 340, and 20 SF 295, Request No. 23253, and from any funds or subfunds to which are credited any grants received for this project.

Section 7. 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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 319-99.

By Councilmen Sweeney, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 551.111, 551.112 and 551.113 thereof, relating to charges for the Division of Waste Collection.

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 551.111, 551.112 and 551.113 thereof, to read, respectively, as follows:

Section 551.111 Waste Removal Charge for Evictions

The owner or other person having the right of possession of residential property who evicts someone from the property shall be charged by the Director of Public Service for a portion of the increased waste disposal costs in the sum of one hundred and sixty-five dollars (\$165.00).

Section 551.112 Dumpster Rentals

The Director of Public Service may charge the following fees for the rental of dumpsters from the inventory of the Department of Public Service:

2 yard dumpster	\$ 13.10
4 yard dumpster	16.95
6 yard dumpster	20.80
8 yard dumpster	24.35
20 yard dumpster	245.00
30 yard dumpster	310.00
40 yard dumpster	370.00

Section 551.113 Agreements for the Use of the Ridge Road Transfer Station

The Director of Public Service is authorized to enter into agreements with other governmental entities and with private concerns for the use of the City's Ridge Road transfer station for the disposal of solid waste. The Director shall establish the tipping fee for each such user of the transfer station in an amount not less than the cost to the City of disposing of the waste, including the unit price paid by the City for its disposal and an additional amount for operational and administrative costs. Any agreement made pursuant to this section shall contain such provisions as are necessary in the opinion of the Director of Law to protect the interests of the City of Cleveland.

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Legislation, Finance.

Ord. No. 320-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 1999 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with various non-profit organizations for the implementation of said Program.

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 Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$250,000.00, from the Ohio Department of Education, to conduct the 1999 Summer Food Program for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant, and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 320-99-A, made a part hereof as if fully rewritten herein is hereby approved in all respects.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three months (June, July and August, 1999) for the breakfast, lunch and snack program to be served at nineteen City recreation centers and various non-profit agencies and such other agencies or recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 4. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent

purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21113)

Section 5. That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of the Department of Parks, Recreation and Properties is hereby authorized to make written contracts with the following agencies and such additional agencies as determined by said Director for implementation of the 1999 Summer Food Program:

Emile deSauze
Community Faith Non-Denominational
Greater Love Baptist Church
Our Lady of Mt. Carmel
Salvation Army
Second Calvary
St. Paul AME
Broken Pieces Fellowship Church
Christian Family Outreach
Second New Hope Christian Academy

Section 6. That the Director of Parks, Recreation and Properties shall provide a list of sites where the 1999 Summer Food Program will be implemented within thirty (30) days of the effective date of passage of this ordinance.

Section 7. That the cost of said contract hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance, Request No. 21113.

Section 8. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various natural foods, food products, beverages, condiments and paper products as set forth in detail on file in the Office of the Division of Purchases and Supplies and attached to Request No. 21112, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 9. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21112)

Section 10. That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleve-

land, Ohio, 1976, to the contrary, bidders for the contracts authorized by Section 3 and 8 of this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

Section 11. 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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 321-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Parkworks, formerly Clean-Land, Ohio, to conduct a vacant lot maintenance program for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period of one year, with a one year option to renew.

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, notwithstanding and as an exception to any ordinance of the City to the contrary, the Director of Parks, Recreation and Properties is hereby authorized to enter into a contract with Parkworks, formerly Clean-Land, Ohio, to conduct a vacant lot maintenance program with City residents on the basis of its proposal dated February 23, 1999, payable from Fund No. 01-70-12-0380, Request No. 22463, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, Department of Park, Recreation and Properties, for a period of one year, with one (1) option exercisable by the Director of Parks, Recreation and Properties, to renew for an additional one-year term, and cancellable upon thirty days written notice by said director, under the same terms and conditions with the compensation to be fixed by the Board of Control.

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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 322-99.
By Councilmen Jones and Johnson
(by departmental request).**

An emergency ordinance authorizing the purchase by requirement contract of various pool chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties.

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 Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items

of various pool chemicals in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon

the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24674)

Section 3. 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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 323-99.

By Councilmen Jones, Zane and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.311 thereof, relating to rental fees for Camp George Forbes.

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 Section 133.311 thereof, to read as follows:

Section 133.311 Rental Fees for Camp George Forbes

(a) The Commissioner of Recreation may allow private parties to rent Camp George Forbes provided that said parties secure a permit from the Director pursuant to Section 133.03 and pay the fees specified in division (b) of this section.

(b) The Director of Parks, Recreation and Properties shall assess and collect the following fees for the rental of Camp George Forbes:

(1)	Great Room Rental: Mon-Fri; 9:00 a.m. to 3:00 p.m. Mon-Fri; 5:00 p.m. to midnight Sat-Sun; all day	\$ 200.00 \$ 350.00 \$ 350.00
(2)	Great Room and Class Room A Rental: Mon-Fri; 9:00 a.m. to 3:00 p.m. Mon-Fri; 5:00 p.m. to midnight Sat-Sun; all day	\$ 300.00 \$ 500.00 \$ 500.00
(3)	Class Room A Rental: Mon-Fri; 9:00 a.m. to 3:00 p.m. Mon-Fri; 5:00 p.m. to midnight Sat-Sun; all day	\$ 200.00 \$ 300.00 \$ 300.00
(4)	Class Room B or C Rental: Mon-Fri; 9:00 a.m. to 3:00 p.m.	\$ 100.00
(5)	Dining Hall Room Rental: Mon-Fri; 9:00 a.m. to 3:00 p.m. Mon-Fri; 5:00 p.m. to midnight Sat-Sun; all day	\$ 300.00 \$ 550.00 \$ 550.00
(6)	Cabin Rental:	
	A. Minimum of 6 cabins rented from Friday, 5:00 p.m. through Saturday noon Each additional cabin Ten cabin package	\$ 730.00 \$ 100.00 \$1,000.00
	B. Minimum of 6 cabins rented from Saturday, noon through Sunday noon Each additional cabin 10 cabin package	\$ 880.00 \$ 125.00 \$1,100.00
	C. Minimum of 6 cabins rented from Friday 5:00 p.m. through Sunday noon	\$1,377.00

	Each additional cabin	\$ 125.00
	10 cabin package	\$1,700.00
D.	Weekend package: includes 10 cabins and use of Dining Hall	\$2,000.00
(7)	Picnic Shelter Rental	\$ 200.00
(8)	Swimming Pool Rental:	
	A. Pool only	\$ 300.00
	B. Pool with a room or cabin rental	\$ 150.00

(c) City of Cleveland certified lifeguards must be provided by the parties renting the pool with minimum of one lifeguard per 35 participants. Lifeguard rate is \$32.00 per guard.

(d) Rental of any part of the facility is based on a four-hour period including two hours prior to event for set up. There is a charge of \$50.00 per hour for each additional hour.

(e) Security must be provided by the Village of Highland Hills Police Department and is the responsibility of the party renting the facility.

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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Legislation, Finance.

Ord. No. 324-99.

By Councilmen Jones, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.34 thereof, relating to greenhouse fees.

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 Section 133.34 thereof, to read respectively, as follows:

Section 133.34 Greenhouse Fees

The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule:

(a)	Photo shoots	\$ 50.00
(b)	Wedding ceremonies (includes photo shoots)	\$100.00

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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Legislation, Finance.

Ord. No. 325-99.

By Councilmen Cintron, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and bounded by Lorain Avenue on the North, I-90 on the South, West 44th Street on the West and Fulton Road on the East to Bailey Orchard Development Limited, LLC.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure provid-

ing 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-058 as more fully described in Section 2 below, to Bailey Orchard Development Limited, LLC.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P.P. No. 007-01-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 84 and part of Sublot No. 83 in the Mueller and Meyer's Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly line of West 42nd Street (formerly Orchard Street) at the Northeasterly corner of land conveyed to Irme and Emilin Markovics by deed dated July 31, 1913 and recorded in Volume 1420, Page 412 of Cuyahoga County Records; thence Northerly along the said Easterly line of West 42 Street, 46.17 feet to its point of intersection with the Southeasterly line of Lorain Court, S.W.; thence Southwesterly along the said Southeasterly line of Lorain Court, S.W. 124.52 feet to a point of intersection with the Easterly line of a 12 foot alley (which is also the Westerly line of said Sublot No. 83); thence Southerly along said Westerly line of said Sublot No. 83, 23.33 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said Sublot No. 83, 27 feet to the Southwesterly corner of land conveyed to Irme and Emilin Markovics as aforesaid; thence Northerly along the Westerly line of land so conveyed to Irme and Emilin Markovics 19 feet; thence Northeasterly along the Northwesterly line of land so conveyed to Irme and Emilin Markovics

22.59 feet; thence Easterly along the Northerly line of land conveyed to Irme and Emilin Markovics as aforesaid, 66 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-059 as more fully described in Section 4 below, to Bailey Orchard Development Limited, LLC.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 007-01-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 83 in the Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of West 42nd (formerly Orchard Street), at a point 0.5 feet Southerly from the Northeasterly corner of said Sublot No. 83; thence Southerly along said Westerly line of West 42nd Street, 29.50 feet to the Southeasterly corner of said Sublot; thence Westerly along the Southerly line of said Sublot, 86 feet; thence Northerly parallel with the said Westerly line of West 42nd Street, 19 feet; thence Northeasterly 22.59 feet to a point 66 feet Westerly from the place of beginning; thence Easterly 66 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-068 (Southerly half) as more fully described in Section 6 below, to Bailey Orchard Development Limited, LLC.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 007-01-068 (Southerly half)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly one-half of Sublot No. 72 in Mueller and Myers Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and being 15 feet front on the Westerly side of West 42nd Street, (60 feet wide), and extending back between parallel lines, 113 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-01-069 as more fully described in Section 8 below, to Bailey Orchard Development Limited, LLC.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 007-01-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 71 in Mueller and Meyers Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and forming a parcel of land 30 feet front on the Westerly side of West 42nd Street and extending back between parallel lines 113 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 007-01-070 as more fully described in Section 10 below, to Bailey Orchard Development Limited, LLC.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 007-01-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 in Mueller and Meyer's Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 55 and re-allotted in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and being 30 feet front on the Westerly side of West 42nd Street and extending back of equal width 113 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-02-019 as more fully described in Section 12 below, to Bailey Orchard Development Limited, LLC.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 007-02-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 53 in Bennett Allotment of a part of Original Brooklyn Township Lots Nos. 52 and 53 as recorded in Volume 3 of Maps, Page 9 of Cuyahoga County Records and bounded and described as follows:

