

ORDINANCE NO. 009-16

**AN ORDINANCE AMENDING THE CITY OF NAPOLEON, OHIO
ENGINEERING DEPARTMENT RULES AND REGULATIONS,
TO WIT: VARIOUS SECTIONS IN RULES 3, 4, 5, 6, AND 7**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON,
OHIO:**

Section 1. That, Rule 3.2.5 (Preliminary Construction Plan Requirements) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

PRELIMINARY CONSTRUCTION PLAN REQUIREMENTS

Four (4) copies of the preliminary construction plans shall be submitted by the Owner, Developer or their Agent to the Zoning Administrator who shall submit two (2) copies to the City Engineer and shall be subject to and/or contain the following: (the Preliminary Plat may be used as the base map for the preliminary construction plan).

The name of the Subdivision (or development), the name of the Owner or Developer, and the name and seal of the Professional Engineer and Professional Surveyor registered in the State of Ohio preparing the plans.

The scale of the preliminary plans shall not be smaller than one inch (1") equals one hundred feet (100').

The preliminary plan shall be submitted ~~on twenty-four inch (24") by thirty-six inch (36") sheets~~ electronically in .pdf format.

Location of development by Section, Township, and Range. *(Amended - August 7, 2006 - Ordinance No 062-06)*

Scale of plan and north arrow.

Boundaries of the proposed development indicated by a heavy line including the bearing and distance for each line and monuments found or set.

Names of adjacent subdivisions and/or owners of record.

A location map of a scale not less than one inch (1") equals two thousand feet (2,000') showing the development in relationship to the corporation limits of the City of Napoleon.

Lot layout and location of existing and proposed utilities and structures.

Show location, widths and names of existing streets, railroad right-of-way, easements, parks, permanent buildings, corporation and township lines, location of wooded areas and other significant topographic and natural features within and adjacent to the proposed development.

Show street names and scaled dimensions for all proposed roads, alleys, easements (with purpose stated) and areas to be reserved for parks, schools, or other public uses.

Angles shall be shown where streets intersect at something other than ninety degrees (90°).

Show the existing contours with the following intervals:
Five feet (5') where the slope is greater than ten percent (10%).
Two feet (2') where the slope is less than ten percent (10%).
One foot (1') in flat areas.

Vertical Datum shall be USGS or NGS. *(Amended – August 7, 2006 – Ordinance No 062-06)*

One (1) copy of ~~runoff~~ drainage calculations showing pre- and post-development storm water runoff for two (2), five (5) and ten (10) year storm events shall be submitted with the preliminary plans. If storm water retention or detention is required based upon these calculations, preliminary pond sizing shall be included as part of the submittal. All drainage calculations shall be prepared and sealed by a licensed engineer.

If the area is to be developed in phases, the preliminary plan shall be for the entire development. *(Amended – August 7, 2006 – Ordinance No 062-06)*

After the approval of the preliminary plan by the City Engineer, a reproducible copy of the plan shall be placed on file with the City Engineering Department.

Section 2. That, Rule 3.2.6 (Detailed Construction Plans) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

~~Four (4)~~ One (1) sets of the detailed construction plans and specifications in .pdf format prepared by a Professional Engineer registered in the State of Ohio shall be submitted to the Zoning Administrator who shall ~~submit two (2) sets~~ distribute them to the City Engineer and other appropriate department heads.

~~The plans shall be on twenty-four inch (24") by thirty-six inch (36") sheets.~~

A title block shall be placed on each sheet showing the design engineer's name, the date when the drawing was done, the sheet number, the total number of sheets and a revision block.

There shall be a title sheet showing a location map, the name of the development, the name and signature of the owner; the name, signature and seal of the design engineer and a signature block for the approvals of the Mayor, the City Manager, and the City Engineer.

The plans shall include general notes, general summary, test boring locations and logs, intersection details and construction details.

~~Two (2)~~ One (1) electronic copies of the soil boring log and report, including recommendations for design and construction of streets, underground utilities and buildings, shall be submitted with the detailed construction plans.

