



LAW DEPARTMENT MEMORANDUM KENT, OHIO

To: Dave Ruller, City Manager
From: Hope L. Jones, Law Director *HJ*
Date: September 21, 2018
Re: Use of Public Ways by Service Providers

Mr. Ruller,

I request that legislation for the amendment of Chapter 937, titled "Use of Public Ways by Service Providers" be placed on the October 3, 2018 agenda for discussion by Council Committee. As a result of the approval of the "Small Cell" ordinance certain provisions in Chapter 937 are now in conflict with the "Small Cell" legislation and those provisions need to be amended or repealed.

Prior to Council passing these changes, the City was required to provide a notice to the Public Utilities Commission of Ohio (PUCO) that the City is considering modifications to our Right of Way ordinance. The notice has been submitted to the PUCO and Council can now approve the amendments.

ORDINANCE NO. 2018 -

AN ORDINANCE AMENDING CHAPTER 937 ENTITLED "USE OF PUBLIC WAYS BY SERVICE PROVIDERS", SPECIFICALLY SECTIONS 937.01, 937.02, 937.03, 937.04, 937.05, 937.06, 937.07, 937.08, 937.09 AND 937.10, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to amend Chapter 937 (Use of Public Ways by Service Providers), specifically Sections 937.01, 937.02, 937.03, 937.04, 937.05, 937.06, 937.07, 937.08, 937.09 and 937.10; and

WHEREAS, these amendments are necessitated by Council's passage of Ordinance #2018-84 enacting Chapter 939 titled "Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures"; and

WHEREAS, the City has provided the PUCO with the required forty-five (45) day notice prior to the adoption of these amendments.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto:

SECTION 1. The Council hereby accepts the amendments to Chapter 937 (Use of Public Ways by Service Providers) specifically Sections 937.01, 937.02, 937.03, 937.04, 937.05, 937.06, 937.07, 937.08, 937.09 and 937.10 of the Kent Codified Ordinances as outlined in Exhibit "A", attached hereto and made a part hereof.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____

Date

Jerry T. Fiala

Mayor and President of Council

EFFECTIVE: _____

Date

ATTEST: _____

Tara Grimm, MMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

TARA GRIMM, MMC
CLERK OF COUNCIL
(SEAL)

937.01 SCOPE OF CHAPTER; DEFINITIONS.

(a) The purpose and intent of this Chapter is to:

- (1) Manage Occupancy or Use of the Public Right-of-Way.
- (2) Encourage the provision of advanced, competitive utility and telecommunications services on the widest possible basis to the businesses, institutions and residents of the City.
- (3) Manage reasonable access to the Public Right-of-Way of the City for utility and telecommunications service purpose on a competitively neutral basis.
- (4) Conserve the limited physical capacity of the Public Right-of-Way held in trust by the City for the benefit of the public.
- (5) Assure that the City receives cost recovery for the Occupancy and Use of the Public Right-of-Way in accordance with law.
- (6) Assure that all Service Providers with Facilities in the Public Right-of-Way comply with the ordinances, rules and regulations of the City.

(7) Assure that the City complies with the small cell wireless facility provisions of Chapter 4939, as amended by House Bill 478.

~~(7)~~(8) Assure that the City fairly and responsibly protects the public health, safety and welfare.

~~(8)~~(9) Enable the City to discharge its public trust consistent with rapidly evolving federal and State regulatory policies, industry competition and technological development.

(b) For the purpose of this Chapter, and the interpretation and enforcement thereof, the following words and phrases shall have the following meanings, unless the context of the sentence in which they are used shall indicate otherwise;

~~(1) Accessory Equipment means any equipment used in conjunction with a wireless facility or wireless support structure. This includes utility or transmission equipment, power storage, generation or control equipment, cables, wiring, and equipment cabinets.~~

~~(2)~~(1) Affiliate means a Person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with another Person.

~~(3) Antenna means communications equipment that transmits or receives radio-frequency signals in the provision of wireless service, including associated accessory equipment.~~

~~(4)~~(2) Cable Operator means a Person providing or offering to provide Cable Service within the City.

~~(5)~~(3) Cable Service means "cable service" as defined in the Cable Communications Policy Act of 1984, codified at 47 U.S.C. §532, et seq., as amended by the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996, as each might be further amended.

~~(6)~~(4) Cable System means "cable system" as defined in the Cable Communications Policy Act of 1984, codified at 47 U.S.C. §532, et seq., as amended by the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996, as each might be further amended.

~~(7)~~(5) Capital Improvement means an addition made to enhance the value or extend the useful life of an existing System or Facilities, including Construction, Reconstruction, Installation, Rehabilitation, Renovation, Improvement, Enlargement and Extension of Facilities, but not including ordinary or Routine Maintenance and repair.

~~(8)~~(6) City means the City of Kent, Ohio.

(97) City Manager means the City Manager, or his or her designee.

(108) City Property means and includes all real property owned by the City, other than Public Streets and Public Easements as those terms are defined herein, and all property held in a proprietary capacity by the City, which are not subject to Public Right-of-Way consent and Permit requirements of this Chapter.

(119) Construct, Constructing, Construction, etc. means installing, repairing, maintaining, operating, replacing or removing any Public or Private Facility, regardless of the methods employed.

(1210) Construction Permit or Permit means a permit issued pursuant to this Chapter and such other permits required by other sections of the Kent Codified Ordinances as apply.

~~(13) Distributed Antenna System means a network or facility to which all of the following apply:~~

~~(i) It distributes radio frequency signals to provide wireless service;~~

~~(ii) It meets the height and size characteristics of a small cell facility;~~

~~(iii) It consists of all of the following:~~

~~(1) Remote antenna nodes deployed throughout a desired coverage area;~~

~~(2) A high capacity signal transport medium connected to a central hub site;~~

~~(3) Equipment located at the hub site to process or control the radio frequency signals through the antennas.~~

(111) Emergency means an unforeseen occurrence or condition calling for immediate action including but not limited to emergency temporary repairs and subsequent follow-up permanent repairs relating to the emergency condition.

(12) Excavate, Excavating or Excavation means cutting, sawing, breaking, drilling into, boring under, or otherwise altering any Public Street or sidewalk pavement, and/or digging, drilling into or boring under any unpaved portion of the Public Right-of-Way, including any other work or activity which disturbs the existing surface or subsurface structure, composition, or soil compaction, for the purpose of carrying on any Construction activity.

(13) Excess Capacity means the volume or capacity in any existing or future duct, conduit, manhole, or other Facility in the Public Right-of-Way that is or will be available for use for additional Facilities, which are compatible with the existing use.

(14) Facility, Facilities or System means, for the purpose of this Chapter, the plant, equipment and property, including but not limited to, cables, fibers, wires, pipes, conduits, ducts, pedestals, antennae, electronics, poles, pipes, mains, plant, equipment and other appurtenances located under, on or above the surface of the ground in the Public Right-of-Way of the City and used or to be used to transmit, receive, distribute, provide or offer Services but also including Private Facilities. Facility, Facilities, or System does not have the same meaning as "Facilities" as defined in Section 939.01(b)(7) of the Codified Ordinances.

~~(15) Lane Obstruction means the blocking or diverting of vehicular and/or pedestrian traffic from a street or sidewalk for the purpose of Constructing, Excavating, installing, repairing, maintaining, operating, replacing or removing any Facility, including (A) the lifting or removing of manhole or handhole covers, and (B) the opening or accessing of at-grade or pole-mounted cabinets, pedestals, transformers, power supplies, amplifiers, splice enclosures, traps or other Facilities.~~

~~(19) Micro Wireless Facility includes both a distributed antenna system and a small cell facility and related wireless facilities.~~

~~(20) Micro Wireless Facility Operator means a public utility or cable operator that~~

~~operates a micro wireless facility.~~

~~(21)(16)~~ New Service Orders means the physical connection from the Public Service Provider's existing Facilities on private property for the purpose of providing a new Service to a customer in the City, which is not a Capital Improvement.

(22)(17) Occupancy or Use means, with respect to the Public Right-of-Way, to place a tangible thing in the Public Right-of-Way for any purpose, including, but not limited to, Constructing, repairing, positioning, maintenance or operating lines, poles, pipes, conduits, ducts, equipment or other structures, appurtenances or Facilities necessary for the delivery of public utility-like Services, including Service provided by a Cable Operator, or other services over Private Facilities in the Public Right-of-Way.

(23)(18) Other Ways means the highways, streets, alleys, Utility Easements or other rights-of-way within the City, but under the jurisdiction and control of a governmental entity other than the City.

(24)(19) Overhead Facilities means utility poles and wires, cables and other such equipment running between and on such poles, including the underground supports and foundation for such Facilities.

(25)(20) Person means and includes corporations, companies, associations, joint stock companies or associations, firms, partnerships, limited liability companies, trusts and individuals and include their lessors, trustees and receivers.

(26)(21) Private Facility means the plant, equipment and property, including but not limited to, cables, fiber optics, wires, pipes, conduits, ducts, pedestals, antennae, electronics and other appurtenances used or to be used to transmit, receive, distribute or provide telecommunications or other services between or among private buildings or facilities where there is no offer of service to the public.