Beginning at a point in the Northerly line of said Sublot No. 53 distant 84.50 feet Easterly therein from the Northwesterly corner thereof; thence Southerly 30.04 feet parallel with the Easterly line of West 41st Place, 14.00 feet wide, to a point in the Southerly line of said Sublot No. 53; thence Easterly, along said Southerly line of Sublot No. 53, to the Southeasterly corner thereof being a point in the Westerly line of West 41st Street 60.00 feet wide; thence Northerly 30.04 feet along said Westerly line of West 41st

Street, to the Northeasterly corner of said Sublot No. 53; thence Westerly 90.71 feet along said Northerly line of Sublot No. 53 to the place of beginning according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, May 27, 1983, be the same more or less, but subject to all legal highways.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-016 as more fully described in Section 14 below, to Bailey Orchard Development Limited, LLC.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 007-06-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 1/2 of Sublot No. 19 in Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 41st Street, and extending back of equal width 112.5 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-019 as more fully described in Section 16 below, to Bailey Orchard Development Limited, LLC.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P.P. No. 007-06-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 130 feet of Sublot No. 22 in Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 41st Street (formerly Burton Street) and extending back of equal width 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-020 as more fully described in Section 18 below, to Bailey Orchard Development Limited, LLC.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P.P. No. 007-06-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 95 feet of Sublot No. 23 in J.H. Sargent Guardian's Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the record-

ed plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and 30 feet front on the Easterly side of West 41st Street (formerly Buton Street) and extending back of equal width 95 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-021 as more fully described in Section 20 below, to Bailey Orchard Development Limited, LLC.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 007-06-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 82 feet of Sublot No. 24 in John H. Sergeant Guardian of Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records and being 36 feet front on the Easterly side of West 41st Street and extending back of equal width 82 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-022 as more fully described in Section 22 below, to Bailey Orchard Development Limited, LLC.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 007-06-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 24 in Sarah A. Tyler's Allotment of part of Original Brooklyn Township Lot No. 52 as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Southerly line of Brough Court, S.W., 14 feet wide, distant 55.50 feet Westerly therein from the Northeasterly corner of said Sublot No. 24; thence Southerly 38.13 feet at right angles with said Southerly line of Brough Court, S.W., to a point in the Southerly line of said Sublot No. 24; thence Westerly 87.50 feet along said Southerly line of Sublot No. 24 to a point; thence Northerly 37.05 parallel with the Easterly line of said Sublot No. 24 to a point in said Southerly line of Brough Court, S.W., thence Easterly 87.50 feet along said Southerly line of Brough Court, S.W., to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to restrictions and easement contained in deed recorded in Volume 7415, Page 441, Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-023 as more fully described in Section 24 below, to Bailey Orchard Development Limited, LLC.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P.P. No. 007-06-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 24 in Sarah A. Tyler's Allotment of a part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Southerly line of Brough Court, S.W., 14 feet wide, distant 55.50 feet Westerly therein from the Northeasterly corner of said Sublot No. 24, thence Southerly 38.13 feet at right angles with said Southerly line of said Brough Court, S.W., to a point in the Southerly line of said Sublot No. 24, thence Easterly 55.50 feet along said Southerly line of Sublot No. 24, to the Southeasterly corner thereof; thence Northerly 38.81 feet along said Easterly line of said Sublot No. 24 to the Northeasterly corner thereof, being also its point of intersection with said Southerly line of Brough Court, S.W.; thence Westerly 55.50 feet along said Southerly line of Brough Court, S.W. to the place of beginning, according to survey made by the Robert H. Kause Surveying Company, dated September 26, 1951.

Subject to Zoning Ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-026 as more fully described in Section 26 below, to Bailey Orchard Development Limited, LLC.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P.P. No. 007-06-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly part of Sublot No. 20 in Levi F. Jackson's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Records, bounded and described as follows:

Beginning at a point in the Easterly line of West 41st Street at its intersection with the Northerly line of said Sublot; thence Easterly along said Northerly line about 149 feet 4 inches to a point, 90 feet Westerly from the Westerly line of West 40th Street, said point being the Northwest corner of land conveyed by Edward Myers and wife to John Ruebensaal, by deed recorded in Volume 214, Page 391 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed 30 feet to the Southerly line of said Sublot; thence

Westerly along said Southerly line, about 148 feet 8 inches to the Easterly line of West 41st Street; thence Northerly along said Easterly line, 30 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-027 as more fully described in Section 28 below, to Bailey Orchard Development Limited, LLC.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P.P. No. 007-06-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 92 feet of Sublot No. 21 in Levi F. Jackson's Allotment of part of Original Brooklyn Township Lots Nos. 52 and 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Records and being 30 feet front on the Easterly side of West 41st Street, 60 feet wide (formerly Burton Street), (60 feet wide), and extending back between parallel lines 92 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

TOGETHER WITH and SUBJECT TO all of the Rights of Way, Easements, Restrictions, Covenants and Conditions created for the benefit of or imposed upon the about described premises in the Deed from Frank Mlazovsky and Wife, to John W. and Jeanette L. Herbster, dated November 1, 1948 and recorded in Volume 6648, Page 613 of Cuyahoga County Records.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-029 as more fully described in Section 30 below, to Bailey Orchard Development Limited, LLC.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 007-06-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 110 feet of Sublot No. 23 in Levi F. Jackson's Allotment of part of Original Brooklyn Township Lots No. 52 and 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Records, and forming a parcel of land 30 feet front on the Easterly side of West 41st Street, and extending back between parallel lines 110 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-045 as

more fully described in Section 32 below, to Bailey Orchard Development Limited, LLC.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P.P. No. 007-06-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 16 in Levi F. Jackson Subdivision of part of Original Brooklyn Township Lots Nos. 52 and 53, as shown by the recorded plat in Volume 2 of Maps, Page 46 of Cuyahoga County Map Records, and further bounded and described as follows:

Beginning at a point where the Southerly line of said Sublot No. 16 intersects the Westerly line of West 40th Street, (formerly Frease Avenue).

Thence Northerly along the Westerly line of West 40th Street to the Northerly line of said Sublot No. 16 about 30 feet.

Thence Westerly along the Northerly line of said Sublot No. 16 about 100.00 feet to the Easterly line of a parcel of land conveyed to Leonard Schlather, by deed recorded in Volume 705, Page 86.

Thence Southerly 30 feet to the Southerly line of said Sublot No. 16.

Thence Easterly along the Southerly line of said Sublot No. 16, about 100 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-047 as more fully described in Section 34 below, to Bailey Orchard Development Limited, LLC.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P.P. No. 007-06-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 130 feet of Sublot No. 23 in J.H. Sargent Guardian's Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Westerly side of West 40th Place, and extending back of equal width 130 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-048 as more fully described in Section 36 below, to Bailey Orchard Development Limited, LLC.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P.P. No. 007-06-048

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being the Easterly part of Sublot No. 22 in Allotment of John H. Sargent as Guardian of Sarah A. Tyler, of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 52 of Cuyahoga County Records, and being 30 feet front on the Westerly side of West 40th Place and extending back of equal width 95 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-06-061 as more fully described in Section 38 below, to Bailey Orchard Development Limited, LLC.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P.P. No. 007-06-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat of said Allotment in Volume 8 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 40th Street (formerly Freas Avenue) at the Southwesterly corner of said Sublot No. 2; thence Northerly 50 feet along the said Easterly line of West 40th Street to the Northwesterly corner of said Sublot No. 2; thence Easterly 73 feet along the Northerly line of said Sublot No. 2 to a point; thence Southerly about 50 04/100 feet parallel with the side Easterly line of West 40th Street to a point in the Southerly line of said Sublot No. 2, distant Easterly 73 feet from the Southwesterly corner thereof; thence Westerly 73 feet along the Southerly line of said Sublot No. 2, to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-07-013 as more fully described in Section 40 below, to Bailey Orchard Development Limited, LLC.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P.P. No. 007-07-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 60 feet of Sublot No. 131 in Sargent and Dixon's Re-Subdivision of Sublots Nos. 313 and 324, in I.N.C.I. in Barber and Lord's Allotment of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70 as shown by the recorded plat in said Re-Subdivision in Volume 2 of Maps, Page 43 of Cuyahoga County Records and

being 30 feet front on the Easterly side of West 38th Street, and extending back between parallel lines 60 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 007-07-015 as more fully described in Section 42 below, to Bailey Orchard Development Limited, LLC.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P.P. No. 007-07-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet of Sublot No. 133 in Sargent and Dixon's Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 43 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 38th Street (formerly Mechanic Street) 105 feet deep on the Northerly line, about 105.3 feet deep on the Southerly line, and 30 feet wide in the rear, along the Westerly line of a 10 feet alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 43. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 44. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 45. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 46. 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 326-99.
By Councilmen Lewis, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6712 Lawnview Avenue to Christine Moton.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 106-12-051, as more fully described in Section 2 below, to Christine Moton.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 106-12-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 40 in the Holden and Halle Allotment of part of Original One Hundred Acre Lot No. 341 as shown by the recorded plat in Volume 7 of Maps, Page 14 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Westerly line of said Sublot No. 40 at a point therein a distance of 62 feet Southerly measured along said Westerly line from the Northwesterly corner thereof; thence continuing Southerly along the Westerly line a distance of 66 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said Sublot No. 40 a distance of 40 feet to the Southeasterly corner thereof; thence Northerly along the Easterly line of said Sublot No. 40 a distance of 58 feet; thence Westerly and parallel with the Southerly line of Lawnview Avenue a distance of 12 feet; thence Northerly and parallel with the Easterly line of said Sublot No. 40 a distance of 8 feet; thence Westerly and parallel with the Southerly line of Lawnview Avenue a distance of 28 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 327-99.
By Councilmen Lewis, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1119 East 77th Street to Jean Bragg and Don C. Bragg, Sr.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 105-32-120, as more fully described in Section 2 below, to Jean Bragg and Don C. Bragg, Sr.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P.P. No. 105-32-120

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 20 feet of Sublot No. 85 and the Northerly 15 feet of Sublot No. 89 in W.H. Laurence Subdivision of a part of Original One Hundred Acre Lot No. 348 as shown by the recorded plat of said Subdivision in Volume 21 of Maps, Page 14 of Cuyahoga County Record. Said part of Sublots Nos. 85 and 89 together form

a parcel of land having a frontage of 35 feet on the Easterly side of East 77th Street (formerly Collister Street) and extending back 71-54/100 feet on the Northerly line, 71-53/100 feet on the Southerly line and has a rear line of 35 feet, as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 328-99.
By Councilmen Lewis, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7814 Myron Avenue, N.E., to Tom P. Rushton and Evelyn Rushton.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 105-33-176, as more fully described in Section 2 below, to Tom P. Rushton and Evelyn Rushton.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P.P. No. 105-33-176

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 26 in W.J. Crawford's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 21 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Myron Avenue, N.E., (formerly Myron Street), and extending back of equal width 70 feet, as

appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 329-99.