Each plan and profile sheet shall have a north arrow and scales denoted and a minimum of one (1) site bench mark.

A note on the plans shall indicate that all work will be done in accordance with the latest ODOT Construction and Materials Specifications and with the City of Napoleon Standard Specifications for Construction.

All proposed improvements shall be shown in plan and profile.

All existing utilities and structures shall be shown in the plan and profile including, but not limited to, gas mains, storm and sanitary sewers, water mains and buried cables.

The type of pipe material, joints, strength, etc. shall be shown by ODOT, ASTM or AWWA nomenclature.

Details of special structures shall be included in the plans.

All property lines, dimensions, corporation limits, section lines, boundary lines, easements, and other survey lines shall be shown.

The location, description and elevation of all bench marks shall be shown on the appropriate sheets.

USGS or NGS Datum shall be used. *(Amended – August 7, 2006 – Ordinance No 062-06)*

Indicate references for all existing section corners, street intersections, property corners, etc. that are relevant to the construction.

All supporting data including survey information, pavement design calculations, soil test results, storm sewer design and construction estimates, including a ~~fifteen~~ten percent (15~~0~~) contingency, shall be submitted with the detailed plans.

Section 3. That, Rule 3.3.4 (Site Plan Requirements) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

~~Three (3)-~~ One (1) copies of the site plan in electronic .pdf format shall be submitted by the Owner, Developer or their Agent to the Zoning Administrator who shall ~~submit one (1) copy~~ distribute it to the City Engineer and other appropriate department heads and shall be subject to and/or contain the following:

The name of the development, the name of the Owner, or Developer, and the name of the Engineer or Surveyor preparing the plans. *(Amended – August 7, 2006 – Ordinance No 062-06)*

Scale of plan and north arrow.

Property lines including the bearing and distance for each line and monuments found or set.

Names of adjacent subdivisions and/or owners of record.

Location of existing and proposed utilities and structures.

Show location, widths and names of existing streets, railroad right-of-way, easements, permanent buildings, location of wooded areas and other significant topographic and natural features within and adjacent to the proposed development.

At a minimum, spot elevations shall be given for every one hundred (100) feet of surface to be developed.

Vertical Datum shall be defined on the drawings.

One (1) copy of ~~runoff~~drainage calculations showing pre- and post-development storm water runoff for two (2), five (5) and ten (10) year storm events may be requested to be submitted with the preliminary plans, as determined by the City Engineer. If storm water

retention or detention is required based upon these calculations, preliminary pond sizing shall be included as part of the submittal.

If the area is to be developed in phases, the preliminary plan shall be for the entire development. *(Amended – August 7, 2006 – Ordinance No. 062-06)*

Section 4. That, Rule 3.3.5 (Fees) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

FEES (NOTE: 3.2.7 and 3.3.5 are not the same for Plan Review Fee)

The City Engineering Department shall charge a fee to the Owner or Developer to cover the cost of reviewing the Site Plan. A fee shall also be charged for Construction Inspection and Testing, if required.

Site Plans

Before the Construction Plan review is begun, the Owner, Developer or their Agent must pay a fee of two hundred dollars (\$200.00), by check or money order payable to "City of Napoleon", noting "Engineering Plan Review". This fee is intended to cover the cost of reviewing the Site Plans. *(Amended – August 7, 2006 – Ordinance No. 062-06)*

Inspection Fee Amounts

If construction inspection is performed by the City Engineering Department utilizing its own or contracted forces, as determined by the City Engineer, the Owner, Developer or their Agent shall: *(Amended – August 7, 2006 – Ordinance No. 062-06)*