(27)(22) Private Service Provider means any Person who, pursuant to the consent to Occupy or Use the Public Right-of-Way pursuant to Section [937.02](#) of this Chapter, directly or indirectly owns, controls, operates or manages Private Facilities within the City's Public Right-of-Way used or to be used for the purpose of transmitting, receiving, distributing or providing telecommunications or other services between or among private buildings or facilities where there is no offer of Service to the public; for purposes of this Chapter, Private Service Provider does not include Small Cell Provider.

~~(28)(23)~~ Public Easement means any easement under the jurisdiction and control of the City and acquired, established, dedicated or devoted for public purposes, including utility purposes.

(29)(24) Public Right-of-Way means the surface of, and the space within, through, on, across, above or below, any Public Street, public road, public highway, public freeway, public lane, public path, public alley, public court, public sidewalk, public boulevard, public parkway, public drive, Public Easement and any other land dedicated or otherwise designated for a compatible public use, which is owned or controlled by the City but excludes a private easement.

(30)(25) Public Service Provider means any Person that, pursuant to the consent to Occupy or Use the Public Right-of-Way pursuant to Section [937.02](#) of this Chapter, directly or indirectly owns, controls, operates or manages Facilities within the City's Public Right-of-Way, used or to be used for the purpose of offering Service to the public within the City or outside of the City's boundaries; for purposes of this Chapter, Public Service Provider does not include Small Cell Provider.

(31)(26) Public Street means the paved and unpaved portion of any street, road, boulevard, drives, highway, freeway, parkway, lane court, alley or other Public Right-of-Way in

which the City has an interest in law or equity and which has been acquired, established, dedicated or devoted to street purposes.

~~(32)~~(27) PUCO or Public Utilities Commission of Ohio means the State Administrative agency, or lawful successor, authorized to regulate and oversee certain Public or Private Service Providers and Services in the State of Ohio.

~~(33)~~(28) Reconstruct, Reconstruction, etc. means physical change to twenty percent (20%) to one hundred percent (100%) of an existing Facility or System involving Construction in Public Streets, Utility Easements, or Public Right-of-Way.

~~(34)~~(29) Routine Maintenance means repair, upkeep, replacement or restoration of existing Facilities located in the Public Right-of-Way that is not an Emergency and does not include Excavation of the Public Right-of-Way.

~~(35)~~(30) Service means the offering of ~~to~~ water, sewer, electric, gas, telephone, telecommunications, cable television, information or other utility-like service for a fee directly to the public, or to such classes of users as to be effectively available to the public, regardless of the Facilities used.

~~(36)~~(31) Service Provider means any Public Service Provider and/or Private Service Provider, but does not include Small Cell Provider.

(32) Small Cell Provider has the same meaning as "Facilities Operator" as defined in Section 939.01(b)(8) of the Codified Ordinances.

(33) Small Cell Facilities or Small Cell Facility has the same meaning as "Facilities" as defined in Section 939.01(b)(7) of the Codified Ordinances.

~~(37) Small Cell Facility means a wireless facility where the antenna is located inside an enclosure of not more than six cubic feet in volume or in the case of an antenna that has exposed elements, the antenna and all the exposed elements could fit within an enclosure of not more than six cubic feet in volume. All other wireless equipment associated with the facility is cumulatively not more than twenty-eight cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and the other services. If the wireless facility were placed on a wireless support structure, the increased height would be not more than 10 feet or the overall resulting height would be not more than 50 feet.~~

~~(38)~~(34) State means the State of Ohio.

~~(39)~~(35) Surplus Space means that portion of the Usable Space on a utility pole or underground conduit which has the necessary clearance from other Public or Private Service Providers using the pole or conduit, as required by the orders and regulations of PUCO and other applicable State and local orders and regulations, to allow its use by an additional Public or Private Service Provider for a pole or underground attachment.

~~(40)~~(36) Trenchless Technology means the use of directional boring, horizontal drilling and micro-tunneling and other techniques in the Construction of underground portions of Facilities that result in the least amount of disruption and damage to the Public Right-of-Way as possible.

~~(41)~~(37) Underground Facilities means Facilities located under the surface of the ground, excluding the underground foundations or supports for Overhead Facilities.

~~(42)~~(38) Utility Easement means any easement owned by a Service Provider and acquired, established, dedicated or devoted for the purpose of providing Service to the public.

~~(43)~~(39) Utility Pole means a structure that is designed for, or used for the purpose of carrying lines, cables or wires for electric or telecommunications service.

~~—— (44) — Wireless Facility means an antenna, accessory equipment, or other wireless device or equipment used to provide wireless service.~~

~~—— (45) — Wireless Service means any services using licensed or unlicensed wireless spectrum; whether at a fixed location or mobile, provided using wireless facilities.~~

~~—— (46) — Wireless Support Structure means a pole, such as a monopole, either guyed or self-supporting, light pole, traffic signal, sign pole, or utility pole capable of supporting wireless facilities. As per the Revised Code wireless support structure excludes utility pole or other facility owned or operated by municipal electric utility. (Ord. 2017 52. Passed 6-21-17.)~~

937.02 CONSENT TO OCCUPY OR USE THE PUBLIC RIGHT-OF-WAY.

(a) Consent Required to Occupy Public Right-of-Way. No Person shall Occupy or Use the Public Right-of-Way without obtaining prior consent from the City to do so.

(b) Initial Consent Presumed.

(1) A Person with Facilities in the Public Right-of-Way on the effective date of this Chapter, and who either

A. Is subject to jurisdiction by the PUCO;

B. Has a valid franchise agreement with the City to provide Cable Services or other Services in the City; and/or

C. Is any other Person who lawfully Occupies the Public Right-of-Way on the effective date of this Chapter shall be presumed to have initial consent of the City to Occupy or use the Public Right-of-Way;

(2) Initial presumed consent for Occupancy or Use of the Public Right-of-Way is limited to the location of the existing Service or Private Service Provider's Facilities.

(3) A public utility subject to the jurisdiction of the PUCO and in compliance with state and federal laws and regulations shall be exempt from a requirement to obtain consent for activities related to those authorized under its tariff issued by the State of Ohio and regulated by PUCO.

(4) A Public Utility operating under its tariff under the State of Ohio and within the services authorized by that tariff shall be exempt from this Section only for that public utility's tariff related activities.

(5) A Small Cell Provider who has obtained a Small Cell Use Permit pursuant to Chapter 939 of the Codified Ordinances shall be exempt from a requirement to obtain consent for the Small Cell Facilities for which the Small Cell Use Permit was granted.

(c) Application for Consent to Occupy or Use Public Right-of-Way.

(1) The following Persons shall apply to the City for consent to Occupy or Use the Public Right-of-Way on a form provided by the City Manager; any Person who:

A. Does not currently have existing Facilities in the City's Public Right-of-Way and desires to Construct new Facilities or Private Facilities in the Public Right-of-Way;

B. Has existing Facilities or Private Facilities in the Public Right-of-Way on the effective date of this Chapter and does not have presumed initial consent under Section 937.02(b)(1) above; or

C. Has initial presumed consent or City consent to Occupy or Use the Public Right-of-Way for an existing System, Facilities or Private Facilities, but is planning to expand services beyond those provided for in the tariff of a Public Utility issued by the State of Ohio.

D. Is building a new subdivision or project which will offer Public Right-of-Way to the City at some time in the future.

(2) The application shall include the following information with respect to the applicant's planned or existing Facilities in the Public Right-of-Way whether they are subsurface, surface, or aerial facilities as well as plans for any planned Capital Improvements for the following twelve (12) months:

A. The identity, legal status and federal tax identification number of the applicant, including all Affiliates of the applicant that will Use or Occupy the Public Right-of-Way or are in any way responsible for Services provided through the Facilities in the Public Right-of-Way.

B. The name, address and telephone number of the local officer, agent or employee responsible for the accuracy of the application and available at all reasonable times to be notified in case of emergency.

C. A description of the existing or proposed Facilities in the City's Right-of-Way, all in sufficient detail to identify: (i) the location and route of the applicant's or Service Provider's facilities or proposed facilities; (ii) the location of all existing, overhead or underground facilities in the Public Right-of-Way and the route or proposed route of the applicant's or Service Provider's Facilities or Proposed Facilities that is sufficient to show the impact of the applicant's Facilities on other existing Facilities; (iii) the location of all known overhead and underground Utility Easements.

D. A description of the type of transmission medium used, or to be used, by the applicant to provide such Services.

E. Engineering plans, specifications and a network map of the applicant's Facilities located, or to be located, in the City's Public Right-of-Way, all in sufficient detail to identify (where needed for security purposes, these items shall be kept by provider subject to inspection by qualified personnel):

i. The location, route, and depth or height of the applicant's Facilities or proposed Facilities on a "to scale" drawing established using State Plane Coordinates and including all information requested in this section.

ii. The location of all known overhead and underground public utility, utility, telecommunications, cable, water, sanitary sewer, storm water drainage and other existing Facilities in the Public Right-of-Way along the route or proposed route of the applicant's Facilities or proposed Facilities that is sufficient to show the impact of the applicant's Facilities on other existing Facilities.

iii. The location of all known overhead and underground Utility Easements.