By Councilmen Robinson, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 161.051 thereof relating to certificate of appropriateness review fee.

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 Section 161.051 thereof to read as follows:

Section 161.051 Certificate of Appropriateness Review Fee

(a) A review fee shall be paid to the Landmarks Commission when the Landmarks Commission's approval is required by the Codified Ordinances for issuance of a Building Permit, in accordance with the following schedule to cover the cost of review by the Landmarks Commission payable subsequent to the Landmarks Commission approval, upon issuance of a Certificate of Appropriateness.

(b) The review fee shall be determined on the basis of the following schedule which "improvement cost" is that portion of a project's total improvement cost attributable to exterior improvements requiring review and approval by the Landmarks Commission:

Applicable Improvement Cost	Fee Rate
Less than \$5,000	1.5% of the amount over \$0
\$5,001 - \$10,000	\$75.00 + 1.0% of the amount over \$5,000
\$10,001 - \$100,000	\$125.00 + 0.5% of the amount over \$10,000
\$100,001 - \$500,000	\$575.00 + 0.2% of the amount over \$100,000
\$500,001 - \$5,000,000	\$1,375.00 + 0.05% of the amount over \$500,000
More than \$5,000,000	\$3,625.00 + 0.02% of the amount over \$5,000,000

(c) **Exemptions.** No fee payments shall be required for the renovation or alteration of existing single-family, two-family and three-family residences or for construction or alteration of accessory structures on the property of such existing residence.

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.

Referred to Directors of Landmarks Commission, Finance, Law; Committees on City Planning, Legislation, Finance.

Ord. No. 342-99.

By Councilmen Coats and White.

An emergency ordinance authorizing and directing the submission to the electors of the City of Cleveland of a proposal to amend Section 74 of the Charter of the City of Cleveland, relating to the residency credit for the entrance level civil service examination

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that it must be certified to the election authorities immediately in order for the ques-

tion to appear at the special election to be held on November 2, 1999, and 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 this Council hereby authorizes and directs the submission to the electors of the City of Cleveland at the special election to be held at the usual places of voting of said City on Tuesday, November 2 1999, of a proposal to amend Section 74 of the Charter of the City of Cleveland to read as follows:

§74 Residency Requirements; Officers and Employees

(a) Except as in this Charter otherwise provided or except as otherwise provided by a majority vote of the Council of the City of Cleveland, every temporary or regular officer or employee of the City of Cleveland, including members of all City boards and commissions established by the Charter or the ordinances of Cleveland, whether in the classified or unclassified service of the City of Cleveland, appointed after the effective date of this amendment, shall, at the time of his appointment, or within six months thereafter, be or

become a bona fide resident of the City of Cleveland, and shall remain as such during his term of office or while employed by the City of Cleveland.

(b) No person shall, in any way, falsify or misstate verbally or in writing any application, paper, document or form, which relates to his employment with the City, that he is a resident of the City of Cleveland, when in fact he is not a bona fide resident of the City of Cleveland. Any officer or employee of the City of Cleveland who is found to have supplied or furnished such false or misleading information concerning his true residence or who fails to become a resident as herein required, or who, being a resident or having become a resident of the City, subsequently establishes a residence outside of the City, shall, after hearing, according to law, be discharged from service with the City.

(c) A person who is a bona fide resident of the City of Cleveland for at least one year and desires to take an entrance level civil service examination, as determined by the Civil Service Commission, at the time of filing his or her application for examination, shall, if a passing grade is attained, as determined by the civil service bulletin for such examination, have added to his or her raw score ten (10) points.

Notwithstanding anything in this Charter to the contrary, every veteran who has served in the United States Armed Forces for a period of 180 consecutive days, if he has received an honorable discharge or separation or a general discharge under honorable conditions, shall receive an additional five (5) points added to his raw score. The Civil Service Commission may grant additional veterans preference points for servicemen having a service-connected disability not to exceed ten (10) points.

(d) The provisions of this section shall not apply to any officer or employee on the payroll of the City of Cleveland on the effective date of this section.

Section 2. That the foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the November 2, 1999, special election, shall become effective immediately upon its adoption.

Section 3. That the Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the election to be held on November 2, 1999, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on November 2, 1999, as provided in Article XVIII, Section 9, of the Constitution of the State of Ohio, Section 731.211 of the Ohio Revised Code, and Section 200 of the Charter of the City of Cleveland.

Section 6. That the ballot submitting the question of the adoption of the aforesaid amendment shall read as follows:

**PROPOSED CHARTER
AMENDMENT
CITY OF CLEVELAND**

A majority affirmative vote is necessary for passage.

Shall Section 74 of the Charter of the City of Cleveland be amended to provide that a person who is a bona fide resident of the City of Cleveland for at least one year and who desires to take an entrance level civil service examination, as determined by the Civil Service Commission, at the time of filing his or her application for examination, shall, if a passing grade is attained, as determined by the civil service bulletin for such examination, have added to his or her raw score ten (10) points?

Section 7. That, for the reasons stated in the preamble hereof, which is made a part hereof, this ordinance shall take effect and be in force immediately upon its passage by the affirmative vote of two-thirds of all members elected to Council.

Referred to Director of Law; Committees on Employment, Affirmative Action and Training, Legislation.

**FIRST READING EMERGENCY
ORDINANCES READ IN FULL
AND PASSED**

Ord. No. 330-99.

By Mayor White.

An emergency ordinance to amend Sections 10 and 11 of Ordinance No. 478-98, passed June 1, 1998, relating to a Purchase Agreement with the Cleveland Cuyahoga County Port Authority for approximately 34.4 acres of City-owned property located in the Village of Highland Hills.

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 Sections 10 and 11 of Ordinance No. 478-98, passed June 1, 1998, are hereby amended to read, respectively, as follows:

Section 10. That it is hereby determined to make such public improvements to the property as are necessary and desirable to prepare the property for proposed development as contemplated in the Project Agreement with Port Authority, which public improvements may include, without limitation, building demolition, environmental testing and materials disposal, construction and installation of paving, curbing, gutters, grading, excavation, drainage, walls, sewers, piping, manholes, catch basins, lighting, utilities, streetscaping, traffic signals, signage, sidewalks, erosion controls, subbases, bike paths, and spillways ("Improvements"), for the Department of Public Service Division of Engineering and Construction, and/or the Department of Economic Development, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the Improvements.

Section 11. That the Director of Economic Development and/or Public Service are hereby authorized to enter into a contract or contracts for the making of the Improvements with the lowest responsible bidder or bidders after competitive bidding

upon a unit basis for the Improvements, provided, however, that each separate trade and each distinct components part of the Improvements may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit price, including profit and overhead, for all items constituting units of said improvement.

Section 2. That existing Sections 10 and 11 of Ordinance No. 478-98, passed June 1, 1998, are hereby repealed.

Section 3. 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 331-99.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to CVS/pharmacy to stretch banners at 1900 Euclid Avenue (north and south side of street) and at East 22nd Street & Euclid Avenue (north and south side of street), for the period from April 26, 1999 to May 7, 1999, inclusive, publicizing the start and finish of the CVS/pharmacy Cleveland Marathon & 10K Run.

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 notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to CVS/pharmacy to install, maintain and remove banners at 1900 Euclid Avenue publicizing the start of the CVS run (north side of street pole no. B 65 30 and south side of street pole no. B 65 16) and East 22nd Street & Euclid Avenue publicizing the finish of the CVS run (north side of street pole no. B 65 19 and south side of street pole no. BO 21 14 & BO 21 15), for the period from April 26, 1999 to May 7, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 332-99.

By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the 1999 MS Walk for Multiple Sclerosis on April 18, 1999, sponsored by the Multiple Sclerosis.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 1999 MS Walk for Multiple Sclerosis, on April 18, 1999, beginning at Nautica Entertainment Complex in the Flats, exit the complex via Winslow, continue west on Winslow (south side) to Center Street, turn left on Center Street and continue south on Center Street (east side), over Center Street Bridge to Merwin Avenue. Turn left onto Merwin (north side) past Heritage Park on Old River Road. Cross from west to east side of Old River Road. Continue north on Old River Road (east side) to the Flats East RTA station. Participants will board the Waterfront Line at this station and ride (eastbound) to North Coast RTA Station. Exit train turning left onto East 9th. Continue north (west side) to George Voinovich Park. Turn left passing the Goodtime III and circle clockwise around the perimeter of the park passing the Mather. Continue south on East 9th crossing from the east to the west side of the street at Lakeside Avenue. Turn right onto Lakeside Avenue (westbound, south side of street). Turn left onto West 3rd. Continue south on West 3rd (east side) to St. Clair Avenue. Turn right onto St. Clair Avenue heading westbound until West 9th (north side). Cross from the north to south side of St. Clair Avenue. Upon reaching West 9th turn right heading southward on W. 9th (east side) to Huron Road. Veer left onto Huron Road (east side) heading southward. Continue past the Hard Rock Café veering right at the Ontario-Huron intersection. Continue on Ontario Street (east side), past Gund Arena and Jacobs Field. Turn left onto East 9th (west side) heading north to Euclid Avenue (south side) heading east to East 18th. Turn right onto East 18th (west side) heading south one block to Prospect Avenue. Cross from the west to the east side of the street. Turn left onto Prospect Avenue (north side) to East 30th. Continue north on East 30th (west side) two block to Chester Avenue. Turn left

onto Chester Avenue (south side) continuing west on East 12th. Cross from the south to the north side of the street. Turn right onto East 12th (west side) continuing north for two blocks to Superior Avenue. Turn left onto Superior Avenue (south side) westward into Public Square. Continue on Superior (south side) to West 6th. Cross from the south to the north side of the street. Turn right onto West 6th (west side) continuing north to Lakeside Avenue. Turn left onto Lakeside Avenue (south side) one block to West 9th cross from the south to the north side of the street. Turn right onto West 9th (east side) to Front Street. Cross from the east to the west side of the street. Turn left onto Front Street (south side) heading westbound to Old River Road. Turn left onto Old River Road (west side) heading south to Merwin Avenue. Turn right onto Merwin Avenue (north side) to Center Street. Turn right onto Center Street crossing over the Center Street Bridge (east side) continuing north to Winslow. Turn right on Winslow and proceed east into the Nautica Entertainment Complex, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 333-99.