1. Pay an amount equal to two percent (2%) of the estimated cost of construction (including contingencies) of all improvements to be connected to City utilities, as verified by the City Engineer, for the City to provide part-time inspection services; or, *(Amended – August 7, 2006 – Ordinance No. 062-06)*
2. In the event the owner or developer hires or utilizes its own inspector responsible for the supervision of construction during the construction period with the consent of the City Engineer, the inspector shall be a professional engineer registered in the State of Ohio or employed by a qualified engineering consulting firm. The inspector shall be responsible to submit construction reports to the City Engineer on a regular basis as determined by the City Engineer and notify the City Engineering Department a minimum of one (1) working day prior to when testing is to be performed. *(Amended – August 7, 2006 – Ordinance No. 062-06)*

Section 5. That, Rule 4.1.2 (Pavement Cross Section) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

Pavement for residential streets and parking lots shall include a minimum of one and one half inches (1½") of Asphalt Concrete Surface (ODOT Item 448 Type 1 Medium, PG 64-22), one and one half inches (1½") of Asphalt Concrete Intermediate (ODOT Item 448 Type 2 Medium, PG 64-22), three inches (3") of Bituminous Aggregate Base (ODOT Item 301 PG 64-22), and eight inches (8") of Compacted Aggregate Base (ODOT Item

304) installed in two (2) lifts. Subgrade stabilization fabric meeting the requirements of ODOT Item 712.09 Type D, soil type 2 (apparent opening size ≤ 0.3 mm) shall be required between the subgrade and the aggregate base. Heavier pavement designs shall be required for arterial streets and streets within commercial and industrial areas. (Amended – August 7, 2006 – Ordinance No 062-06)

Rigid concrete pavements may also be utilized if approved by the City Engineer. The minimum residential concrete pavement shall be eight inches (8") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) installed in two (2) lifts. Subgrade stabilization fabric meeting the requirements of ODOT Item 712.09 Type D, Soil type 2 (apparent opening size ≤ 0.3 mm) shall be required between the subgrade and the aggregate base. Heavier pavements shall be required for arterial streets and streets within commercial and industrial areas. (Amended – August 7, 2006 – Ordinance No 062-06)

Except for those streets designated as arterial streets, the ~~minimum standard~~ width of pavement shall be ~~twenty-five~~ nine feet (29⁵) as measured from the back of curb with ODOT Type 2 concrete curb and gutter. ODOT Type 3 concrete curb and gutter may be utilized in new residential subdivisions. (Amended – August 7, 2006 – Ordinance No 062-06)

The pavement width may be reduced to twenty-five feet (25') if existing right-of-way width prohibits standard width pavement and approved by the City Engineer.

Arterial streets shall be a minimum of thirty-three feet (33') in width as measured from the back of curb with ODOT Type 2 concrete curb and gutter. The concrete curb and gutter may be eliminated in industrial developments if approved by the City Engineer. Where curbs and gutters are eliminated, shallow grass drainage swales shall be provided along both sides of the roadway. (Amended – August 7, 2006 – Ordinance No 062-06)

Streets shall be constructed with transverse slopes of one quarter inch ($\frac{1}{4}$ ") per foot as measured from the centerline to the edge of asphalt. Parking lots shall be sloped to a point, or series of points, within the pavement so as not to shed storm water off of the site. Such slopes shall not be less than one percent (1%).

Six inch (6") nominal diameter perforated under drains shall be provided along both sides of pavement. Underdrain inverts shall be four feet (4') below the top of curb. The under drains shall be located directly under the back of curb. Where no curbs are to be constructed, the under drains shall be located directly beneath the edge of the proposed pavement and the invert shall be four feet (4') below the edge of pavement. (Amended – August 7, 2006 – Ordinance No 062-06)

Section 6. That, Rule 4.1.3 (Sidewalks and Drive Approaches) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

Sidewalks shall be located along both sides of streets. Sidewalks shall be four inches (4") of ODOT Item 499, Class "C" concrete over ~~four~~ six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411) except within five feet (5') of drive approaches and within the intersection of rights-of-ways. At drive approaches and intersections, sidewalks shall be six inches (6") of ODOT Class "C" concrete over four inches (4") of Compacted Aggregate Base (ODOT Item

304) or Stabilized Crushed Aggregate (ODOT Item 411). (Amended – August 7, 2006 – Ordinance No 062-06)

Sidewalks shall be four feet (4') in width when located at least two feet (2') from the back of curb or edge of pavement, as applicable. Where within two feet (2') of the back of curb or edge of pavement, sidewalks shall be five feet (5') in width.

