

**Community & Economic Development Committee**  
**6:59pm-The Lord's Prayer & Moment of Silence**

**Shelby City Council Agenda**  
**Monday, April 3, 2017**  
**COUNCIL CHAMBERS**  
**29 MACK AVENUE**  
**Shelby, Ohio**  
**7:00 p.m.**

**Call to Order and Pledge of Allegiance**

**Roll Call:**

Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_ Mr. McLaughlin \_\_\_\_\_

**Dispense with Reading of Journal from March 20, 2017**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**Public Comment**

**Reports from Standing and Special Committees**

Community & Economic Development Committee—Steve McLaughlin

Public Works & General Operation Committee—Charlie Roub

**Reports of City Officials**

Steven L. Schag—Mayor

**Proclamation**

Steven T. Lifer—Director of Finance

Gordon M. Eyster—Law Director

Joe Gies—Project Coordinator

**New Business**

**Unfinished Business**

West Main Street Sanitary Sewer

**Legislation**

**ORDINANCE NO 6-2017**

**AMENDING SECTION 276.04 (FEES) OF CHAPTER 276  
(DIVISION OF HEALTH) OF THE CODIFIED  
ORDINANCES OF THE CITY OF SHELBY**

**3RD READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**PASSAGE OF ORDINANCE**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**ORDINANCE NO 7-2017**

**VACATING AN ALLEY RUNNING PERPENDICULAR OF  
SOUTH STREET BETWEEN LOTS 211 & 201 AND 210 & 202  
IN THE CITY OF SHELBY, OHIO**

**2ND READING**

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

**Miscellaneous Business**

**Adjournment** at \_\_\_\_\_ p.m.

Moved \_\_\_\_\_ 2<sup>ND</sup> \_\_\_\_\_

Mr. McLaughlin \_\_\_\_\_ Mr. Roub \_\_\_\_\_ Mr. Roberts \_\_\_\_\_ Mr. Gates \_\_\_\_\_ Mr. Martin \_\_\_\_\_

1st Reading  
3/6/2017  
2nd Reading  
3/20/2017

**ORDINANCE NO. 6 -2017**  
(Sponsors: Councilmember Roberts)

**AMENDING SECTION 276.04 (FEES) OF CHAPTER 276 (DIVISION OF HEALTH) OF THE CODIFIED ORDINANCES OF THE CITY OF SHELBY.**

WHEREAS, The schedule of fees associated with and administered by the Division of Health was last revised and/or amended by Ordinance 4-2017 in January of 2017; and

WHEREAS, the Division of Health may establish fees for attendance at a course of study offered by the licenser in food protection if the course is approved under section 3717.09 of the Ohio Revised Code; and

WHEREAS, It is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that Section 276.04 (Fees) of Chapter 276 (Division of Health) be amended so as to bring the Shelby Division of Health into compliance with State regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:**

Section 1 : That Section 276.04 (Fees) of Chapter 276 ( Division of Health) of the codified Ordinances of the City of Shelby be amended to read as follows:

**276.04 FEES**

The following fees are hereby adopted for the Division of Health:

<i>Food Service/Retail Food Establishment License Fees</i>		
<i>Level</i>	<i>Business Under 25,000 Sq. Ft.</i>	<i>Business Over 25,000 Sq. Ft.</i>
Level 1	\$72 + \$28 State Fee = \$100	\$100 + \$28 State Fee = \$128
Level 2	\$85 + \$28 State Fee = \$113	\$115 + \$28 State Fee = \$143
Level 3	\$144 + \$28 State Fee = \$172	\$200 + \$28 State Fee = \$228
Level 4	\$168 + \$28 State Fee = \$196	\$250 + \$28 State Fee = \$278
Vending	\$8 + \$6 State Fee = \$14 per location	
Mobile food service	\$71 + \$28 State Fee = \$99 per unit	
Temporary food service	\$35 per event up to five days	
Level I food safety training	\$10	
Level II certification in food protection	\$125	
Level II Examination only	Shelby City	\$25
	Non-Shelby City	\$50

**Body Art Approval Fees**

<i>Service</i>	<i>Local Fee</i>	<i>State Fee</i>	<i>Total Fee</i>
Tattooing services	\$125	\$0	\$125
Body piercing services	\$125	\$0	\$125
Combined body art services	\$125	\$0	\$125
Time-limited approval for a specific event	\$125	\$0	\$125
Late fee	25% of local fee	\$0	