By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for a Bike-A-Thon on June 5, 1999, sponsored by AAA Ohio Motorist Association.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Bike-A-Thon, sponsored by AAA Ohio Motorist Association Systems, on June 5, 1999, starting at the Rock and Roll Hall of Fame go to E. 9th south to Eagle, Eagle to Ontario, Ontario to Lakeside, Lakeside to E. 9th, E. 9th to finish at the Rock and Roll Hall of Fame, provided that the applicant sponsor shall meet all the require-

ments of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 334-99.

By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Indians Run on April 11, 1999, sponsored by Hermes Race Systems.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Cleveland Indians Run, sponsored by Hermes Race Systems, on April 11, 1999, starting on Ontario heading north to St. Clair. St. Clair east on East 6th Street. East 6th Street north to Lakeside. Lakeside to West 3rd Street. West 3rd Street north around Stadium site to East 9th Street. East 9th Street south to Eagle. Eagle then west to finish in front of Jacobs Field (Plaza), provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 335-99.**By Councilman Cimperman.**

An emergency ordinance consenting and approving the issuance of a permit for the St. Malachi Run (5 and 2 mile) on March 13, 1999, sponsored by Hermes Race Systems.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the St. Malachi Run (5 and 2 mile), sponsored by Hermes Race Systems, on March 13, 1999, with the 5 miles run starting on Main, heading north to Center. Center north to River Rd., River Road to Elm. Elm south to Riverbed. Riverbed all the way to Carter. Carter to Scranton. Scranton to Train. Train Ave. west to Willey. Willey to Columbus. Columbus east to Riverbed. Once on Riverbed back to Elm then Elm to Winslow. Then back to church for the finish for the 5 mile. The 2 mile run is as follows, start on Main to Center, Center to Riverbed, Riverbed to Columbus, Columbus to Center, Center north to Winslow, Winslow to Washington to the finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 336-99.**By Councilmen Cimperman, Cintron and Melena.**

An emergency ordinance consenting and approving the issuance of a permit for the CVS/pharmacy - Cleveland Marathon & 10K on May 2, 1999, sponsored by CVS.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the CVS/pharmacy-Cleveland Marathon & 10K sponsored by CVS Race Systems, on May 2, 1999, with the Marathon Course starting at Cleveland State University

(1900 Euclid Avenue), west on Euclid Avenue to East Public Square Drive, North on East Public Square Drive to Superior Avenue, East on Superior Avenue to East 45th Street, North on East 45th Street to St. Clair Avenue, West on St. Clair Avenue to Ontario Street, South on Ontario Street to Carnegie Avenue, West on Carnegie Avenue to Hope-Memorial Bridge, West over Hope-Memorial Bridge to West 25th Street, North on West 25th Street to Detroit Avenue, West on Detroit Avenue to Lake Avenue, West on Lake Avenue into Lakewood, Return from Lakewood, East on Lake Avenue to Detroit Avenue, East on Detroit Avenue to Veterans Memorial Bridge, East on Veterans Memorial Bridge to West Public Square Drive, South on West Public Square Drive to Euclid Avenue, East on Euclid Avenue to Finish Line, finish at Cleveland State University, East 22nd Street & Euclid Avenue. The 10K Course (Entirely within Cleveland City Limits) starts at Cleveland State University (1900 Euclid Avenue), West on Euclid Avenue to East Public Square Drive, North on East Public Square Drive to Superior Avenue, East on Superior Avenue to East 45th Street, North on East 45th Street to St. Clair Avenue, West on St. Clair Avenue to Ontario Street, South on Ontario Street to Euclid Avenue, East on Euclid Avenue to Finish Line, Finish at Cleveland State University, East 22nd Street & Euclid Avenue, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 337-99.**By Councilmen Cimperman and Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Diabetes Association of Greater Cleveland to stretch banners at Cleveland State University Bridge on East 22nd Street north of Euclid Avenue and the Cleveland Clinic walkway at Carnegie and East 96th Street, for the period from March 15, 1999 to April 19, 1999, inclusive, publicizing the KeyBank Swim for Diabetes.

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 notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Diabetes Association of Greater Cleveland to install, maintain and remove a banners at Cleveland State University Bridge on East 22nd Street north of Euclid Avenue and the Cleveland Clinic walkway at Carnegie and East 96th Street, for the period from March 15, 1999 to April 19, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The Rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 338-99.**By Councilman Westbrook.**

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Hunter Computer Services, Inc. for the labor and materials necessary to maintain Council's computer system and printers.

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 Clerk of Council is hereby authorized to enter into an agreement with Hunter Computer Services, Inc. for the labor and materials necessary to maintain the computer system and printers used in the offices of Cleveland City Council. Such agreement shall commence March 8, 1999 and shall expire March 7, 2000 and shall not exceed Seven Thousand Six Hundred and Forty Dollars (\$7,640.00).

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 343-99.
By Councilman Johnson (by departmental request).

An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 2094-98, passed February 1, 1999, relating to a contract with Digital Equipment Corporation.

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 title, Section 1 and Section 2 of Ordinance No. 2094-98, passed February 1, 1999, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the **Director of Finance to enter into a requirement contract with Compaq Computer Corporation, f.k.a. Digital Equipment Corporation, for maintenance of Digital Equipment Corporation computer equipment,** for the Division of Financial Reporting and Control, Department of Finance, for a period of one year, with a one year option to renew.

Section 1. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than **Compaq Computer Corporation, f.k.a. Digital Equipment Corporation, ("Compaq"). Therefore, the Director of Finance** is hereby authorized to make a written contract with **Compaq for the continuation of maintenance of Digital Equipment Corporation computer equipment, for a period of one year, with one (1) option exercisable by the Director of Finance, to renew for an additional one-year term, and cancelable upon thirty days written notice by said director,** for the Division of Financial Reporting and Control, Department of Finance.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the **Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Finance pursuant to a requisition against such contract duly certified by the Director of Finance.** (RL No. 23256)

Section 2. That the existing title, Section 1 and Section 2 of Ordinance No. 2094-98, passed February 1, 1999, are hereby repealed.

Section 3. 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 340-99.

By Councilman Coats.

An emergency resolution urging HUD to demolish the Belvoir-Cliffs apartment building and to grant title to the property to the City of Cleveland for compatible neighborhood development.

Whereas, the U.S. Department of Housing and Urban Development (HUD) owns the Belvoir-Cliffs, a 160 unit apartment building, located at the intersection of Belvoir Blvd. and Cliffview Road in the Euclid Park community of the City of Cleveland; and

Whereas, HUD was forced to assume ownership and control of the building because its previous owner let the property fall into severe disrepair, as evidenced by numerous significant code violations and its very low occupancy rate; and

Whereas, Belvoir-Cliffs has become a haven for illegal drug activities and prostitution, presenting a profound safety risk to the surrounding neighborhood; and

Whereas, the configuration of the buildings lacks recreational and structural amenities and presents a barracks-like appearance, detracting from the aesthetic appearance of the neighborhood and making it markedly different from the surrounding ranch-style houses; and

Whereas, the citizens of the community, in the interest of safety and well-being of the neighborhood, have expressed their desire to have the facility demolished, as opposed to HUD performing a cosmetic alteration of the apartment building; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges HUD to act in the best interest of the residents of the City of Cleveland and to demolish the Belvoir-Cliffs apartment building, as it unsafe and undesirable for low income housing.

Section 2. That, upon demolition of Belvoir-Cliffs, HUD grant title to the property to the City of Cleveland so that it may be developed in a use that is compatible with and meets the needs of the surrounding community.

Section 3. That the Clerk of Council is hereby requested to transmit a copy of this Resolution to Andrew Cuomo, Secretary of the U.S. Department of Housing and Urban Development; Mayor Michael White; and Linda Hudecek, Director of Community Development.

Section 4. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 341-99.

By Councilman Patmon.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 970 Lakeview Rd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 4980630, Lakeview Supermarket II Inc., DBA Lakeview Superette, 970 Lakeview Rd., Cleveland, Ohio 44108; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 4980630, Lakeview Supermarket II Inc., DBA Lakeview Superette, 970 Lakeview Rd., Cleveland, Ohio 44108 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**SECOND READING EMERGENCY
ORDINANCE PASSED**

Ord. No. 103-99.

By Councilmen Melena, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Detroit Shoreway Community Development Organization, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the renovation of the Harp Apartments located at 1389-91 West 64th Street.

Approved by Directors of Community Development, Finance, Law; Relieved of Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 20. Nays 0.

**THIRD READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 2100-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into a Lease By Way of Concession with MetroHealth System to provide space for MetroHealth System's WIC Program at various City health centers.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2104-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract without competitive bidding with All American Fire for the purchase of replacement parts for E-One fire apparatus, for the Division of Fire, Department of Public Safety.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2105-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various citations, for the Division of Police, Department of Public Safety.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2165-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one rooftop air conditioning unit, including installation and modifications to existing appurtenances, for the Division of Water, Department of Public Utilities.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2166-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed ten digital alpha workstations, and related peripherals and accessories, for the Division of Water, Department of Public Utilities.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2171-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2172-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Leach Packer parts, including labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2173-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install automobile and truck spring parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2174-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain mowers and cutting equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2175-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Duplex cab and chassis parts, including labor if necessary, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2176-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract without competitive bidding with Sutphen Corporation for the purchase of replacement parts for Sutphen Corporation fire apparatus, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2177-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract without competitive bidding with Finley Fire Equipment Co. for the purchase of replacement parts for Finley Fire Equipment Co. fire equipment, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2178-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract without competitive bidding with Maltese Fire Equipment Co. for the purchase of replacement parts for L.T.I. apparatus and the purchase of parts and labor for accident damage to L.T.I. apparatus in order for such equipment to remain under warranty, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2179-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 1998-99 school year.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 33-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1999 Drug Prevention, Treatment and Intervention Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 94-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance to amend Section 4 of Ordinance No. 68-98, passed October 19, 1998, relating to the design and implementation of improvements to enhance the Division of Water's Waterworks plants.

Read third time. Passed. Yeas 13. Nays 7.

Those voting yea were Councilmen: Cimperman, Cintron, Coats, Gordon, Jackson, Johnson, Jones, O'Malley, Robinson, Sweeney, Westbrook, White, Willis.

Those voting nay were Councilmen: Britt, Dolan, Lewis, Melena, Patmon, Polensek, Rybka.

Absent: Councilman Zone.

Ord. No. 179-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for a grant from the Ohio Department of Health for the 1999 STD Control Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 180-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for a grant from the Federation for Community Planning from Ohio Department of Health for the 1999 Immunization Action Plan Program.

Read third time. Passed. Yeas 20. Nays 0.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried that the absence of Councilman Joseph J. Zone be and is hereby authorized.

The Council adjourned at 8:30 p.m. to meet on Monday, March 8, 1999 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 24, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 24, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth. Absent: Directors Balraj and Axelrod.