Sidewalks shall have a transverse slope no greater than one quarter inch ($\frac{1}{4}$ ") per foot, nor a longitudinal slope greater than one inch (1") per foot.

Handicap ramps with curb drops shall be provided at all intersections. (Amended – August 7, 2006 – Ordinance No 062-06)

Drive approaches for residential developments shall be a minimum six inches (6") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Commercial drive approaches shall be no less than eight inches (8") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or 411 Stabilized Crushed Aggregate (ODOT Item 411). Minimum drive approach curb cuts shall be fourteen feet (14'). ~~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. No residential lot shall have more than one (1) drive unless approved by the City Engineer. (Amended – August 7, 2006 – Ordinance No 062-06)

Commercial and industrial drive approaches shall have Type 2A concrete curb with radii in place of wings. Commercial drive approach widths shall be submitted for review by the City Engineer.

Section 7. That, Rule 4.1.6 (Storm Sewer Sizing) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

An overall drainage area layout plan showing the limits of the area contributing to each drainage pickup point shall be submitted with the detailed construction plans. The drainage design within the development shall be adequate to handle the entire contributing watershed area, along with its existing, proposed or probable future development, and not just the area being submitted for approval.

If the development is to be completed in phases, the overall drainage plan shall be submitted with the first set of detailed construction drawings and the storm outlet for the entire development shall be included for construction within the first phase.

Storm sewers shall be sized using the "Rational Method" ($Q = CIA$). The storm sewers shall be designed to flow just full for a five (5) year storm event. The hydraulic grade for each segment of sewer shall be checked by using the ten (10) year intensity-duration-frequency curve. The initial time of concentration (T_c) shall be not less than twenty (20) minutes.

The runoff coefficients (C) to be used shall be based on a weighted coefficient of runoff using the following ranges:

<u>Type of Ground Cover or Development</u>	<u>Runoff Coefficient (C)</u>
Concrete or Asphalt Pavements	0.90

Roof Areas	0.90
Gravel Roadways	0.50
Undeveloped Sites	0.20

Catch basin and curb inlet crossovers shall be twelve inch (12") nominal diameter and placed at no less than one percent (1%) slope.

Catch basins and curb inlets shall be constructed per the City of Napoleon Standard Construction Drawings.

Storm taps shall be provided for residential and commercial lots. Storm taps shall consist of a six inch (6") wye connected to the ~~storm sewer main pavement under drains and a non-perforated and~~ a six inch (6") PVC crossover extended to the right-of-way line for each building lot in a development. The location and the elevation of the storm tap at the right-of-way line shall be shown on the detailed plans. Storm taps shall be utilized as outlets for footer drains and sump pumps only. Downspouts shall outlet onto the ground surface.

Rear yard drainage shall be provided by means of drainage swales and/or catch basins located between lots.

Manholes shall be provided at intervals not to exceed four hundred feet (400'), at all changes in size, direction or grade, at the connection point between two (2) or more mainline sewers and at the upper terminus of the sewer.

A headwall with dump rock fill shall be provided at the outfall of a proposed storm sewer. Dump rock fill shall be ODOT Item 601.07 Type C.

The proposed outlet for the storm drainage system must be approved at the time of the preliminary plan. ~~If a sufficient outlet or receiving stream is not available to carry all of the runoff from the watershed, a~~ method of on-site retention or detention of storm water shall be provided. Calculations for the sizing of a retention/detention pond or basin shall be based upon the following criteria:

Any increase in the volume of storm water runoff caused by site development shall be controlled such that the post-development peak rate of discharge does not exceed that of pre-development for all twenty-four (24) hour storms between the two (2) year frequency and the critical storm, as subsequently defined. In other words, when required, facilities shall be provided such that the volume of water equal to that produced under post-development conditions for the critical storm may be retained or detained on site while discharging at a rate not to exceed that produced by a two (2) year storm under pre-development conditions. Pre-development conditions assumes all developments to be grass lots.