F. A preliminary Construction or installation schedule and completion date for all Capital Improvements planned for the twelve (12) month period following the date of application.

G. If the applicant is providing Services in the City:

i. A description of the applicant's access and line extension policies.

ii. The area or areas of the City in which the applicant is currently serving and a schedule for build-out of the entire area addressed by the Permit, if applicable. ~~This section does not apply to Micro-wireless Facilities~~

H. Evidence that the applicant has complied, or will comply, with indemnification, Insurance, Performance Bond and Construction Bond requirements of this Chapter.

I. Information sufficient to determine that the applicant has received any certificate of authority required by the PUCO to provide Services or Facilities in the City.

(3) The City shall grant or deny, in writing, a Person's application for consent to Occupy or Use the Public Right-of-Way within sixty (60) days of the date on which the Person files the complete application with the City.

A. The City may withhold, deny or delay its consent to a Person's application to Occupy or Use the Public Right-of-Way based on the Person's failure to possess the financial, technical and managerial resources necessary to protect the public health, safety and welfare.

B. If the City denies a Person's application to Occupy or Use the Public Right-of-Way, the City shall provide its reasons for denying the application, and shall provide any information that the Person may reasonably request necessary for the Person to obtain the City's consent to Occupy or Use the Public Right-of-Way.

(4) The City's grant of consent for a Person to Occupy or Use the Public Right-of-Way shall be in the form of a Right-of-Way Occupancy Certificate which shall set forth the specific terms of the City's consent for such Person to Occupy or Use the Public Right-of-Way.

(5) Each Person submitting an application for Consent to Occupy or Use the Public Right-of-Way shall pay a fee equal to the fee necessary to obtain a new building permit in the City of Kent, OH.

(d) Application to Existing Franchise Ordinances and Agreements. For purposes of this Chapter, a franchise ordinance or agreement shall be deemed consent authorizing the Franchisee's Occupancy or Use of the Public Right-of-Way to the extent described in the franchise agreement or ordinance. The Franchisee's use of the Public Right-of-Way beyond that authorized by the franchise agreement or ordinance shall require additional consent for such additional Occupancy or Use. Franchisees shall comply with the Registration provisions and Construction Standards to the extent that the provisions of this Chapter do not directly conflict with the franchise agreement or ordinance. If there is a direct conflict between the franchise agreement or ordinance and the provisions of this Chapter, the franchise agreement or ordinance shall control.

(e) Service Provider Insurance. As a condition of the consent to Occupy or Use the Public Right-of-Way, a Service Provider or Small Cell Provider must secure and maintain, at a minimum, the following liability insurance policies insuring both the Service Provider or Small Cell Provider and the City, and its elected and appointed officers, officials, agents, employees and representatives as additional insureds:

(1) Comprehensive general liability insurance with limits not less than

- A. Five million dollars (\$5,000,000) for bodily injury or death to each Person;
- B. Five million dollars (\$5,000,000) for property damages resulting from any one accident; and

C. Five million dollars (\$5,000,000) for all other types of liability.

(2) Automobile liability for owned, non-owned and hired vehicles with a limit of three million dollars (\$3,000,000) for each Person and three million dollars (\$3,000,000) for each accident.

(3) Worker's compensation within statutory limits and employer's liability insurance with limits of not less than One Million Dollars (\$1,000,000).

(4) Comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than three million dollars (\$3,000,000).

(5) The liability insurance policies required by this Section shall be maintained by the Service Provider throughout the period of time during which the Service Provider or Small Cell Provider is Occupying or Using the Public Right-of-Way, or is engaged in the removal of its Facilities. Each such insurance policy shall contain the following endorsement:

"It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until ninety (90) days after receipt by the City, by registered mail, of a written notice addressed to the City Manager of such intent to cancel or not to renew."

(6) Within sixty (60) days after receipt by the City of said notice, and in no event later than thirty (30) days prior to said cancellation, the Service Provider or Small Cell Provider shall obtain and furnish to the City replacement insurance policies meeting the requirements of this Section.

(7) Upon written application to, and written approval by the City Manager, a Service Provider or Small Cell Provider may be self-insured to provide all of the same coverages as listed in this Section; except that all coverages for Worker's Compensation shall be in

compliance with State law. No approval for self-insurance shall be given until the City Manager has made a complete review of the Service Provider's or Small Cell Provider's financial ability to provide such self-insurance. As part of the review process, the City Manager may require, and the self-insurance applicant shall provide, any and all financial documents necessary to make a valid determination of the applicant's ability to meet the needs of this Chapter.

(8) A Public Utility subject to jurisdiction of the PUCO and operating under its tariff that has established a self-insurance fund that complies with the laws and regulations of the State of Ohio shall satisfy this requirement by simply providing information to the City Manager relating to such self-insurance fund and the appropriate contact point for matters relating to that fund.

(f) General Indemnification. Each applicant for consent to Occupy or Use the Public Right-of-Way, and each annual registration, shall include, to the extent permitted by law, the Service Provider's express undertaking to defend, indemnify and hold the City and its elected and appointed officers, officials, employees, agents, representatives and subcontractors harmless from and against any and all damages, losses and expenses, including reasonable attorney's fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the Service Provider or its Affiliates, officers, employees, agents, contractors or subcontractors in the Construction, Reconstruction, installation, operation, maintenance, repair or removal of its Facilities, and in providing or offering Services over the Facilities or System, whether such acts or omissions are authorized, allowed or prohibited by this Chapter.

(g) Performance Bond or Security Fund. As a condition of consent to Occupy or Use the Public Right-of-Way, and to ensure the full and complete compliance with, and performance under, this Chapter, including any costs, expenses, damages or loss the City pays or incurs because of any failure attributable to the Service Provider or Small Cell Provider to comply with the codes, ordinances, rules, regulations or permits of the City, each Service Provider or Small Cell Provider shall, in the amount of Fifty thousand dollars (\$50,000) or such lesser amount as the City Manager may determine to be necessary (i) establish a permanent security fund with the City Manager depositing the required amount in cash, an unconditional letter of credit, or other instrument acceptable to the City, or (ii) furnish and file with the City a Performance Bond running to the City in the required amount from a company licensed to do business in the State of Ohio; which Performance Bond or security fund shall be maintained at the sole expense of the Service Provider or Small Cell Provider so long as any of the Service Provider's Facilities or Small Cell Provider's Small Cell Facilities are located within the Public Right-of-Way, Easements or other City owned properties, of the City. ~~This section does not apply to micro-wireless facilities.~~

(1) Before claims are made against the Performance Bond or any sums are withdrawn from the security fund, the City shall give written notice to the Service Provider or Small Cell Provider:

A. Describing the act, default or failure to be remedied, or the damages, cost or expenses which the City has incurred by reason of the Service Provider's or Small Cell Provider's act or default;

B. providing a reasonable opportunity for the Service Provider or Small Cell Provider to first remedy the existing or ongoing default or failure, if applicable;

C. Providing a reasonable opportunity for the Service Provider or Small Cell Provider to pay any monies due the City before the City makes a claim against the Performance Bond or withdraws the amount from the security fund, if applicable;

D. That the Service Provider or Small Cell Provider will be given an opportunity to review the act, default or failure described in the notice from the City Manager.

(2) Service Providers or Small Cell Providers shall maintain the full value of the Performance Bond regardless of claims against the Performance Bond made by, or paid to, the City; or shall replenish the security fund within fourteen (14) days after written notice from the City that there is a deficiency in the amount of the fund, whichever is applicable.

(3) A Public Utility operating under a tariff issued by the State of Ohio and regulated by the PUCO and in compliance with PUCO regulations concerning insurance, shall be exempt from any provision regarding a performance bond or security fund for all tariff related activities.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.03 ANNUAL REGISTRATION ~~OF SERVICE PROVIDERS.~~

(a) Annual Registration Required. All Service Providers and Small Cell Providers with consent or presumed consent to Occupy or Use the Public Right-of-Way ~~as provided in Section 937.02~~ shall register with the City each calendar year between January 1 and January 31 on a form provided by the City ~~Manager~~. Service Providers and Small Cell Providers who file initial registration after July, 2006 but before January 1, 2007, need not file an annual registration for calendar year 2007. Public Utilities operating under a tariff issued by the State of Ohio and regulated by the PUCO shall not be required to file a registration for tariff related activities other than filing a copy of their state tariff and their summary one year capital plan as set forth in the Ordinance.

(b) Purpose of Registration. The purpose of registration under this Section 937.03 is to:

(1) Update and supplement the City's database so that the City has accurate and current information concerning the Service Providers and Small Cell Providers that own or operate Facilities or Small Cell Facilities, and/or provide Services, in the City's Public Right-of-Way;

(2) Assist the City in monitoring the usage of the Public Right-of-Way in order to ensure that the public receives the maximum possible benefit from that use and the use is consistent with the best management and care of the Public Right-of-Way;

(3) Assist the City in the collection and enforcement of any municipal taxes, franchise fees, compliance fees or charges that may be due the City;

(4) Assist the City in monitoring compliance with local, State and federal laws.