Others: William A. Moon, Commissioner, Purchases and Supplies, Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 87-99.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952 the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of January, 1999 in the amount of \$192,909.64, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 88-99.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Perfecturf, Inc. for an estimated quantity of landscape maintenance at Crown Water Works Facility, Kirtland Pump Station, Cardinal Mindszenty Plaza, Nottingham Water Works Facility and Harvard Service Center (all items) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the

date of execution of a contract, received on the 16th day of December, 1998, pursuant to the authority of Ordinance No. 547-98, passed May 18, 1998, which on the basis of the estimated quantity would amount to One Hundred Ninety Four Thousand Eight Hundred Seventy Two Dollars and Ten Cents (\$194,872.10) (1% - 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02520

which shall be certified against such contract in the sum of Ninety Thousand Dollars (\$90,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to Perfecturf, Inc., for the contract authorized herein hereby is approved:

NAME	MBE/FBE
Caver Brothers	\$136,790.00 (MBE)

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 89-99.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Licursi Co., Inc. for an estimated quantity of landscape maintenance at Baldwin, Garrett Morgan and Parma Heights, Water Works Facilities (all items) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 16th day of December, 1998, pursuant to the authority of Ordinance No. 547-98, passed May 18, 1998, which on the basis of the estimated quantity would amount to One Hundred Eighty Seven Thousand Seven Hundred Seventy Five Dollars and Fifty Cents (\$187,775.50) (2% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02519

which shall be certified against such contract in the sum of Ninety Thousand Dollars (\$90,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered

under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to Licursi Co., Inc., for the contract authorized herein hereby is approved:

NAME	MBE/FBE
Caver Brothers	\$145,711.00 (MBE)

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 90-99.

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995 and Ordinance No. 469-98, passed on May 18, 1998, Acentech Incorporated ("Consultant") is hereby selected upon the nomination of the Director of Port Control to provide professional services for Phase 2 Continuation of the Residential Sound Insulation Program, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with Acentech Incorporated based on its proposal dated December 14, 1998. The fee for such services shall be in an amount not to exceed Four Hundred Forty Seven Thousand Seven Hundred Eighty Five and 00/100 Dollars (\$447,785.00).

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by ("Consultant") is hereby is approved:

Roberts Consultants
\$133,000.00 (30%)

DAR Public Relations
\$50,000.00 (11%)

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 91-99.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 31, 1998 for two (2) Off-Road Trucksters for various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1074-98, passed by the Council of the City of Cleveland on June 15, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 92-99.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 31, 1998 for six (6) Diesel Front Cutter Mowers (all items) for various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1074-98, passed by the Council of the City of Cleveland on June 15, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 93-99.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 31, 1998 for one (1) Brush Chipper (all items) for various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1074-98, passed by the Council of the City of Cleveland on June 15, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 94-99.

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland that the bid of Hardwood Specialties, Inc. for the following: Gym Floor Renovations (All Items) for the Division of Recreation, Department of Parks, Recreation and Properties, received on the twenty-fifth day of November 1998, pursuant to the authority of Ordinance No. 1727-98, passed October 19, 1998 which on the basis of the order quantity would amount to \$13,900.00 is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.
Absent: None.

Resolution No. 95-99.

By Director Warren.

Whereas, pursuant to Ordinance No. 1273-98 and 1274-98, passed July 29th, 1998, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to sell certain City-owned property, as described in the following legal description to Mr. Harvey J. Schach, for purposes of private redevelopment; now, therefore,

Be it further resolved by the Board of Control of the City of Cleveland that, pursuant to the authorization of Ordinance Nos. 1273-98 and 1274-98, passed July 29th, 1998, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby directed to sell City-owned properties, no longer needed for public use, to Mr. Harvey J. Schach for purposes of

private redevelopment; said property is more fully described as follows:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being parts of East 12th Street and Gardiner Court S.E. Vacated of part of Original Two Acre Lots, No. 133 as shown by the recorded plat in Volume 295 of Maps, Page 90 of Cuyahoga County Records and is further bounded and described as follows:

Beginning at a 1" iron pin found at the intersection of the center line of Carnegie Avenue S.E. (99 feet wide) with the center line of East 9th Street (99 feet wide). Thence North 49°-50'-00" East, along said center line of Carnegie Avenue S.E., a distance of 157.19 feet to the center line of East 10th Street (15 feet wide). Thence South 39°-34'-30" East, along said center line of East 10th Street, passing through a stone found at 0.33 feet, a distance of 49.50 feet to the Southeastery right of way line of said Carnegie Avenue S.E. Thence North 49°-50'-00" East, along said Southeastery right of way line of Carnegie Avenue S.E., a distance of 308.79 feet to the Southwesterly right of way line of said East 12th Street (60 feet wide) and the principal place of beginning of the land herein described;

Course 1: Thence North 49°-50'-00" East, continuing along said Southeastery right of way line of Carnegie Avenue S.E., a distance of 200.00 feet;

Course 2: Thence South 39°-55'-36" East, parallel with the center line of said East 12th Street, a distance of 115.78 feet to the Southeastery right of way line of Gardiner Court S.E. (15 feet wide);

Course 3: Thence South 49°-49'-30" West, along said Southeastery right of way line of parallel with the center line of Gardiner Court S.E., a distance of 20.00 feet to the Southwesterly right of way line of East 12th Street, as aforesaid;

Course 4: Thence North 39°-55'-36" West, along said Southwesterly right of way line of East 12th Street, a distance of 115.78 feet to the principal place of beginning and containing 0.0532 Acres (2,316 Square Feet) of land according to a survey made by Thomas J. Neff, Jr., Registered Surveyor No. 7065 — Ohio in November of 1998.

The subject premises being part of East 12th Street vacated by Ordinance No. 1273-98 and Gardiner Court S.E. vacated by Ordinance No. 1273-98.

The basis of bearings for the premises surveyed is North 49°-50'-00" East as the center line of Carnegie Avenue S.E. as evidenced by the recorded plat in Volume 262 of Maps, Page 99 of Cuyahoga County Records.

Be the same more or less but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Webster Avenue S.E. Vacated of part of Original Two Acre Lots, Nos. 136 and 137 as shown by the recorded plats in Volume 295 of Maps, Page 90 and 91 of Cuyahoga County Records and is further bounded and described as follows:

Beginning at a 1" iron pin found at the intersection of the center line of Carnegie Avenue S.E. (99 feet wide) with the center line of

East 9th Street (99 feet wide). Thence North 49°-50'-00" East, along said center line of Carnegie Avenue S.E., a distance of 157.19 feet to the center line of East 10th Street (15 feet wide). Thence South 39°-54'-30" East, along said center line of East 10th Street, passing through a stone found at 0.33 feet, a distance of 295.62 feet to the center line of Webster Avenue S.E. (60 feet wide). Thence North 49°-50'-50" East, along said center line of Webster Avenue S.E., passing through a stone found at 338.86 feet (the center line of East 12th Street 60 feet wide) a distance of 419.12 feet to the Northeastery line of Webster Avenue S.E. vacated by Ordinance No. 2625-88 and the principal place of beginning of the land herein described;

Course 1: Thence North 49°-50'-50" East, continuing along said center line of Webster Avenue S.E., a distance of 250.63 feet to the Southwesterly right of way line of East 13th Street (60 feet wide);

Course 2: Thence North 40°-02'-55" West, along said Southwesterly right of way line of East 13th Street, a distance of 30.00 feet to the Northwesterly right of way line of Webster Avenue S.E., as aforesaid at the Southeastery corner of a parcel of land conveyed to Andrew and Susan Russetti by deed recorded in Volume 15439, Page 463 of Cuyahoga County Records;

Course 3: Thence North 49°-50'-50" East, along said Northwesterly right of way line of Webster Avenue S.E., a distance of 60.00 feet to the Northeastery right of way line of said East 13th Street, at the Southwesterly corner of a parcel of land, conveyed to Ewald Treudler and Rudolf Mueller by deed recorded in Volume 15256, Page 399 of Cuyahoga County Records;

Course 4: Thence South 40°-02'-55" East, along said Northeastery right of way line of East 13th Street, a distance of 30.00 feet to the center line of Webster Avenue S.E., as aforesaid;

Course 5: North 49°-50'-50" East, along said center line of Webster Avenue S.E., a distance of 25.05 feet to the Southwesterly right of way line of Webster Avenue S.E. vacated by Ordinance No. 2693-89;

Course 6: Thence South 40°-09'-10" East, along said Southwesterly right of way line of Webster Avenue S.E. vacated and along a Southwesterly right of way line of the Inner Belt Freeway (variable width), a distance of 30.00 feet to a Northwesterly right of way line thereof;

Course 7: Thence South 49°-50'-50" West, along said Northwesterly right of way line of the Inner Belt Freeway, a distance of 335.69 feet to the Southeastery corner of Webster Avenue S.E. vacated by Ordinance No. 2625-88, as aforesaid;

Course 8: Thence North 40°-09'-10" West, along the Northeastery line of said Webster Avenue S.E. vacated, a distance of 30.00 feet to the principal place of beginning and continuing 0.2725 Acres (11,871 Square Feet) of land according to a survey made by Thomas J. Neff, Jr., Registered Surveyor No. 7065 — Ohio in November of 1998.

The subject premises being part of Webster Avenue S.E. vacated by Ordinance Nos. 1273-98 and 1274-98.

The basis of bearings for the premises surveyed is North 49°-50'-00" East as the center line of Carnegie Avenue S.E. as evidenced by the recorded plat in Volume 262 of Maps, Page 99 of Cuyahoga County Records.

Be the same more or less but subject to all legal highways.

The consideration to be paid for said properties is hereby fixed at One Dollars (\$1.00), which amount is determined to be not less than fair market value when taking into account all restrictions and encumbrances placed by the City in the deed of Conveyance. The deed from the City to Mr. Harvey J. Schach shall contain such terms and conditions as the Director of Economic Development and the Director of Law deem appropriate and necessary to protect the interest of the City of Cleveland.

Be it further resolved by the Board of Control of the City of Cleveland, that the Mayor, the Director of Economic Development, and the Commissioner of Purchases and Supplies are hereby requested to execute and deliver the official deed of the City of Cleveland conveying said properties.

Yeas: None.

Nays: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Absent: None.

Resolution No. 96-99.

By Director Hudecek.

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 Nos. 108-13-013 and 108-13-014 under said Land Reutilization Program; and

Whereas, Ordinance No. 229-99 passed February 22, 1999, 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, David F. Perse and Jeanne A. Perse have 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. 229-99 passed February 22, 1999, 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 David F. Perse and Jeanne A. Perse for the sale and development of Permanent Parcel Nos. 108-13-013 and 108-13-014, 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 \$1,900 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: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.