The method by which the Owner or Engineer shall determine the changes in rates of runoff and runoff volumes is presented in Urban Hydrology for Small Watersheds (TR-55) as prepared by the US Department of Agriculture, Soil Conservation Service, Engineering Division and dated June, 1986. TR-55 is supplemented by the Ohio Supplement to Urban Hydrology for Small Watersheds.

To determine the critical storm for which control is required, the Owner or Engineer shall:

Calculate the storm water runoff for a two (2) year frequency, twenty-four (24) hour storm for undeveloped conditions ($C = 0.20$) and post-development of the site. The maximum allowable runoff from the proposed site shall be pre-development runoff.

Subtract the pre-development runoff from the post-development runoff and divide by the pre-development runoff to determine the percent of increase.

Determine the critical storm frequency for which ~~for which~~ storm water control is required from the following table:

Storm Frequency Requirements		
Equal to or Greater Than (%)	Less Than (%)	Storm Frequency (Years)
--	20	2
20	50	5
50	100	10
100	250	25
250	500	50
500	--	100

Example (critical storm):

Development Area = 6.25 acres

Pre-development "C" = 0.230 Post-development "C" = 0.80 (*Amended – August 7, 2006 – Ordinance No 062-06*)

2 year, 24 Hour Rainfall = 2.60 inches (Table OH-1, TR-55 Ohio Supplement)

$$Q2A = (0.230) * (2.0) * (6.25) = 3.254.88 \text{ CFS}$$

$$Q2B = (0.80) * (2.60) * (6.25) = 13.00 \text{ CFS}$$

$$(Q2B - Q2A) / (Q2A) = (13.00 - 3.254.88) / (3.254.88) = 3.0166, \text{ or } 300.166\%$$

Therefore, the critical storm is the fifty twenty-five (250) year frequency, twenty-four (24) hour storm.

Develop a unit hydrograph of the critical storm for the proposed development, including a horizontal line at the rate of allowable discharge ($Q2A$). Calculate the area beneath the curve and above the horizontal line. This will equate to the volume of retention or detention required.

Section 8. That, Rule 4.2.2 (Sewer Extensions) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

If a development can be reasonably served by the extension of an existing sewer, as determined by the City Engineer, the Owner, Developer or their Agent may petition the City for the extension of said sewer. All extensions shall be to the farthest end of the development and shall be at the cost of the developer. (See also City of Napoleon Rules for Water and Sewer Service.)

Section 9. That, Rule 4.2.4 (Sanitary Sewer Services) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

Sanitary sewers shall be a minimum of eight inches (8") in diameter and shall be constructed with six inch (6") diameter service connections to ~~within five feet (5') of the structure foundation for each proposed lot or unit within a development; and shall be extended from the sanitary sewer main to the right-of-way line.~~ A six inch (6") diameter cleanout shall be required at the right-of-way line. (Amended – August 7, 2006 – Ordinance No 062-06)

Service connections shall be constructed at no less than one percent (1%) slope, not greater than three percent (3%) slope and shall outlet directly into the sewer main, not into manholes unless authorized by the City Engineer. (Amended – August 7, 2006 – Ordinance No 062-06)

Manholes shall be provided at intervals not to exceed four hundred feet (400') , at all changes in size, direction or grade, at the connection point between two (2) or more mainline sewers and at the upper terminus of the sewer.

Where oversizing of the proposed sanitary sewers is required by the City, the City shall pay the incremental cost of oversizing, as determined by the City Engineer, prior to construction. The oversizing of sanitary sewers to reduce the slope of the sewer and compensate for grade concerns is prohibited.