(c) Information Required for Registration. Registration forms will be provided by the City and ~~shall~~ may require the following information:

(1) Any material changes to the information the Service Provider or Small Cell Provider provided the City in the application for consent to Occupy or Use the Public Right-of-Way, including, but not limited to:

A. The identity, legal status, and federal tax identification number of the Service Provider or Small Cell Provider, including any Affiliates.

B. The name, address and telephone number of the local officer, agent or employee responsible for the accuracy of the Service Provider's or Small Cell Provider's registration statement and available at all reasonable times to be notified in case of emergency.

(2) Evidence that the Service Provider or Small Cell Provider is in compliance with ~~the applicable~~ Insurance, Indemnity and Performance Bond requirements ~~pursuant to Sections 937.02(e), (f) and (g) of this Chapter.~~

(3) A description of, and a preliminary Construction or installation schedule and completion date for, any Capital Improvements the Service Provider or Small Cell Provider plans in the City's Public Right-of-Way for the twelve (12) months following the date of registration, including:

A. As soon as available, a current "to scale" map or drawing that clearly locates all the proposed Capital Improvements, including horizontal and vertical information; Facility type, size, depth, and capacity; and other such relevant information. If a "to scale" map is not available, the registrant shall supply as much of the required information as is currently available, but in no event shall the description of the proposed Capital Improvement be less than by City quadrant and/or street name and Facility type. The Service Provider or Small Cell Provider shall update all required information as soon as it becomes available. Should the Service Provider or Small Cell Provider fail to comply with this section in a timely manner, they shall not be permitted to occupy the City's Right-of-Way.

B. A general description of the Service that the Service Provider intends to offer or provide over the proposed Facilities within the City. Where a Service will be provided by a non-affiliated provider the Service Provider shall identify that provider.

C. Information sufficient to determine that the Service Provider or Small Cell Provider has applied for and received any certificate of authority required by PUCO to provide Services or Facilities within the City.

D. Information sufficient to determine that the Service Provider or Small Cell Provider has applied for and received any construction permit, operating license, certification, or other approvals required by the Federal Communications Commission to provide telecommunications or Cable Services or Facilities within the City.

(4) Such other information as the City Manager may reasonably require.

(d) Facilities Maps. The City shall have the right to access and review the Service Providers' and Small Cell Providers' maps and/or as-built plan showing the location of their facilities in the City's Right-of-Way upon ten (10) days' notice to the Service Providers or Small Cell Providers. Public Utilities operating under a tariff issued by the State of Ohio and regulated by the PUCO and for tariff related activities will only be required to assist the City in requesting design tickets and other information in accordance with OUPS and PUCO regulations. In emergency situations, access should be granted as soon as possible.

(e) Registration to be Kept Current. In addition to the annual registration requirement, each Service Provider and Small Cell Provider shall keep all required registration information current at all times and shall provide the City with notice of changes to the required information with fifteen (15) days following the date on which the Service Provider and Small Cell Provider has notice of such change.

(f) Registration Fee. Each Service Provider, except as provided in Section 937.09, shall pay an annual registration fee as determined by the City Manager to reimburse the City for its administrative costs related to maintaining annual registration and as provided in Section 937.08. (~~Ord. 2017-52. Passed 6-21-17.~~)

937.04 GENERAL PUBLIC RIGHT-OF-WAY USE REGULATIONS.

(a) Public Right-of-Way Route. Consent granted to a Service Provider to Occupy or Use the Public Right-of-Way under Section 937.02 shall be limited to a grant to Occupy or Use the specific Public Right-of-Way and defined portions thereof.

(b) Nonexclusive Consent to Occupy the Public Right-of-Way. No consent granted under Section 937.02 shall confer any exclusive right, privilege, license or franchise to Occupy or Use the Public Right-of-Way of the City for delivery of Services or any other purposes.

(c) Rights Permitted. No consent granted under Section 937.02 shall convey any right, title or interest in the Public Right-of-Way, but shall be deemed a consent only to Occupy or Use the Public Right-of-Way for the limited purposes granted by the consent. Further, no consent shall be construed as any warranty of title. This Section shall not affect the right to occupy the Public Right-of-Way granted to Public Utilities in connection with the tariff issued by the State of Ohio and regulated by the PUCO, said consent to occupy the Public Right-of-Way having been granted to such Public Utility by the State of Ohio, subject to only local regulation of matters of local concern.

(d) Nondiscrimination. A Public Service Provider providing Service to the public in the City shall make its Services available to any customer within the designated service area who shall request such Service, without discrimination as to the terms, conditions, rates or charges for the Public Service Provider's Services; provided, however, that nothing in this Section 937.05

shall prohibit a Public Service Provider from making any reasonable classifications among differently situated customers.

(e) Maintenance of Facilities. Each Service Provider shall maintain its Facilities in good and safe condition and in a manner that complies with all applicable federal, State and local requirements.

(f) Safety Procedures. A Service Provider or other Person acting on its behalf shall use suitable barricades, flags, flagmen, lights, flares and other measures as necessary and in accordance with applicable State and local requirements. A Maintenance of Traffic Plan needs to be submitted, and approved by the City, prior to commencing work.

(g) Interference with the Public Right-of-Ways. No Service Provider may locate or maintain its Facilities so as to unreasonably interfere with the use of the Public Right-of-Way by the City, by the general public or by other Persons authorized to use or be present in or upon the Public Right-of-Way. All such Facilities shall be moved by the Service Provider, temporarily or permanently, as determined by the City Manager.

(h) Damage to Public and Private Property. No Service Provider nor any Person acting on the Service Provider's behalf shall take any action or permit any action to be done which may impair or damage any City Property, Public Right-of-Way, Other Ways or other public or private property located in, on or adjacent thereto.

(i) Restoration of Public Right-of-Way, Other Ways and City Property.

(1) When a Service Provider, or any Person acting on its behalf, does any work in or affecting any Public Right-of-Way, Other Ways or City Property, it shall, after the work is completed and at its own expense, promptly remove any obstruction therefrom and restore such ways or property, within sixty (60) days, to as good condition as existed before the work was undertaken, unless otherwise directed by the City.

(2) If weather or other conditions do not permit the complete restoration required by this Section, the Service Provider shall temporarily restore the affected ways or property. Such temporary restoration shall be at the Service Provider's sole expense and the Service Provider shall promptly undertake and complete the required permanent restoration when the weather or other conditions no longer prevent such permanent restoration.

(j) Duty to Provide Information.

(1) Within ten (10) days of a written request from the City Manager each Service Provider or Small Cell Provider shall furnish the City with documentation sufficient to show that the Service Provider has complied with all requirements of this Chapter.

(2) In addition, within ten (10) days of a written request from the City Manager, each Service Provider shall make available for inspection by the City at reasonable times all books, records, maps and other documents, maintained by the Service Provider with respect to its Facilities in the Public Right-of-Way.

(k) Leased Capacity. A Service Provider shall have the right, without prior City approval, to offer or provide capacity or bandwidth to its customers, provided:

(1) The Service Provider shall furnish the City with a copy of any such lease or agreement.

(2) The customer or lessee has complied, to the extent applicable, with the requirements of this Chapter.

(3) The service does not interfere with the City of Kent's public safety communications equipment and transmissions, and complies with all Federal Communication Commission regulations.

(l) Assignments or Transfers of Consent. Consent to Occupy or Use the Public Right-of-Way may be, except as to Public Utilities operating under a tariff issued by the State of

Ohio and regulated by the PUCO, directly or indirectly, transferred, assigned or disposed of by sale, lease, merger, consolidation or other act of the Service Provider, by operation of law or otherwise, without consent of the City, so long as:

- (1) The City is notified of the proposed transfer on or before the date of transfer; and
- (2) The transferee shall fully comply with this Chapter within sixty (60) days of the transfer, including, but not limited to:

A. All information required by the application for consent to Occupy or Use the Public Right-of-Way pursuant to Section [937.02](#), and/or Registration required by Section 937.03 of this Chapter; and

B. Any other information reasonably required by the City Manager.

(m) Transactions Affecting Control of Consent. Except as to any Public Utilities operating under a tariff by the State of Ohio and regulated by the PUCO, any transactions that singularly or collectively result in a change of twenty-five percent (25%) or more of the ownership or ultimate working control of a Service Provider, of the ownership or working control of the Service Provider's Facility, or of control of the capacity or bandwidth of the Service Provider's System, Facilities or substantial parts thereof, shall be considered an assignment or transfer pursuant to Section [937.04\(1\)](#) hereof. Transactions between Affiliated entities are not exempt from Section [937.04\(1\)](#).

(n) Revocation of Consent. Consent granted by the City to Occupy or Use Public Right-of-Way of the City may be revoked, except as to Public Utilities operating under a tariff by the State of Ohio and regulated by the PUCO, for any one of the following reasons:

(1) Construction, Reconstruction, installation, location, operation or Excavation at an unauthorized location.