Absent: None.

Resolution No. 97-99.

By Director Hudecek.

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 Nos. 138-13-008, 138-13-010 and 138-13-011 under said Land Reutilization Program; and

Whereas, Ordinance No. 137-99 passed February 8, 1999, 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, Union Miles Development Corporation L.P. 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. 137-99 passed February 8, 1999, 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 Union Miles Development Corporation L.P. for the sale and development of Permanent Parcel Nos. 138-13-008, 138-13-010 and 138-13-011, 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: Mayor White, Directors Carter, Carmody, Konicek, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Acting Director Huth.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

BOARD OF CONTROL

February 26, 1999

The special meeting of the Board of Control convened in the Mayor's office on Friday, February 26, 1999, at 1:00 p.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Absent: Director Axelrod.

Others: William A. Moon, Commissioner, Purchases and Supplies, Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolution was adopted.

Resolution No. 98-99.

By Director Hudecek.

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 Nos. 108-20-092, 108-20-002, and 108-20-004 under said Land Reutilization Program; and

Whereas, Ordinance No. 228-99 passed February 22, 1999, 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, Glenville Elderly, L.P. 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. 228-99 passed February 22, 1999, 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 Glenville Elderly, L.P. for the sale and development of Permanent Parcel Nos. 108-20-092, 108-20-002, and 108-20-004, 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: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson, and Warren.

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, MARCH 15, 1999

9:30 A.M.

Calendar No. 99-25: 2144-2146 West 80th Street

Gheorghe Oancea, owner, appeals to install 2 parking spaces in the front of an existing two family dwelling house in the setback area by hard-surfacing the area with gravel and black tar and to chip down the existing curb at the street to create a curb-cut for the two parking spaces in the front half of a lot situated on a 35' x 125' parcel and located in a Two-Family District on the west side of West 80th Street at 2144-2146 West 80th Street; said parking spaces being contrary to the Residential District Requirements of Section 337.23(A) where parking shall be located in the rear half of the lot and all such parking shall be located behind the setback line and no parking spaces shall be located within 10' of any wall of a building as stated in Section 337.14 of the Codified Ordinances.

Calendar No. 99-26: 18101 Lorain Avenue

Fairview Hospital, owner, and Ronald Miller, agent, appeal to construct an above grade pedestrian bridge from the new patient care facility on the north side of Old Lorain Road across Old Lorain Road to an existing parking lot on the south side of Old Lorain Road and located on an irregular acreage parcel in a Limited One-Family District at 18181 Lorain Avenue; said pedestrian walkway being contrary to the Nonconforming Use Regulations where an expansion of an existing non-conforming building and use requires the Board of Zoning Approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 99-28: 12421-12435 Superior Avenue

Daniel M. Slane, owner, and Ministerial Day Care, tenant, appeal to change the use of an existing 122' x 58' one-story masonry retail store building and parking lot into a day care center facility, all located on a 170' x 144' rectangular corner parcel located in a Local Retail District on the northwest corner of East 125th Street and Superior Avenue at 12421-12435 Superior Avenue; said change of use being contrary to Sections 352.10 and 352.11 where a 6' landscaping strip is required along Superior Avenue and East 125th Street between the parking area and the street and 0' is proposed and contrary to the Yards and Courts Regulations where a 4' setback is proposed along Superior Avenue and a 5' setback is required as stated in Section 357.07(a) of the Codified Ordinances.

Calendar No. 99-31: 12626 Bellaire Road

Nabeeh and Nabeeha Kask owners, and Brotherman, Inc., tenant, appeal to change the use of an existing 22' x 84' (approximate) irregular shaped building and parking lot into a carry-out restaurant all situated on a 123' x 170' triangular shaped parcel located in a

General Retail Business District on the north side of Bellaire Road at 12626 Bellaire Road; said change of use being contrary to the Landscaping and Screening Requirements where a 0' landscaping strip is proposed and a 6' landscaping strip is required along Bellaire Road as stated in Sections 352.10 and 352.11 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, MARCH 1, 1999

At the Meeting of the Board of Zoning Appeals on Monday, March 1, 1999, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 99-27: 11633 Clifton Boulevard

John C. Katsaros dba Nola, Inc., owner, appealed to expand use of an existing building described as a nightclub and located in a Local Retail District.

Calendar No. 99-29: 802-806 Eddy Road

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent, appealed to construct four attached townhouses on a 94' x 112' corner parcel in a One and Two-Family District.

Calendar No. 99-30: 725-735 East 128th Street

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent appealed to construct five attached townhouses on a 124' x 154' corner parcel in a Two-Family and Multi-Family District.

The following appeal was **Denied**:

Calendar No. 99-5: 787 East 185th Street

Irene Pasalagua, owner, and Tom Meraglio, tenant, appealed to create an interior opening 6' wide x 7' high for expansion of an existing bar and lounge on a 50' x 169' parcel in a Local Retail District.

The following appeal was **Postponed**:

Calendar No. 99-19: 10201 Elk Avenue postponed to March 29, 1999.

The following appeal was **Withdrawn**:

Calendar No. 99-18: 3414 Brookpark Road

3M Parkway, owner, and Michael McKnight, agent, appealed to install a 20' x 60' V-shaped double faced sign billboard in a General Retail District.

On Monday, March 1, 1999, in Executive Session:

The following appeals were heard on Monday, February 22, 1999, and said decisions to **GRANT** were ap-

proved and adopted by the Board on Monday, March 1, 1999:

Calendar No. 99-13: 3425 Roehl Avenue

Ripepi Funeral Homes, Inc., owner, and Clark Metro Development Corporation, prospective purchaser, appealed to construct a three-story, 30 unit (2-bedroom) elderly housing apartment building on an approximate 198' x 206' irregular shaped parcel in a Two-Family District.

Calendar No. 99-15: 7008-7058 Broadway

Third Federal Savings and Loan, owners, appealed to construct a three-story, 42 unit (2 bedroom) elderly housing apartment building on an approximate 184' x 287' irregular shaped parcel in a General Retail and a Two-Family District.

Calendar No. 99-17: 12432 St. Clair Avenue

Giltz and Associates and Save-a-Lot Food Stores, tenant, appealed to construct a 105' x 160' one-story 18'-8" high food store building and parking lot for 71 cars on an approximate 251' x 282' parcel in a Local Retail District.

Calendar No. 98-251: 10022 Madison Avenue

Marbo Inc., owner c/o Zaremba Group L.L.C. and Revco Discount Drug Centers Inc., appealed to construct a 75' x 135' one-story CVS pharmacy building and accessory parking lot on an approximate 232' x 172' corner parcel in a Local Retail and Multi-Family District.

Calendar No. 98-265: 8820 Broadway, S.E.

Mario Festa, owner, and Millcreek Automotive Corporation c/o Terry Arnold, tenant, appealed to change use of an existing 83' x 122' irregular shaped vacant parcel into a used car sales lot in a Semi-Industry District; approval subject to submission of plan identifying landscaping detail and fencing and adherence to the timelines and subsequent paving and draining as referenced in writing, signed by the appellant and made a condition for granting the requested variance.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF BUILDING STANDARDS
AND BUILDING APPEALS**

NO MEETING

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."

WEDNESDAY, MARCH 10, 1999

Natural Gas, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 93-99, passed by the Council of the City of Cleveland.

February 24, 1999 and March 3, 1999

WEDNESDAY, MARCH 17, 1999

Hydraulic Shoring, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2048-98.

A MANDATORY PRE-BID MEETING WILL BE HELD ON FRIDAY, MARCH 5, 1999, 10:00 A.M., AT THE HARVARD YARDS ADMINISTRATION BUILDING, TRAINING ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

Various Equipment and appurtenances for Combination Sewer and Catch Basin Cleaners, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 817-98, passed by the Council of the City of Cleveland, June 8, 1998.

February 24, 1999 and March 3, 1999

THURSDAY, MARCH 18, 1999

Labor and Materials to Repair the Arch Entrance Doors, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 18, 1998.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, MARCH 12, 1999, 10:00 A.M., AT 500 LAKE-SIDE AVENUE. PLEASE MEET AT THE ARCH ENTRANCE DOORS.

Flashers, Safety Lights, Arrow Bars and Traffic Control Devices, for the various divisions of Public Utilities, as authorized by Ordinance No. 1945-98, passed by the Council of the City of Cleveland, December 14, 1998.

Plumbing, Heating Materials and Supplies, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1956-98, passed by the Council of the City of Cleveland, December 7, 1998.

Tree Maintenance, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2054-98, passed by the Council of the City of Cleveland, December 14, 1998.

February 24, 1999 and March 3, 1999

FRIDAY, MARCH 19, 1999

One (1) Trackless Skid/Steer Loader, for the various divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

February 24, 1999 and March 3, 1999

WEDNESDAY, MARCH 24, 1999

Exterminating Service, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 2096-98, passed by the Council of the City of Cleveland, February 1, 1999.

February 24, 1999 and March 3, 1999

WEDNESDAY, MARCH 17, 1999

Refurbishment of Front-End Loaders and Roll-Off Dumpsters, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1237-98.

March 3, 1999 and March 10, 1999

THURSDAY, MARCH 18, 1999

Continental Airlines - Cleveland 2000, New Concourse D Building Expansion Program Bid Package 13 - Main Terminal Expansion - Structural Steel, for the Department of Port Control

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPEC-

February 24, 1999 and March 3, 1999

IFICATIONS. THE DOCUMENTS ARE AVAILABLE FROM MORSE DIESEL INTERNATIONAL, CONTINENTAL AIRLINES, INC., CTC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND OHIO 44135.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MARCH 11, 1999, 10:00 A.M., AT THE SAME LOCATION. QUESTIONS SHOULD BE ADDRESSED TO FRANK ROETZEL. BIDS WILL BE RECEIVED UNTIL MARCH 18, 1999, 3:00 P.M.

March 3, 1999 and March 10, 1999

FRIDAY, MARCH 19, 1999

Auto/Truck Spring Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2173-98, passed by the Council of the City of Cleveland.

Mower Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2174-98, passed by Council of the City of Cleveland.

Gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2171-98, passed by Council of the City of Cleveland.

Leach Packer Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2172-98, passed by the Council of the City of Cleveland.

March 3, 1999 and March 10, 1999

WEDNESDAY, MARCH 24, 1999

Nottingham Pump Station Improvements Phase 3 - First High Pump Units, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1507-92, passed by the Council of the City of Cleveland, August 19, 1992.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) 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. A PRE-BID MEETING WILL B HELD ON MONDAY, MARCH 15, 1999, 10:00 A.M. AT THE NOTTINGHAM PUMP STATION, 1230 CHARDON ROAD, CLEVELAND, OHIO.

