



# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Chad E. Luffs, P.E., P.S., Director of Public Works

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October 28, 2021

1010 Fairview Drive  
Napoleon, Ohio 43545

Attn: Eric Shaver

Re: Concrete Drive Approach  
Violation of City Engineering Rules

Dear Mr. Shaver,

On Wednesday, October 20, 2021, the City of Napoleon's Engineering Department was notified that you intended to replace your concrete drive approach. Aron Deblin, the City of Napoleon's Construction Inspector, met with you and informed you of the City's requirements for thickness and dimensions. After this meeting, Mr. Deblin provided you with the City's requirements and specifications via email.

After your discussion with Mr. Deblin, you called me later that day and I provided you the same information. During that conversation I informed you that I did not have the authority to waive these requirements, and if you wished to vary from the Engineering Rules you would have to appeal to the City Manager.

After you and I spoke on the phone, you emailed Joel Mazur, the City Manager, requesting that the rules be waived. On October 22, 2021, Mr. Mazur responded and stated that he would not vary from the Engineering Rules.

Per the City of Napoleon, Ohio Engineering Rules & Regulations, Rule 4.1.3:

"...Maximum drive approach curb cuts shall be thirty feet (30') for residential drives. Both minimum and maximum curb cuts include three feet (3') wide drive wings on each side of the drive approach..."

On Tuesday, October 26, 2021, Mr. Deblin observed that you did not pour your drive approach as instructed and violated the City of Napoleon's Engineering Rules & Regulations, despite being well informed of these rules. Per the City of Napoleon, Ohio Engineering Rules & Regulations, Rule 6.1:

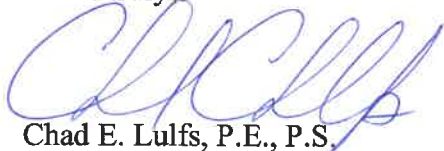
"Criminal violations of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" and associated penalties therefore, shall be pursuant to City Ordinance 30-98, as may be amended from time to time, or codified."

Per the City of Napoleon's Codified Ordinances, Section 139.03, (d), (2):

"Any person, firm, group or corporation, either owner, developer or agent who obtains any required permit or approval from the City associated with development or improvement to a site based upon false or misleading information, made with the intent to deceive the City or its officers, officials or employees, shall be held in violation of the City of Napoleon, Ohio, "Engineering Department Rules and Regulations" and shall be deemed guilty of a misdemeanor of the minor degree and the penalties as contained in Section 501.99 of the Codified Ordinances of the City of Napoleon, Ohio shall apply. Each day that a violation continues shall constitute a separate violation."

You have 14 days from the date of this letter to correct this issue. If this issue is not corrected by the 14<sup>th</sup> day, this matter will be forwarded to the City of Napoleon's Law Department. Prior to corrective action being taken, the City of Napoleon's Engineering Department must be notified and must approve the actions you plan to take to correct this issue.

Yours truly,



Chad E. Lulfs, P.E., P.S.  
Director of Public Works  
City of Napoleon, Ohio

cc: Joel L. Mazur, City Manger  
Billy Harmon, City Law Director  
Aron Deblin, City Construction Inspector  
Kevin Schultheis, City Zoning Administrator