(2) Construction, Reconstruction, installation, location, operation or Excavation in violation of City safety and/or Construction requirements.

(3) Material misrepresentation or lack of candor by or on behalf of a Service Provider in any Permit application or registration required by the City.

(4) Abandonment of Facilities in the Public Right-of-Way.

(5) Failure to relocate or remove Facilities or failure to restore the Public Right-of-Way, as required by this Chapter.

(6) Failure to pay fees, costs, taxes or compensation when and as due the City.

(7) Insolvency or bankruptcy of the Service Provider.

(8) Violation of material provisions of this Chapter.

(o) Notice and Duty to Cure. In the event that the City Manager believes that grounds exist for revocation of consent to Occupy or Use the Public Right-of-Way or Construction Permit, he shall give the Service Provider written notice of the apparent violation or noncompliance, and providing the Service Provider a reasonable period of time not exceeding thirty (30) days to furnish evidence:

(1) That corrective action has been, or its being actively and expeditiously pursued, to remedy the violation or noncompliance;

(2) That rebuts the alleged violation or noncompliance; and/or

(3) That it would be in the public interest to impose some penalty or sanction less than revocation.

~~(p) If a micro-wireless facility is placed on a wireless support structure as defined by the Ohio Revised Code the increased height would be not more than ten (10) feet or the overall resulting height would be not more than fifty (50) feet.~~

(q) In addition, general regulations that protect the health, safety and welfare of the residents and visitors of Kent, apply to work performed in the City's Right-of-Way, and to any structures and poles located within the City's Right-of-Way.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.05 LOCATION, RELOCATION AND REMOVAL OF FACILITIES.

(a) Location of Facilities. All Facilities shall be Constructed, Reconstructed, installed and located in accordance with the following terms and conditions:

(1) Whenever possible, according to acceptable engineering standards and consistent with Federal and State law regarding safety and other operations, Facilities shall be installed within an existing compatible underground duct or conduit whenever Excess Capacity exists within such Facility.

(2) A Service Provider and a Public Utility operating under a tariff issued by the State of Ohio and regulated by the PUCO with permission to install Overhead Facilities shall install their Facilities on pole attachments to existing utility poles only, and then only if surplus space is available.

(3) Whenever any existing electric, cable, telecommunications or other similar Facilities are located underground in a Public Right-of-Way of the City, a Service Provider with permission to Occupy the same Public Right-of-Way with electric, cable, telecommunications or other similar Facilities, must also locate the Facilities underground.

(4) Except for Overhead Facilities as provided herein, other than a Public Utility operating under a tariff issued by the State of Ohio and regulated by the PUCO, no Facility shall be located above ground in a Public Right-of-Way without the express written permission of the City Manager.

(5) Except for Overhead Facilities as provider herein, no Facilities shall be located above ground in a Public Right-of-Way, subject to the above items.

(6) The City reserves the right to require a Service Provider to provide Excess Capacity in the Public Right-of-Way at the time of Construction, Reconstruction, installation, location or relocation of Facilities.

~~(7) Micro wireless facilities as described in ORC Section 4939.01 may be attached to utility poles and wireless support structures owned by the City of Kent. There shall be an annual fee of \$200.00 due the City for each such attachment. Said fees shall be due and payable at the time of attachment to the City structures and in each succeeding January thereafter in which the attachment remains affixed.~~

(b) Excess Capacity. To reduce Excavation in the Public Right-of-Way, it is the City's goal to encourage Service Providers to share occupancy of underground conduit as well as to construct, whenever possible, excess conduit capacity for occupancy of future Facilities in the Public Right-of-Way when it does not increase the costs to the Service Provider installing the line. Therefore, if a Service Provider is constructing underground conduit in the Public Right-of-Way for its own Facilities, and the City and the Provider reasonably determine such construction is in an area in which other Service Providers would likely construct Facilities in the future, the City may ask the Service Provider to review the feasibility at constructing the conduit in the Public Right-of-Way with Excess Capacity.

(c) City Owned Conduit. If the City owns or leases conduit in the path of a Service Provider's proposed Facilities, and provided it is technologically feasible for the Service Provider's Facilities to Occupy the conduit owned or leased by the City and easier for the Service Provider than installing their own conduit, the Service Provider may Occupy the conduit owned or leased by the City in order to reduce the necessity to Excavate the Public Right-of-Way. The Service Provider shall pay to the City a fee for such occupancy which shall be the cost the Service Provider would have expended to construct its own conduit, as certified by the Service

Provider's engineer and approved by the City Engineer. The City and the Service Provider may agree to amortize the fee through annual payments to the City.

(d) Relocation or Removal of Facilities. Within one hundred twenty (120) days following written notice from the City, a Service Provider shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any Facilities in the Public Right-of-Way whenever the City shall have determined that such removal, relocation, change or alteration is reasonably necessary for:

(1) The Construction, Reconstruction, repair, maintenance or installation of any City or other public improvement in or upon a Public Right-of-Way, easement, or other City owned properties.

(2) The operations of the City or other governmental entity in or upon a Public Right-of-Way, easement, or other City owned properties.

(3) With regard to the expense of such removal of a relocation, the standard for reimbursement to the Service Provider for such expense shall be in accordance with State law and regulations of the PUCO.

(e) Removal of Unauthorized Facilities. Within thirty (30) days following written notice from the City, any Service Provider or other Person that owns, controls or maintains any unauthorized System, Facility or related appurtenances in the Public Right-of-Way of the City shall, at its own expense, remove those Facilities or appurtenances from the Public Right-of-Way of the City or shall arrange to sell those Facilities or appurtenances to the City if the City wishes to purchase them. After the thirty (30) days have expired, the City may remove the Facilities or appurtenances from the Public Right-of-Way at the other party's expense. A System or Facility is unauthorized and subject to removal in the following circumstances:

(1) Upon revocation of the Service Provider's consent to Occupy or Use the Public Right-of-Way;

(2) Upon abandonment of a Facility in the Public Right-of-Way of the City;

(3) If the System or Facility was Constructed, Reconstructed, installed, operated, located or maintained without the consent to do so, except as otherwise provided by this Chapter;

(4) If the System or Facility was Constructed, Reconstructed, installed, operated, located or maintained, or any Excavation of a Public Right-of-Way was performed, without prior issuance of a required Construction Permit, except as otherwise provided by this Chapter;

(5) If the System or Facility was Constructed, Reconstructed, installed, operated, located or maintained, or any Excavation of a Public Right-of-Way was performed, at a location not permitted pursuant to the City's consent to Occupy or Use the Public Right-of-Way or Construction Permit;

(6) If the Service Provider fails to comply with the Registration requirements of Section [937.03](#) of this Chapter;

(7) The removal is approved by the Ohio PUCO.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.06 NOTICE OF WORK, ROUTINE MAINTENANCE AND EMERGENCY WORK.

(a) Notice of Work. Except in case of Emergency, as provided in Section [937.06\(c\)](#), or for Routine Maintenance as provided in Section [937.06\(b\)](#) and new service orders as provided in [937.06](#), no Service Provider, nor any Person acting on the Service Provider's behalf, shall commence any work in the Public Right-of-Way of the City or Other Ways without twenty-four (24) hours advance notice to the City, obtaining a Construction Permit pursuant to Section [937.07](#), if required, and obtaining consent to Occupy or Use the Public Right-of-Way pursuant to Section [937.02](#), if required.

(b) Routine Maintenance and New Service Orders.

(1) A Service Provider is required to obtain a permit or notify the City prior to commencing any Routine Maintenance or New Service Orders.

(2) For Routine Maintenance and New Service Orders that require the Service Provider to cause a Lane Obstruction in a Public Street for more than eight (8) hours, the Service Provider shall contact the Community Development Department to coordinate traffic flow in the area of the service being conducted.

(c) Emergency Work. In the event of the need for any unexpected repair or Emergency work, a Service Provider may commence such Emergency response work as required under the circumstances, provided that for Emergency work that requires Excavation of a Public Right-of-Way or Lane Obstruction or closing of a Public Street, the Service Provider shall notify the City as promptly as possible before commencing such Emergency work, or as soon as possible thereafter if advance notice is not practicable. When notice is required, the Service Provider shall notify by e-mail, telephone or fax, the Chief of Police and the Community Development Department during regular business hours, or the Police Department Dispatchers at all other times.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.07 CONSTRUCTION PERMIT AND STANDARDS.

(a) Construction Permit.

(1) No Construction Permit is required for Routine Maintenance and New Service Order that do not include Excavation in a Public Right-of-~~Way~~Way.