Prior to commencing with construction, the City Engineer shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed sanitary sewers and an approved set of plans. Any construction commencing prior to the City Engineer receiving such documentation shall be subject to penalties as subsequently defined.

Section 10. That, Rule 4.3.2 (Water Main Extensions) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

If a development can be reasonably served by the extension of an existing water main, as determined by the City Engineer, the Owner, Developer or their Agent may petition the City for the extension of said water main. All extensions shall be to the farthest end of the development and shall be at the cost of the developer. (See also City of Napoleon Rules for Water and Sewer Service.)

Section 11. That, Rule 4.3.3 (Water Mains) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

Water mains shall be a minimum of eight inches (8") in diameter. Six inch (6") diameter water mains shall only be allowed if justified by the City of Napoleon's water model. All costs for modeling the proposed waterline shall be paid by the developer regardless of the findings.

Service connections shall be installed by the contractor responsible for the installation of the respective water mains.

Service connections shall be provided for each building lot within a development and shall be extended from the water main to the right-of-way line with a curb valve and box installed at the right-of-way line.

Service connections shall be sized based upon the water fixture unit demand as determined by current building codes. However, no service connections shall be less than one inch (1") diameter, Type K copper.

Water mains shall be "looped", where possible.

Where oversizing of the proposed water mains is required by the City, the City shall pay the incremental cost of oversizing, as determined by the City Engineer, prior to construction.

Valves shall be located as follows:

1. The lesser of not more than every five hundred feet (500') or at all intersections for commercial and industrial developments;
2. The lesser of not more than every eight hundred feet (800') or at all intersections for residential developments;
3. At all connections to existing water mains; and
4. At the end of all dead end water mains. Plugs shall also be provided at dead ends.

Fire hydrants shall be located as follows:

1. Every three hundred feet (300') for commercial and industrial developments;
2. Every five hundred feet (500') for residential developments; and
3. At the end of all dead end water mains.

Prior to commencing with construction, the City Engineer shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed water mains and an approved set of plans. Any construction commencing prior to the City Engineer receiving such documentation shall be subject to penalties as subsequently defined.

Section 12. That, Rule 5.1 (Permits) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

The Owner or Developer shall obtain all applicable permits, including but not limited to, the Ohio EPA Permit to Install for water mains and sanitary sewers and building permits from the proper authorities, which may be necessary to proceed with the construction of the improvements.

Prior to commencing with construction, the City Engineer shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed water mains and sanitary sewers along with an approved set of plans in .pdf format. Any construction commencing prior to the City Engineer receiving such documentation shall be subject to penalties as subsequently defined.

Section 13. That, Rule 5.4 (As-Built Plans) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

The Owner or Developer shall, within sixty (60) days after the completion of construction, submit one (1) set of ~~mylar, permanent, reproducible tracings-~~ electronic plans in .pdf format marked "AS-BUILT" to the City Engineer.

The Owner's or Developer's Engineer shall provide a notarized affidavit certifying that the completion of the work is in accordance with the approved plans. If any changes to the approved plans occurred, a list of these deviations shall be included with the certification. A sample affidavit is available from the office of the City Engineer.

Section 14. That, Rule 6.4 (Administrative Penalties for Failure to Meet Specifications) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

If the Owner, Developer or Agent thereof, opts to provide their own inspection services and does not comply with the requirements of the "City of Napoleon, Ohio Engineering Department Rules and Regulations", the Owner, Developer or Agent shall be subject to Administrative Fines in the amount of fifty dollars (\$50.00) per day for each day that a violation exists, to be levied by the City Manager (upon a finding that the violation exists after an informal hearing with the Owner, Developer or Agent thereof and the City Engineer, unless such hearing is waived). ~~The~~ Failure to appear at a scheduled hearing after notice constitutes a waiver thereof. All improvements completed during times when inspection does not meet the requirements of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" will not be accepted by the City.