March 3, 1999 and March 10, 1999

FRIDAY, MARCH 26, 1999

Emergency Light Bars, Sirens, Shotgun Locks and Screen Conversion Kits, for the various division of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

March 3, 1999 and March 10, 1999

THURSDAY, APRIL 1, 1999

Phase 2 RSIP 1998: Groups W and Z, for the Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) 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. A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, MARCH 19, 1999, 10:00 A.M. LOCAL TIME, IN THE MAIN CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION IN CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

March 3, 1999 and March 10, 1999

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 231-99.

By Councilmen Cintron, Jones, Westbrook, Sweeney, Rybka, Polensek, Coats, Robinson, Gordon, Johnson and Melena.

An emergency resolution urging the Mayor of the City of Cleveland, and Municipal Court Judges and the City Prosecutor to consider creating a City of Cleveland House Arrest Program for those individuals who have committed nonviolent and minor misdemeanor offenses with the exception of drug and sexual offenders in order to reduce overcrowded conditions in Cleveland City Jails.

Whereas, there is a severe problem of overcrowded conditions at the Cleveland Workhouse, and local city jails, especially during weekends, holidays and summer months which often creates an unsafe environment for both inmates and correctional guards that increases the threat to their health and safety; and

Whereas, nonviolent and minor misdemeanor offenders are often sharing the same correctional facility with major felons and violent criminals, which places their safety at risk; and

Whereas, overcrowded jail conditions places an additional burden on correctional officials to maintain control and safety in such a large population that is confined in a limited enclosed physical environment; and

Whereas, a House Arrest Program can help alleviate overcrowded jail conditions by placing non-violent and minor misdemeanor offenders under specialized electronic monitoring, which restricts the offender's freedom of movement within the community; and

Whereas, this program will enable the community to incarcerate more violent criminals in City correctional facilities, since there will be more space available to confine them due to placing nonviolent offenders under specialized electronic House Arrest supervision; and

Whereas, a House Arrest Program with electronic monitoring increases supervision of convicted offenders, reduces jail overcrowding and saves taxpayers expenses; and

Whereas, many other communities throughout the United States effectively utilize this particular program in order to ease prison overcrowding; now, therefore

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

Section 1. That the Council of the City of Cleveland strongly supports the creation of a House Arrest Program in order to reduce jail overcrowding and to place nonviolent and minor misdemeanor offenders under specialized electronic supervision that closely monitors their activities while serving out their sentence within the confinement of their home.

Section 2. That the House Arrest Program allows such offenders to maintain full-time employment or to participate in rehabilitative services thus enabling them to remain a productive member of the community while being under close electronic supervision by local correctional authorities.

Section 3. That the House Arrest Program enables the offender to remain a productive member of the community while being under close electronic supervision by the local authorities in a restricted home environment.

Section 4. That the Council of the City of Cleveland strongly urges the Mayor of the City of Cleveland, and Municipal Court Judges and the City Prosecutors to consider creating a House Arrest Program for nonviolent and minor misdemeanor offenders in order to reduce the jail population and expenses to the taxpayer.

Section 5. That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to the Mayor of the City of Cleveland and to the presiding Administrative Judge of the Cleveland Municipal Court, and City Prosecutor.

Section 6. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.

Effective March 3, 1999.

Res. No. 233-99.

By Councilman Willis.

An emergency resolution urging the City's Department of Community Development, the Director of City Planning, the Chair of the City Planning Commission and the Cleveland Landmarks Commission to seek designation of Hazeldell School as a historical landmark.

Whereas, Hazeldell School, located at 654 East 123rd Street in the City of Cleveland, was constructed beginning in 1900 and reflects the work of notable craftsmanship; and

Whereas, Hazeldell School consists of three primary elements, the original 1900 school and 2 later annexes built in 1910 and 1915, with such annexes being designed by noted architect Frank Seymour Barnum; and

Whereas, Hazeldell School is a significant historical structure because it demonstrates the advances and changes in American elementary education from 1900 through 1947; and

Whereas, in passing Codified Ordinance 161.01, the Council of the City of Cleveland declared as a matter of public policy that the preservation, protection, and perpetuation of buildings and structures having a special historical, community or aesthetic interest or value is a public necessity and is in the interest of the people; and

Whereas, the Cleveland Landmarks Commission, working in conjunction with the City Planning Commission, may designate structures of historical and architectural significance as a landmark; and

Whereas, the State of Ohio may also designate a structure as a historical landmark; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges the Chair of the Cleveland Landmarks Commission, the Director of City Planning and the Chair of the City Planning Commission to recognize the historical and architectural significance of Hazeldell School and to pursue the designation of Hazeldell School as a City landmark in accordance with Chapter 161 of the Codified Ordinances of the City of Cleveland.

Section 2. That the Director of Community Development is requested to pursue the designation of Hazeldell School as a historic landmark by the State of Ohio.

Section 3. That the Clerk of Council is requested to transmit a copy of this Resolution to Linda Hudecek, Director of Community Development; Hunter Morrison, Director of the City Planning; Anthony Coyne, Acting Chair of the City Planning Commission; and Richard Schanfarber, Chair of the Cleveland Landmarks Commission.

Section 4. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.

Effective March 3, 1999, without the signature of the Mayor.

Res. No. 234-99.

By Councilman Britt.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 10101 Quebec Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of a C2 and C2X Liquor Permit from Permit No. 1860347, Doris & Hubert Currie, DBA Curries Delicatessen, 10101 Quebec Ave., Cleveland, Ohio 44106, to Permit No. 4951248, L & L Grocery Inc., 10101 Quebec Ave., Cleveland, Ohio 44106; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of a C2 and C2X Liquor Permit from Permit No. 1860347, Doris & Hubert Currie, DBACurries Delicatessen, 10101 Quebec Ave., Cleveland, Ohio 44106, to Permit No. 4951248, L & L Grocery Inc., 10101 Quebec Ave., Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.
Effective March 3, 1999.

Res. No. 235-99.
By Councilman Coats.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 14021 St. Clair Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 7642327, SM & AMInc., 14021 St. Clair Avenue, Cleveland, Ohio 44110; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 7642327, SM & AMInc., 14021 St. Clair Avenue, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.
Effective March 3, 1999.

Res. No. 236-99.
By Councilman Coats.
An emergency resolution objecting to the transfer of ownership and location of a C1 and C2 Liquor Permit to 14805 St. Clair.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 2783964, Flos Food Market Inc., DBAFlos Food Market, 1509 E. 55th St., 1st Fl. & Bsmt., Cleveland, Ohio 44103, to Permit No. 9552788, Arthur Dean Wheeler, DBAStar Gate, 14805 St. Clair, Cleveland, Ohio 44110; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 2783964, Flos Food Market Inc., DBAFlos Food Market, 1509 E. 55th St., 1st Fl. & Bsmt., Cleveland, Ohio 44103, to Permit No. 9552788, Arthur Dean Wheeler, DBAStar Gate, 14805 St. Clair, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.
Effective March 3, 1999.

Res. No. 237-99.
By Councilman White.
An emergency resolution objecting to the transfer of ownership and location of a C2 and C2X Liquor Permit to 3904 Martin Luther King Blvd. 1st Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 8376235, Sonny Shores Inc., 17700 Lake Shore Blvd., Cleveland, Ohio 44119, to Permit No. 40342570005, Pamela Hubbard, DBA McClains Market II, 3904 Martin Luther King Blvd., 1st Fl., Cleveland, Ohio 44105; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 8376235, Sonny Shores Inc., 17700 Lake Shore Blvd., Cleveland, Ohio 44119, to Permit No. 40342570005, Pamela Hubbard, DBA McClains Market II, 3904 Martin Luther King Blvd., 1st Fl., Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.
Effective March 3, 1999.

Res. No. 238-99.

By Councilman Rybka.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet Avenue and repealing Res. No. 1506-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet

Avenue, by Res. No. 1506-98, adopted, August 19, 1999; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a cooperation agreement signed December 29, 1999, a copy of which is in the file for this address in the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet Avenue, be and the same is hereby withdrawn and Res. No. 1506-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

Section 2. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.
Effective March 3, 1999.

Res. No. 239-99.

By Councilman Sweeney.

An emergency resolution withdrawing objection to the transfer of ownership of a D5A and D6 Liquor Permit to 4181 West 150th Street, and repealing Res. No. 1977-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5A and D6 Liquor Permit to 4181 West 150th Street, by Res. No. 1977-98, adopted by Council on November 9, 1998; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; and

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

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

Section 1. That objection to the transfer of ownership of a D5A and D6 Liquor Permit to 4181 West 150th Street, be and the same is hereby withdrawn and Res. No. 1977-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

Section 2. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.
Effective March 3, 1999.

Res. No. 240-99.

By Councilman Robinson.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 3551-55 E. 93rd St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 8939036, Timvirmat Inc., DEATims Bar, 1st & 2nd Fls. & Bsmt., 3551-55 E. 93rd St., Cleveland, Ohio 44105, to Permit No. 9181396, VSP Lounge Inc., DBAVSPLounge, 1st & 2nd Fls. & Bsmt., 3551-55 E. 93rd St., Cleveland, Ohio 44105; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 8939036, Timvirmat Inc., DEATims Bar, 1st & 2nd Fls. & Bsmt., 3551-55 E. 93rd St., Cleveland, Ohio 44105, to Permit No. 9181396, VSP Lounge Inc., DBAVSPLounge, 1st & 2nd Fls. & Bsmt., 3551-55 E. 93rd St., Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 22, 1999.
Effective March 3, 1999.

**Ord. No. 1773-98,
By Councilmen Jackson, Rybka
and Johnson.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 69th Street to Garden Village Housing Development Incorporated.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-23-031, 118-23-032, 118-22-074 and 118-22-075, as more fully described in Section 2 below, to Garden Village Housing Development Incorporated.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 118-23-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in Payne-Clark Allotment of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Maps, Page 33 of Cuyahoga County Records and being 40.16 feet front on the West-erly side of East 69th Street (formerly Jessie Street) and extending back of equal width 137.75 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-23-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 68 in Payne and Clark's Subdivision of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Cuyahoga County Records, Page 33, and being 40.17 feet front on the West-erly side of East 69th Street, and extending back between parallel lines 137.75 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-22-074

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in Payne and Clark's Re- Allot-

ment of their Subdivision of part of Original One Hundred Acre Lot No. 335 as shown by the recorded plat of said Re-Allotment in Volume 11 of Maps, Page 33 of Cuyahoga County Records the said Sublot being 40 feet front on the Easterly side of East 69th Street and extending back 138.76 feet on the Northerly line, 138.70 feet on the Southerly line, and having rear line of 40 feet, be the same more or less, but subject to all legal highways.