(2) No Person shall commence or continue with the Construction, Reconstruction, installation, maintenance or repair of Facilities or Excavation in the Public Right-of-Way without obtaining a Construction Permit from the Community Development Director or his/her designee as provided in the Section 937.07, including but not limited to the following circumstances:

A. The extension of a Service Provider's Facility in the Public Right-of-Way, easement or other City owned properties, in an area of the City not currently serviced by that Service Provider. This does not include New Service Orders unless a Public Right-of-Way will be Excavated;

B. The relocation or replacement of more than two hundred (200) lineal feet of a Service Provider's existing Facilities in the Public Right-of-Way;

C. Any Reconstruction or replacement of Facilities requiring more than one (1) working day to complete work in the Public Right-of-Way;

D. Any Construction, Reconstruction, installation, maintenance, repair or New Service Orders in the Public Right-of-Way requiring more than one (1) working day to complete; or

E. Any Construction, Reconstruction, installation, maintenance, repair or New Service Order requiring the Excavation of a Public Street.

(3) No Construction Permit shall be issued for the Construction, Reconstruction, installation, maintenance or repair of Facilities, or Excavation, in the Public Right-of-Way unless the Service Provider has obtained consent from, and filed a current registration statement with, the City pursuant to Section 937.02 and Section 937.03, respectively, of this Chapter or the Small Cell Provider has obtained consent from, and filed a current registration statement with, the City pursuant to Chapter 939 of the Codified ordinances.

(b) Construction Permit Applications. Applications for permits to Construct, Reconstruct or install Facilities or Small Cell Facilities, or Excavate, shall be submitted upon forms provided by the City, provide the following information, if applicable, and be accompanied by drawings, plans and specifications in sufficient detail to demonstrate:

(1) That the Facilities or Small Cell Facilities will be Constructed, Reconstructed, installed, maintained or repaired, or the Public Right-of-Way Excavated, in accordance with all applicable codes, rules and regulations.

(2) If the applicant is proposing to Construct, Reconstruct, install, maintain, repair or locate Facilities or Small Cell Facilities above ground:

A. ~~evidene~~Evidence that Surplus Space is available for locating its Facilities or Small Cell Facilities on existing utility poles along the proposed route;

B. the location and route of all Facilities or Small Cell Facilities to be located or installed on existing utility poles.

(3) If the applicant is proposing an underground installation of new Facilities or Small Cell Facilities in existing ducts, pipes or conduits in the Public Right-of-Way, information in sufficient detail to identify:

A. The Excess Capacity currently available in such ducts or conduits before the installation of the applicant's Facilities or Small Cell Facilities;

B. The Excess Capacity, if any, that will exist in such ducts or conduits after installation of the applicant's Facilities or Small Cell Facilities.

(4) If the applicant is proposing an underground installation of new Facilities or Small Cell Facilities in new ducts or conduits to be Constructed in the Public Right-of-Way:

A. The location and depth proposed for the new ducts or conduits; and

B. The Excess Capacity that will exist in such ducts or conduits after installation of the applicant's Facilities or Small Cell Facilities.

(5) The location and route of all Facilities and Small Cell Facilities to be located under the surface of the ground, including the line and grade proposed for the burial at all points along the route which are in the Public Right-of-Way. Included with the installation shall be magnetic and fluorescent tape placed at a minimum of one foot to a maximum of two (2) feet above the entire Facility or Small Cell Facilities as installed for the purpose of locating the Facility during future Construction activities. The tape shall be marked with the tape of Facility installed as approved by the City.

(6) The location of all existing underground utilities, conduits, ducts, pipes, mains and installations that are in the Public Right-of-Way along the underground route proposed by the applicant.

(7) The location(s), if any, for interconnection with the Facilities or Small Cell Facilities of other Service Providers.

(8) The construction methods to be employed for protection of existing structures, fixtures- Facilities and Small Cell Facilities in or adjacent to the Public Right-of-Way.

(9) The structures, improvements, Facilities and obstructions, ~~is~~ and Small Cell Facilities, if any, that the applicant proposes to temporarily or permanently remove or relocate.

(10) The impact of Construction, Reconstruction, installation, maintenance or repair of Facilities or Small Cell Facilities on trees in or adjacent to the Public Right-of-Way along the route proposed by the applicant, together with a landscape plan for protecting, trimming, removing, replacing and restoring any trees or areas disturbed during Construction.

(11) Information to establish that the applicant has obtained all other governmental approvals and permits to Construct and operate the Facilities and to offer or provide the Services.

(c) Construction Codes. Facilities and Small Cell Facilities shall be Constructed, Reconstructed, installed, repaired, operated, Excavated and maintained in accordance with all applicable federal, State and local codes, rules and regulations including, but not limited to, the National Electric Safety Code.

(d) Traffic Control Plan. All Permit applications which involve a Lane Obstruction or work on, in, under, across or along any Public Right-of-Way shall be presented to the Chief of Police of the City and coordinated to maintain possible traffic control consistent with State law and the ODOT Uniform Manual of Traffic Control Devices.

(e) Issuance of Permit. Within thirty (30) days after submission of all plans and documents required of the applicant, the City Manager, if satisfied that the applications, plans and documents comply with all requirements of this Chapter, shall issue a Construction Permit authorizing the Construction, Reconstruction, installation, maintenance or repair of the Facilities or Small Cell Facilities, or Excavation in the Public Right-of-Way, subject to such further conditions, restrictions or regulations affecting the time, place and manner of performing the work as the City Manager may deem necessary or appropriate. Such thirty (30) day period shall begin after all submissions are deemed by the City Manager to be in accordance with the requirements of, including information submitted in the form required by, this Chapter.

(f) Coordination of Construction Activities. All Service Providers and Small Cell Providers are required to cooperate with the City, including its Service and Safety forces, and with each other. All Construction, Reconstruction, installation, Excavation, activities and

schedules shall be coordinated, as ordered by the City Manager, to minimize public inconvenience, disruption or damages.

(g) Construction Schedule. The Service Provider or Small Cell Provider may modify the Construction Schedule at any time provided that notice is given to the City Manager. The Service Provider or Small Cell Provider shall further notify the Ohio Utility Protection Services (OUPS) in advance of any excavation or work in the Public Right-of-Way.

(h) Least Disruptive Technology. All Facilities shall be Constructed, Reconstructed, installed, maintained or repaired in the manner resulting in the least amount of damage and disruption of the Public Right-of-Way. Unless otherwise authorized by the City Manager for good cause, Service Providers and Small Cell Providers Constructing, Reconstructing, installing, maintaining or repairing Underground Facilities or Underground Small Cell Facilities shall utilize Trenchless Technology, including, but not limited to, horizontal drilling, directional boring, and micro-tunneling, if technically and/or technologically feasible. In addition, all cable, wire or fiber optic cable Facilities and Small Cell Facilities to be installed underground shall be installed in conduit, without using "direct bury" techniques.

~~(i) Micro Wireless Facility includes small cell facilities and distributed antenna systems in which each antenna is located inside an enclosure of not more than six cubic feet in volume, or in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an enclosure of not more than six cubic feet in volume.~~

~~(j)~~ (i) Compliance with Permit. All Construction practices and activities shall be in accordance with the Construction Permit and approved final plans and specifications for the Facilities. The City Manager shall be provided access to work and such further information as he or she may require to ensure compliance with such requirements. Field changes may be approved by the City Manager if such changes are determined to be necessary due to site conditions or other changed circumstances.

~~(k)~~ (j) Display of Permit. The Service Provider or Small Cell Provider shall maintain a copy of the Construction Permit and approved plans at the construction site, which shall be displayed and made available for inspection by the City Manager at all times when construction work is occurring.

~~(l)~~ (k) Survey of Underground Facilities. If the Construction Permit specifies the location of Facilities by depth, line, grade, proximity to other Facilities or Small Cell Facilities or other standard, the Service Provider or Small Cell Provider shall cause the location of such Facilities to be verified by a registered Ohio land surveyor. The Service Provider or Small Cell Provider shall relocate any Facilities that are not located in compliance with Permit requirements.

~~(m)~~ (l) Noncomplying Work. Upon order of the City Manager, all work that does not comply with the Permit, the approved plans and specifications for the work, or the requirements of this Chapter, shall immediately cease and shall be immediately removed and/or corrected by the Service Provider or Small Cell Provider.

(~~n~~) Completion of Construction. The Service Provider or Small Cell Provider shall promptly complete all Construction activities so as to minimize disruption of the Public Right-of-Way and other public and private property. All Construction work authorized by a Permit in the Public Right-of-Way, including restoration, must be completed within one hundred twenty (120) days of the date of issuance for Facilities and within one hundred eighty (180) days for Small Cell Facilities. Extensions ~~are~~ may be approved by the Director of Community Development.

(en) Record Drawings. Within sixty (60) days after completion of Construction, the Service Provider shall furnish the City with two (2) complete sets of plans, drawn to scale and certified to the City as accurately depicting the location of all Facilities Constructed pursuant to the Permit. At such time, the Service Provider shall submit the Record Drawings in a digital format compatible with the City's current computer software. Public Utilities operating under a tariff issued by the State of Ohio and regulated by the PUCO shall be exempt from this provision for all matters, as they are required to file with the State of Ohio, and the OUPS System. Such Public Utilities shall provide notice to the City that such records are available from OUPS upon completion of a project.

(po) Restoration of Improvements. Upon completion of any Construction work, the Service Provider or Small Cell Provider shall promptly repair any and all Public Right-of-Way and provide property improvements, fixtures, structures and Facilities or Small Cell Facilities which were damaged during the course of Construction, restoring the same as nearly as practicable to its condition before the start of Construction.