Section 15. That, Rule 7.1 (Appeals in General) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

Any decision of the City Manager in regard to the denial, suspension or revocation of a permit, as required by the "City of Napoleon, Ohio Engineering Department Rules and Regulations", or any finding or imposition of an administrative fine, as authorized by the "City of Napoleon, Ohio Engineering Department Rules and Regulations", or forfeiture of prior approvals of the City Engineer may be appealed to the ~~Safety and Human Resources-~~ Municipal Properties, Buildings, Land Use & Economic Development Committee of Council, so long as the appeal is commenced in a timely manner.

A filing fee of thirty-five dollars (\$35.00), as may be amended from time to time, will be charged for all appeals to the ~~Safety and Human Resources~~ Municipal Properties, Buildings, Land Use & Economic Development-Committee of Council. However, this fee may be waived by the Finance Director in cases of indigence. Further, said fee will be returned if the appealing party prevails.

Section 16. That, Rule 7.2 (Appeals from Decision of City Manager) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

After a hearing by the City Manager, a decision or order shall be rendered and delivered by either personal service or mailed to the person who filed the appeal at the last known address by regular mail.

An appeal from a decision of the City Manager, after hearing, may be taken to the ~~Safety and Human Resources-~~ Municipal Properties, Buildings, Land Use & Economic

Development Committee of Council, so long as a notice of appeal is filed in writing with the Finance Director within thirty (30) business days after mailing of the decision or order of the City Manager or thirty (30) business days after rendering the decision or order by personal service to the person who filed the appeal.

Appeals will not stay the decision or order of the City Manager as a result of his/her finding.

Appeals to the ~~Safety and Human Resources~~ Municipal Properties, Buildings, Land Use & Economic Development Committee of Council will be held in a timely manner and will be informal in nature such that the rules of evidence shall not apply.

Such orders of the ~~Safety and Human Resources~~ Municipal Properties, Buildings, Land Use & Economic Development Committee of Council will be considered final.

Section 17. That, Rule 7.3 (Scope of Appeals) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

The scope of all appeals to the ~~Safety and Human Resources~~ Municipal Properties, Buildings, Land Use & Economic Development Committee of Council shall be limited to the question of whether the City Manager acted unreasonably, arbitrary or capricious in his/her decision. The Committee may, upon a finding that the City Manager acted unreasonably, arbitrary or capricious in his/her decision, merely remand the subject of appeal to the City Manager for further consideration.

Section 18. That, the Engineering Rules and Regulations as amended by this Ordinance shall have a Revised 2016 indicator to reflect that it is the amended copy.

Section 19. That, Ordinance No. 100-06 and Rules 3.2.5, 3.2.6, 3.3.4, 3.3.5, 4.1.2, 4.1.3, 4.1.6, 4.2.2, 4.2.4, 4.3.2, 4.3.3, 5.1, 5.4, 6.4, 7.1, 7.2, and 7.3 of the City Engineering Department Rules and Regulations found in CNER98-1, as existed prior to the enactment of this Ordinance, are repealed.

Section 20. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

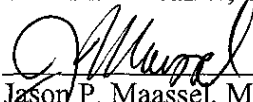
Section 21. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 22. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: May 2, 2016

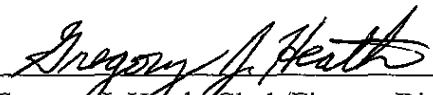

Travis B. Sheaffer, Council President

Approved: May 2, 2016


Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay Abstain

Attest:


Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 009-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 31 day of May, 2016; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.


Gregory J. Heath, Clerk/Finance Director

**SUMMARY OF ORDINANCE NO(S). 009-16, 013-16
RESOLUTION NO(S). 014-16, 015-16, 016-16, 018-16**

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER; CHAPTER 121 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO; CITY COUNCIL RULE 6.5; AND APPLICABLE PROVISIONS OF O.R.C. CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 009-16

AN ORDINANCE AMENDING THE CITY OF NAPOLEON, OHIO ENGINEERING DEPARTMENT RULES AND REGULATIONS, TO WIT: VARIOUS SECTIONS IN RULES 3, 4, 5, 6, AND 7

In this legislation, the City of Napoleon approved and implemented various changes to the City of Napoleon, Ohio Engineering Department Rules and Regulations. A complete copy of the Rules and Regulations can be obtained from the City as stated in the above Notice.