**Private Water System Fees**

<i>Type</i>	<i>Local Fee</i>	<i>State Fee</i>	<i>ODNR</i>	<i>Total Fee</i>
Single family dwelling				
Well permit	\$50	\$74	\$20	\$144
Cistern permit	\$50	\$74	\$0	\$124
HWST* permit	\$50	\$74	\$0	\$124
Spring permit	\$50	\$74	\$0	\$124
Pond permit	\$50	\$74	\$0	\$124
Well conversion permit	\$50	\$74	\$0	\$124
Alteration permit	\$50	\$0	\$0	\$50
Well sealing permit	\$10	\$0	\$0	\$10
Non-single family dwelling				
Well permit	\$50	\$74	\$20	\$144
Cistern permit	\$50	\$74	\$0	\$124
HWST* permit	\$50	\$74	\$0	\$124
Spring permit	\$50	\$74	\$0	\$124
Well conversion permit	\$50	\$74	\$0	\$124
Alteration permit	\$50	\$0	\$0	\$50
Well sealing permit	\$10	\$0	\$0	\$10
Other fees				
Test well permit	\$50	\$74	\$20	\$144

Contractor inspection	\$50	\$0	\$0	\$50
Water sample	\$50	\$0	\$0	\$50
Water hauler registration and vehicle inspection	\$85	\$	\$0	\$85
Variance	\$50	\$0	\$0	\$50
Late fee	25% of local fee			
*HWST = Hauled water storage tank				

**Public Swimming Pool License Fee**

Type	Local Fee	State Fee	Total Fee	
Public Pool Spa Special use pool	\$175	\$80	\$255	
Additional pool, spa, and special use pool. (at the same facility as the first pool)	\$75	\$55	\$130	
Government/tax supported school pool, spa and special use pool.	\$175	\$80	\$255	
Additional government/tax supported school pool, spa and special use pool. (At the same facility as the first pool)	\$75	\$55	\$130	
Late Fee	25% of local fee	\$0		

**Birth and Death Certificates**

Death certificates	\$25 each
Birth certificates	\$25 each

**Sewage Treatment Systems**

Type	Local Fee	State Fee	Total
Application for Site Review	\$55	\$0	\$55

Application for Soil Evaluation	\$55	\$0	\$55
Application for Design	\$55	\$0	\$55
Permit for New/Replacement Installation for years 2015, 2016, 2017	\$115	2015 2016 2017 \$25 \$50 \$74	2015 2016 2017 \$140 \$165 \$189
Permit for Alteration of Existing System for years 2015, 2016, 2017	\$75	2015 2016 2017 \$15 \$25 \$35	2015 2016 2017 \$90 \$100 \$110
Operational Permit	\$75	\$0	\$75
Registration of Installer	\$55	\$0	\$55
Registration of Service Provider	\$55	\$0	\$55
Registration of Septage Hauler	\$15	\$0	\$15
Septage Hauler Truck	\$15	\$0	\$15
Additional Inspection	\$55	\$0	\$55
Abandonment of System	\$10	\$0	\$10
Variance	\$75	\$0	\$75
Bffluent Sample	\$115	\$0	\$115
Review of Subdivision or Lots	\$150	\$0	\$150
Late Penalty	25%	\$0	25%

Section 2: That all other Sections of Chapter 276 of the Codified Ordinances of the City of Shelby shall remain in full force and effect.

Section 3: That all meetings and hearing concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

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

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council


APPROVED:

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

Steven T. Lifer  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
Gordon M. Byster  
Director of Law

3/20/2017

**ORDINANCE NO: 7-2017**  
**(Sponsor: Councilmember Gates)**

**VACATING AN ALLEY RUNNING PERPENDICULAR OF SOUTH STREET BETWEEN LOTS 211 & 201 AND 210 & 202 IN THE CITY OF SHELBY, OHIO.**

WHEREAS, on the 3<sup>rd</sup> day of January, 2017, the Council of the City of Shelby adopted Resolution No: 2-2017 and in so doing declared its intent to vacate an alley running perpendicular to South Street between Lots 211 & 201 and 210 & 202, within the City of Shelby; and

WHEREAS, a majority of the owners of property bounding and abutting upon said alley have submitted a "Petition to Vacate Street or Alley" to Council of the City of Shelby, Ohio, asking the alley to be vacated; and

WHEREAS, notice of the adoption of the above Resolution has been provided to the owners of property abutting said alley thereby notifying said property owners of the time and place at which objections could be presented to the Board of Revision of Assessments (pursuant to Section 105 of the charter of the City of Shelby); and

WHEREAS, the Board of Revision of Assessments met on 28<sup>th</sup> day of February (said meeting and procedure being in accordance with the provisions of Section 105 of the charter of the City of Shelby) and voted unanimously to approve and recommend the vacation of an alley running perpendicular to South Street, between Lots 211 & 201 and 210 & 202, within the City of Shelby; and

WHEREAS, the Council of the City of Shelby is satisfied that there is good cause for vacating said alley which is hereinafter described and that said vacation will not be detrimental to the general interest and public welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:**

Section 1: That an alley running perpendicular to South Street between lots 211 & 201 and 210 & 202 as shown on Exhibit A within the City of Shelby, Ohio is hereby vacated.

Section 2: That in accordance with Section 105 of the charter of the City of Shelby, Ohio, the City shall retain any and all easements necessary for the maintenance of utilities currently located within said alley.

Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval by the mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Steven T. Lifer  
Clerk of Council  
\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law