P.P. No. 118-22-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 22 in Payne and Clark's Subdivision of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Maps, Page 33 of Cuyahoga County Records, and being 40.18 feet front on the Easterly side of East 69th Street (formerly Jessie Street) and extending back 138.70 feet deep on the Northerly line, 138.65 feet deep on the Southerly line, and being 40.18 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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 February 22, 1999.
Effective March 3, 1999.

Ord. No. 137-99.

By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11714, 11806, 11808 Miles Avenue to Union Miles L.P.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 138-13-008, 138-13-010 and 138-13-011, as more fully described in Section 2 below, to Union Miles L.P.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 138-13-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 1/2 of Sublot No. 42 in the Bishop Hoyt Allotment of part of Original One Hundred Acre Lot No. 468, as shown by the recorded plat in Volume 64 of Maps, Page 28 of Cuyahoga County Records and being 50 feet front on the Southerly side of Miles Avenue and extending back of equal width 300 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 138-13-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and described as follows:

Beginning at a point in the South line of Miles Avenue, Five Hundred (500) feet East of the East line of East 116th Street (formerly Rice Avenue); thence South 300 feet; thence East Fifty (50) feet; thence North Three Hundred (300) feet to the South line of Miles Avenue; thence West along the said South line of Miles Avenue (50) feet to the place of beginning. Also known as part of Sublot 74 of Bishop & Hoyt Allotment, as recorded in Maps Volume 64, Page 28. Subject to Zoning Ordinances, if any.

P.P. No. 138-13-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 50 feet of Sublot No. 74 in the Bishop and Hoyt Allotment of part of Original One Hundred Acre Lot No. 468 as shown by the recorded plat in Volume 64 of Maps, Page 28 of Cuyahoga County Records and being a parcel of land 50 feet front on the Southerly side of Miles Avenue and extending back 300 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordi-

nance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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 February 22, 1999.

Effective February 24, 1999.

Ord. No. 227-99.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to CVS/Pharmacy to stretch a banner on utility poles (by separate permission) at 1727 Euclid Ave. publicizing the start of the race, and a banner at Euclid & E. 22nd St. publicizing the finish of the race, for the period of April 27, 1999 to May 3, 1999 inclusive, publicizing the CVS-Cleveland Marathon & 10K Races.

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 notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to CVS/Pharmacy, 29525 Chagrin Blvd. #316, Pepper Pike, Ohio 44122, to install, maintain and remove banners at Euclid Avenue and East 22nd Street, to be attached to utility poles, (by separate permission) for the CVS-Cleveland Marathon and 10K Race at 1727 Euclid Avenue (No Pole Number -*Note- this banner, in this location only, shall be erected and taken down on Race Day, Sunday, May 2, 1999); and (Pole # NE 1056), publicizing the Start of the Marathon and 10K Race; and, Euclid Avenue and East 22nd Street (Pole # B 65 20 and Pole # BO 21 14) publicizing the Finish of the Marathon and 10K Race for the period of April 27, 1999 to May 3, 1999 inclusive. Said banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be

removed promptly upon the expiration of said permit.

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 February 22, 1999.

Effective March 3, 1999.

Ord. No. 228-99.

By Councilman Patmon.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 797 East 93rd Street, 9316-18 St. Clair Avenue, N.E., and 790 East 95th Street to Glenville Elderly L.P.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 108-20-092, 108-20-002 and 108-20-004, as more fully described in Section 2 below, to Glenville Elderly L.P.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P.P. No. 108-20-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 27 feet 6 inches of Subdivision 6 in Mary D. Stockpole's Subdivision of part of Original One Hundred Acre Lot No. 368 as shown by the recorded plat in Volume 4 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 93rd Street (formerly Park Street), at the Southwesterly corner of said Sublot No. 6; thence Easterly along the Southerly line of said Sublot No. 6, 55 feet to the Southeastly corner of said Sublot No. 6; thence Northerly along the Easterly line of said Sublot No. 6, 27 feet 6 inches; thence Westerly parallel with Southerly line of said Sublot No. 6, 55 feet to the Easterly line of East 93rd Street; thence Southerly along the Easterly line of East 93rd Street, 27 feet 6 inches to the place of beginning, and being a parcel of land having a frontage of 27 feet 6 inches on the Easterly side of East 93rd Street, and extending back of

equal width 55 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 108-20-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 7 in Mary D. Stockpole's Subdivision, of part of Original One Hundred Acre Lot No. 368, as shown by the recorded plat in Volume 4 of Maps, Page 28 of Cuyahoga County Records, having a frontage of 64 feet on the Southerly side of St. Clair Avenue, N.E., 182.5 feet deep on the Westerly line, 214.5 feet deep on the Easterly line, and being 55 feet wide in the rear, excepting therefrom, however, a strip of land 10 feet in width taken off the front of said Sublot to widen St. Clair Avenue, N.E., appropriated by the Village of Glenville, August 11, 1888 by proceedings in the Probate Court of Cuyahoga County, recorded in Volume C, Page 87 of Appropriation records.

P.P. No. 108-20-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 31 and 32 in Nellie Livingston's Subdivision of part of Original One Hundred Acre Lot No. 369 as shown by the recorded plat in Volume 22 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Southeastly line of St. Clair Avenue, N.E., (80 feet wide) with the Southwesterly line of East 95th Street, (40 feet wide); thence Southeastly, along said Southwesterly line of East 95th Street, about 123 feet to the Southeastly corner of said Sublot No. 31; thence Westerly, along the Southerly line of said Sublot No. 31, about 107.80 feet, but to the Southwesterly corner thereof; thence Northerly, along the Westerly lines of said Sublots Nos. 31 and 32 about 94.90 feet, but to the Southeastly line of said St. Clair Avenue, N.E.; thence Northeastly, along said Southeastly line of St. Clair Avenue, N.E., about 68.10 feet to the place of beginning as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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 February 22, 1999.

Effective February 24, 1999.

Ord. No. 229-99.

By Councilman Patmon.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 495 and 489 East 105th Street to David F. Perse and Jeanne A. Perse.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 108-13-013 and 108-13-014, as more fully described in Section 2 below, to David F. Perse and Jeanne A. Perse.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P.P. No. 108-13-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 65 feet of Sublot No. 5 in the Remington Subdivision of part of Original One Hundred Acre Lot No. 362, as shown by the recorded plat in Volume 35 of Maps, Page 29 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 105th Street, and extending back of equal width 65 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions contained in the instrument dated June 6, 1992 and recorded in Volume 2635, Page 419 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P.P. No. 108-13-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Allotment of Sublots Nos. 3 and 4 of the Remington Subdivision of part of Original One Hundred Acre Lot No. 362, the same being recorded in Volume 35 of Maps, Page 29 of Cuyahoga County Records, excepting therefrom the portion of said Sublots Nos.

3 and 4 deeded to the City of Cleveland, said portions excepted from this deed being described as follows:

Beginning at the intersection of the Easterly line of East 105th Street with the Southerly line of Remington Avenue, N.E.; thence South along the Easterly line of East 105th Street, 67 25/100 feet to a point of tangency; thence Northerly along the arc of a circle to the right, who radius is 49 04/100 feet, a distance of 34 24/100 feet to a point of tangency; thence Northerly along the arc of a circle to the right, whose radius is 30 10/100 feet, a distance of 26 11/100 feet to a point of a tangency in the Southerly line of Remington Avenue, N.E.; thence South 89° 42' West 56 feet to the place of being, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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 February 22, 1999.

Effective February 24, 1999.

Ord. No. 230-99.

By Councilman Willis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 834 and 843 Eddy Road to Gardner Development, L.P.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 110-11-040 and 110-11-042, as more fully described in Section 2 below, to Gardner Development, L.P.

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

P.P. No. 110-11-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 15 and the Northerly part of Sublot No. 16 in the Boulevard Drive Subdivision No. 1 of part of Original One Hundred Acre Lot No. 372, as shown by the recorded plat in Volume 55 of Maps, Page 12 of Cuyahoga County Records, together forming a parcel of land bounded and described as follows:

Beginning in the Westerly line of Eddy Road, N.E., at a point distant Northerly measured along said Westerly line 40.9 feet from the Southeast corner of said Sublot No. 16; thence Westerly 46 feet to a point distant Southerly at right angles 4.35 feet from the Northerly line of Sublot No. 16; thence continuing Westerly 27 feet to a point distant Southerly at right angles 3.82 feet from said Northerly line of Sublot No. 16; thence continuing Westerly 12.50 feet to a point distant Southerly at right angles 3 feet from said Northerly line of Sublot No. 16; thence continuing Westerly on a line which is parallel with and distant 3 feet Southerly from said Northerly line of Sublot No. 16 to its point of intersection with the Westerly line of said Sublot No. 16; thence Northerly along said Westerly line of Sublot No. 16 and the Westerly line of Sublot No. 15, 48 feet to the Northwesterly corner of Sublot No. 15; thence Easterly along the Northerly line of Sublot No. 15, 120.10 feet to its intersection with the Westerly line of Eddy Road, N.E.; thence Southerly along said Westerly line of Eddy Road, N.E., 44.1 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 110-11-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 11, 12 and 13 in the Boulevard Drive Subdivision No. 1 of part of Original One Hundred Acre Lot No. 372, as shown by the recorded plat in Volume 55 of Maps, Page 12 of Cuyahoga County Records and together forming a parcel of land having a frontage of 120 feet on the Westerly side of Eddy Road, N.E., and extending back 120 feet on the Northerly line, 120.10 feet on the Southerly line, and having a rear line of 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months

of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. 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 February 22, 1999.
Effective March 3, 1999.

Ord. No. 232-99.
By Councilman Lewis.
An emergency ordinance withdrawing Resolution No. 199-99 urging the utility companies to discontinue certain collection practices in regard to HEAP participants.

Whereas, this Council urged the utility companies to discontinue certain collection practices in regard to participants of the Home Energy Assistance Program (HEAP) in Resolution No. 199-99; and

Whereas, this Council wishes to withdraw Resolution No. 199-99 as made in error; and

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

Section 1. That Resolution No. 199-99 be hereby withdrawn and repealed.

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 February 22, 1999.

Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

Monday, March 1, 1999

Finance Committee (Budget Hearings): 9:30 A.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

Tuesday, March 2, 1999

Finance Committee (Budget Hearings): 9:30 A.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

Wednesday, March 3, 1999

Finance Committee (Budget Hearings): 9:30 A.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

Thursday, March 4, 1999

Finance Committee (Budget Hearings): 9:30 A.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Sweeney, Willis. Excused: Robinson.

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