~~(q)~~ (p) Landscape Restoration.

(1) All trees, landscaping and grounds removed, damaged or disturbed as a result of the Construction, Reconstruction, installation, maintenance, repair or replacement of Facilities or Small Cell Facilities must be replaced or restored as nearly as may be practicable, to the condition existing prior to performance of work.

(2) All restoration work within the Public Right-of-Way shall be done in accordance with landscape plans approved by the City Manager or his/her designee.

(fq) Construction and Completion Bond. Prior to issuance of a Construction Permit, the Service Provider or Small Cell Provider shall provide a Construction Bond written by a corporate surety acceptable to the City equal to at least one hundred ten percent (110%) of the estimated cost of Constructing, Reconstructing, installing or repairing the Service Provider's Facilities or Small Cell Facilities or Excavation in the Public Right-of-Way of the City or such lesser amount as the City Manager may determine to adequately protect the City's interest, shall be deposited before Construction is commenced.

(1) The Construction Bond shall remain in force until eighteen (18) months after substantial completion of the work, as determined by the City Manager, including restoration of Public Right-of-Way and other property affected by the Construction.

(2) The Construction Bond shall guarantee, to the satisfaction of the City:

- A. Timely completion of Construction;
- B. Construction in compliance with applicable plans, permits, technical codes and standards;

- C. Proper location of the Facilities as specified by the City;
- D. Restoration of the Public Right-of-Way and other property affected by the Construction;

- E. The submission of Record Drawings, in both written and digital format, after completion of the work as required by this Chapter; and

- F. Timely payment and satisfaction of all claims, demands or liens for labor, material or services provided in connection with the work.

(3) In lieu of filing a Construction Bond with the City for each Construction Permit, a Service Provider or Small Cell Provider with the approval of the City Manager may file an Annual Construction Bond (or Annual Bond) in the form described above in an amount that the City Manager may determine will adequately protect the City's interests as described above.

(4) Public Utilities operating under a tariff issued by the State of Ohio and regulated by the PUCO shall be exempt from any Construction Bond Requirements and shall be only required

to notify the City of the appropriate contact person for claims regarding Construction Activities in accordance with their self-insurance program as established pursuant to State law and Regulations. All Public way fees and costs recoveries provided for hereunder shall be consistent with Ohio Revised Code Section 4939.05, PUCO Regulations and decisions of the PUCO which require such costs to be prorated over all users of the Right-of-Way including users that are governmental entities, including but not limited to, the City itself.

(s) Responsibility of Owner. The owner of the Facilities to be Constructed, Reconstructed, installed, located, operated, maintained or repaired and, if different, the Service Provider, are responsible for performance of and compliance with all provisions of this Section.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.08 RECOVERY OF CITY COSTS IN MANAGING THE PUBLIC RIGHT-OF-WAY.

(a) Purpose. It is the purpose of this Section 937.08 to provide for the recovery of all direct and indirect costs and expenses actually incurred by the City and associated with a Public or Private Service Provider's Occupancy or Use of the Public Right-of-Way and related to the enforcement and administration of this Chapter. All fees related to the Occupancy or Use of the Public Right-of-Way shall be assessed in a manner to be determined by the City Manager and shall comply with the requirements of O.R.C. 4939.05.

(b) Regulatory Fees and Compensation Not a Tax. Except as required by the Ohio Revised Code, specifically O.R.C. 4939.05 and decisions of the Public Utilities Commission of Ohio, the regulatory fees and costs provided for in this Chapter are separate from, and additional to, any and all federal, State, local and City taxes as may be levied, imposed or due from a Service Provider, its customers or subscribers, or on account of the lease, sale, delivery or transmission of Services. ~~(Ord. 2017-52. Passed 6-21-17.)~~

937.09 CABLE TELEVISION FRANCHISE.

(a) Cable Television Franchise. Any Person who desires to Construct, Reconstruct, install, operate, maintain or locate Facilities in any Public Right-of-Way of the City for the purpose of providing Cable Service to Persons in the City shall first obtain a non-exclusive franchise to provide Cable Services from the City.

(b) Compliance with Chapter Required. All Cable Operators providing Cable Service within the City pursuant to a valid franchise shall comply with the registration and Construction Permit requirements of this Chapter.

(c) Cable Television Franchise Expiration.

(1) In the event a franchise expires by its terms, the franchise shall be automatically renewed on a month-to-month basis until the parties enter into a renewal franchise or until terminated by either party in accordance with law.

(2) At the expiration of the franchise or upon revocation of the franchise, the City may, in lawful manner and upon the payment of fair market value, determined on the basis of the Cable System as valued as a going concern exclusive of any value attributable to the franchise itself, lawfully obtain, purchase, condemn, acquire, takeover and hold the Cable System.

(d) Cable System Capacity. No Cable Operator shall provide Service other than Cable Service without obtaining consent from the City, pursuant to Section [937.02](#) of this Chapter, which consent shall not be unreasonably withheld.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.10 PRIVATE FACILITIES IN THE PUBLIC RIGHT-OF-WAY.

(a) Private Facilities. Persons who wish to use the Public Right-of-Way of the City for Private Facilities shall obtain a consent from the City pursuant to Section [937.02](#), register pursuant to Section [937.03](#), obtain a Construction Permit (if applicable) pursuant to Section [937.07](#) and comply with all provisions of this Chapter.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.11 MISCELLANEOUS PROVISIONS.

(a) Preemption by State and Federal Law. Except as may be preempted by applicable State and Federal laws, rates, regulations, and orders, this Chapter shall apply and be controlling over each Service Provider engaged in the business of transmitting, supplying or furnishing of Services originating, passing through, or terminating in the City.

(b) Exemption for City-Owned or Operated Facilities. Nothing in this Chapter shall be construed to apply the provisions of this Chapter to Facilities owned or operated by the City or any of its operations.

(c) Application to Existing Code Provisions. Insert any existing City Code provisions to which this Chapter should not apply.]

(d) Severability. If any section, subsection, sentence, clause, phrase, or other portion of this Chapter, or its application to any Person, is, for any reason, declared invalid, in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

(e) It is within the City Manager's reasonable discretion to waive a portion of this Chapter or such requirements, in the City Manager's judgment, that are not necessary or appropriate to protect the City's interests and the purposes and intent of this Chapter.

~~(Ord. 2017-52. Passed 6-21-17.)~~

937.99 PENALTIES AND OTHER REMEDIES.

(a) Other Remedies. Nothing in this Chapter shall be construed as limiting any judicial remedies that the City may have, at law or in equity, for enforcement of this Chapter.

~~(Ord. 2017-52. Passed 6-21-17.)~~

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Tara Grimm

FROM: Jim Bowling *SB*

DATE: September 12, 2018

RE: Portage County – Mogadore Road Paving

The Service Department is requesting council's consideration and approval to cooperate with the Portage County Engineer's Office (PCEO) to resurface Mogadore Road. The PCEO is planning on resurfacing Mogadore Road in late 2019 from Howe Avenue to SR 261. Approximately 28% of the project limits are located within the City of Kent. The PCEO will manage the project and the City of Kent would reimburse the County upon completion of the project.

The PCEO has submitted to OPWC for funding up to 50% of the project and they are requesting that the City pay its portion of the non-OPWC amount. This is currently budgeted at approximately \$40,000, including a contingency. This amount would be included as part of the upcoming capital plan for 2019.

C: Melanie Baker
Harrison Wicks
Pat Homan
Cathy Wilson



LAW DEPARTMENT MEMORANDUM KENT, OHIO

To: Dave Ruller, City Manager
From: Hope L. Jones, Law Director *HJ*
Date: September 21, 2018
Re: Repeal Vagrancy Ordinance

Mr. Ruller,

I request that legislation for the repeal of Section 509.10, title "Vagrants" be placed on the October 3, 2018 agenda for discussion by Council Committee.

Mayor Fiala received a letter from the ACLU requesting this action. I have reviewed the letter and the ordinance and agree that it is both unconstitutional and outdated.

ORDINANCE NO. 2018-__

AN ORDINANCE REPEALING THE CITY OF KENT CODIFIED ORDINANCES KNOWN AS SECTION 509.10 TITLED "VAGRANTS", AND DECLARING AN EMERGENCY.

WHEREAS, Section 509.10 of the Kent Codified Ordinances is no longer appropriate or effective because the Supreme Court has consistently and repeatedly held that requests for monetary contributions are speech that deserve the highest level of protection under the First Amendment; and

WHEREAS, Courts have routinely struck down laws such as 509.10 for decades, as they unduly restrict people's liberty to move in public spaces, and are so vague that they invite discriminatory enforcement; and

WHEREAS, Section 509.10 is outdated and some of the prohibited conduct is covered by other sections of the Kent Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. The Codified Ordinance Section 509.10 of the City of Kent is hereby repealed.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Tara Grimm, MMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE/ RESOLUTION* No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

TARA GRIMM, MMC
CLERK OF COUNCIL

REC
68-31-18
J

NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY

August 28, 2018

Mayor
Members of Council
Kent
320 S. Depeyster St., PO Box 5192
Kent, OH 44240

RE: Ordinance Section 509.10

Dear Mayor and Members of Council,

We write with respect to Kent Ordinance Section 509.10 (the "Ordinance"). This ordinance prohibits soliciting donations by an individual ("begging") in all public places across an entire city.