Ordinance No. 013-16

AN ORDINANCE ADOPTING A NEW CITY INVESTMENT POLICY IN AND FOR THE CITY OF NAPOLEON, OHIO (INVESTMENT POLICY NO. IP 16-0003); REPEALING ORDINANCE NO. 87-99 AND POLICY NO. 0002 AS WAS PERIODICALLY AMENDED

In this legislation, the City of Napoleon adopted a new City Investment Policy, and a complete copy of said Policy can be obtained from the City as stated in the above Notice.

Resolution No. 014-16

A RESOLUTION APPROVING REVISION NO. 3 TO THE CONTRACT WITH THE HENRY COUNTY GENERAL HEALTH DISTRICT; CITY CONTRACT NO. 2016-13; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a Revised Agreement with the Henry County General Health District in order to establish that the existence of a Health District Licensing Council in each Ohio General Health District is no longer mandatory and the Board of Health, by implication, is no longer required to have as one of its members a member appointed by the Health District Licensing Council.

Resolution No. 015-16

A RESOLUTION AUTHORIZING ENROLLMENT IN THE OHIO RURAL WATER ASSOCIATION 2017 WORKERS' COMPENSATION POOL, AND AUTHORIZING THE EXPENDITURE OF FUNDS AND DIRECTING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH COMPMANAGEMENT, LLC, A WORKERS' COMPENSATION ADMINISTRATOR; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized enrollment in the Ohio Rural Water Association 2017 Workers' Compensation Pool, and also authorized the City Manager to enter into a contract with CompManagement, LLC to serve as the City's workers' compensation third party administrator.

RESOLUTION NO. 016-16

A RESOLUTION AUTHORIZING THE CITY OF NAPOLEON TO DESIGNATE A REPRESENTATIVE TO RUN FOR AN ELECTED POSITION ON THE OHIO RURAL WATER ASSOCIATION BOARD OF DIRECTORS; AND, DECLARING AN EMERGENCY

In this legislation, the City of Napoleon expressed its desire to have a City representative run for a position on the Ohio Rural Water Association Board of Directors and thereby authorized Scott Hoover, Water Plant Superintendent for the City of Napoleon, to run for said position.

Resolution No. 018-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SODIUM CHLORIDE IN COOPERATION WITH ODOT; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a contract with the Ohio Department of Transportation for the purchase of sodium chloride (salt) for the 2016-2017 winter season.

All of the above summaries are approved as to form and correctness by Lisa L. Nagel, City Law Director


PROOF OF PUBLICATION

State of Ohio, Henry County, ss.

Christopher Cullis, being dully sworn,
Deposes and says that he is the Publisher
of the Northwest Signal, a daily newspaper
published in Napoleon, in said Henry County,
Ohio, and of general circulation herein; that
the annexed advertisement and notice was
printed and published in said newspaper for
1 days/weeks, the first insertion being
on the 31 day of May 2016 and
for 0 consecutive days/weeks thereafter.

X 
Christopher Cullis

Subscribed to in my presence and sworn before
me this 6 day of June 2016.

X 
Peggy S. Woods, Notary Public
My Commission expires: September 4, 2016

Notary Fees.....\$1.50
Printer's Fees.....\$280.80

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RESOLUTION NO(S) 014-16, 015-16, 016-16, 018-16

(PURSUANT TO ARTICLE II, SECTION 2.16 OF THE CITY CHARTER, CHAPTER 121 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO; CITY COUNCIL RULES 5, AND APPLICABLE PROVISIONS OF O.R.C. CHAPTER 739)

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