The Supreme Court has consistently and repeatedly held that requests for monetary contributions are speech that deserve the highest level of protection under the First Amendment. *See, e.g., United States v. Kokinda*, 497 U.S. 720, 725 (1990) ("Solicitation is a recognized form of speech protected by the First Amendment."); *Speet v. Schuette*, 726 F.3d 867, 880 (6th Cir. 2013) ("begging, or the soliciting of alms, is a form of solicitation that the First Amendment protects"). And the United States Court of Appeals for the Sixth Circuit—whose jurisdiction covers the State of Ohio—unanimously struck down an indistinguishable Michigan law that prohibited "begging in a public place." *Speet v. Schuette*, 726 F.3d 867, 879 (6th Cir. 2013). The Court had no difficulty concluding the prohibition on begging violated the Constitution because it "simply bans an entire category of activity that the First Amendment protects." It is additionally problematic that this law exists in an "anti-vagrancy" provision that also prohibits other innocent behavior such as loitering. Courts have routinely struck down such laws for decades, as they unduly restrict people's liberty to move in public spaces, and are so vague that they invite discriminatory enforcement. *E.g., City of Chicago v. Morales*, 527 U.S. 41, 54 (1999); *Papachristou v. City of Jacksonville*, 405 U.S. 156, 166 (1972).

Harassing, ticketing and/or arresting people who ask for help in a time of need is inhumane and counterproductive. Such laws are costly to enforce and only exacerbate problems associated with homelessness and poverty. Numerous communities have created alternatives that are more effective, and leave all involved—homeless and non-homeless residents, businesses, city agencies, and elected officials—happier in the long run. *See National Law Center on Homelessness and Poverty, HOUSING NOT HANDCUFFS: THE CRIMINALIZATION OF HOMELESSNESS IN U.S. CITIES (2016), <https://www.nlchp.org/documents/Housing-Not-Handcuffs>.*

ACLU

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Ohio

4506 Chester Avenue
Cleveland, OH 44103
P: (614) 586-1959
F: (216) 472-2210

1108 City Park Avenue
Suite 203
Columbus, OH 43206
P: (614) 586-1959
F: (614) 586-1974

acluohio.org
contact@acluohio.org

Jack Guttenberg
President

J. Bennett Bass
Executive Director

VAGRANTS.

(a) "Vagrant", within the meaning of this section, means any person able to work and support himself or herself, in any honest and respectable calling, trade or business, who lives idly and without any visible means to support himself or herself; and

- (1) Who shall be found loitering or strolling about in any street, alley, park or any public or private place within the Municipality; or
- (2) Who shall go about begging in the Municipality, not having any regular lawful business; or
- (3) Who shall occupy for the purpose of lodging any barn, shed, shop or place other than such as is provided for that purpose, without permission of the owner or person entitled to possession thereof; or
- (4) Who shall be the keeper, proprietor or exhibitor of any device for swindling, or shall be an assistant or attendant to any such device; or
- (5) Who, for the purpose of gaming or gambling, travels about from place to place or frequents taverns or public places in the Municipality for that purpose; or
- (6) Upon whom shall be found any instrument or thing used for the commission of burglary, or for picking locks or pockets, and who shall fail to give a good account of his/her possession of the same; or
- (7) Who shall be engaged in any fraudulent scheme, device or trick upon the streets or public or private places in the Municipality.

(b) Any person convicted of being a vagrant under any provision of this section shall be deemed guilty of a minor misdemeanor.



LAW DEPARTMENT MEMORANDUM KENT, OHIO

To: Dave Ruller, City Manager
From: Hope L. Jones, Law Director *Hlj*
Date: September 21, 2018
Re: Mowing Fees placed on Property Tax

Mr. Ruller,

I request that legislation for the rescission of certain unpaid mowing charges upon the property tax bill of 535 Bowman be placed on the October 3, 2018 agenda for discussion by Council Committee.

The owner of 535 Bowman purchased the property at a Sheriff's sale in June 2017. Between that public sale and the time that the court approved the sale, Council passed Ordinance 2017- 76 authorizing the placement of unpaid fees upon the Property Tax bills of delinquent property owners.

In order for the Auditor to remove the unpaid mowing charges, Council must authorize the Auditor to do so.

ORDINANCE NO. 2018 -

AN ORDINANCE RESCINDING THE AUTHORIZATION OF THE CERTIFICATION OF A CERTAIN DELINQUENT MOWING BILL, TO THE COUNTY AUDITOR THAT WAS PLACED ON THE REAL PROPERTY TAX LIST IN THE AMOUNT OF \$1,530.00 ON THE PROPERTY KNOWN AS 535 BOWMAN, KENT, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, on August 16, 2017 the City of Kent, Ohio passed Ordinance 2017-76 to have a number of delinquent mowing bills, etc. to be collected by the County Auditor; and

WHEREAS, the City of Kent, Ohio would like the County Auditor to remove the amount of \$1,530.00 on the property known as 535 Bowman, Kent, Ohio, owners name, Cozma Valer, because Mr. Valer purchased the property through a Sherriff's sale in June 2017 and the charges were certified to the property on August 16, 2017.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (7) of all members elected thereto concurring:

SECTION 1. That Kent City Council does hereby rescind and authorize the County Auditor to remove the amount of \$1,530.00 on the property known as 535 Bowman, Kent, Ohio, for the delinquent mowing bills, on the real estate tax list.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Tara Grimm, MMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE/RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

TARA GRIMM, MMC
CLERK OF COUNCIL



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: September 25, 2018
TO: Dave Ruller, City Manager
FROM: Bridget Susel, Community Development Director and Hope Jones, Law Director
RE: Draft Proposed Backyard Chickens Legislation

At the August 1, 2018 Committee session, a motion was carried by a 9-0 vote by members of Council "to have staff bring forward recommended legislation to discuss and modify on urban chickens with an emergency clause," (page 6, Health & Safety Committee meeting).

Staff from the Community Development and Law Departments reviewed the items and issues referenced by members of Council during the August 1st discussion and developed draft legislation that will create a new Section 505.21 to be added to Chapter 505 "Animals and Fowl," which specifies the requirements for keeping and maintaining chickens within the City.

We are respectfully requesting time at the October 3, 2018 Committee session to discuss the attached proposed draft in greater detail and to request Council's input on possible modifications to the draft legislation in order to finalize the details prior to a vote by members of Council.

If you need any additional information from us in order to add this to the agenda, please let us know. Thank you.

Cc: Tara Grimm, Clerk of Council

505.21 BACKYARD CHICKENS.

(a) It shall be unlawful to place or maintain backyard chickens in any area unless the following conditions and requirements are met:

- (1) No more than six (6) backyard chickens are permitted per dwelling unit or school.
- (2) Roosters and chicks are prohibited. For purposes of this Section, "chicks" shall be defined as young chickens under the age of 6 months old.
- (3) Other poultry or fowl are prohibited. No person may own or keep any other fowl, including ducks, quail, geese, pigeons or turkeys.
- (4) Backyard chickens are required to be located within a designated chicken coop and chicken run that shall meet the following requirements:
 - A. The chicken coop and chicken run shall be located in the rear or backyard of owner-occupied, single family residential properties located in zoning districts designated as R-1, R-2, R-3 or any school property, public or private.
 - B. Neither the coop nor run shall be located between the rear of the principal structure and the front yard lot line.
 - C. The coop shall have a minimum thirty (30) feet setback from the rear property line, and ten (10) feet setback from the side property line.
 - D. Coops shall be predator resistant with a solid covered roof.
 - E. Water shall be provided onsite and accessible to chickens at all times.
 - F. During daylight hours, the chickens shall also have access to the run and chicken coop in order to provide cover in inclement weather and fresh air when the weather is hot.
 - G. From dusk until dawn, chickens shall be protected from predators by being enclosed within a chicken coop.
 - H. The maximum chicken coop size is 100 square feet.
 - I. A minimum of four (4) square feet of space per chicken shall be provided in both the coop and the run; however, the coop shall provide at least two (2) square feet of space for each chicken.
 - J. The maximum height of the coop shall be no more the seven (7) feet at the highest point of the roof.
- (5) Chickens, chicken coops and chicken runs shall be maintained and shall be regularly cleaned to control dust, odor, and waste so as to not create a nuisance, constitute a safety hazard, health problem or unreasonable disturbance to surrounding properties.
- (6) No on-site slaughtering is allowed.

- (7) Chicken feed shall only be stored in a reasonable, airtight, predator proof container.
- (8) Chicken waste shall only be stored in a reasonable, airtight, predator proof container.
- (b) Commercial Uses Prohibited. Chickens shall be kept for personal use only. No person shall sell or barter eggs or engage in chicken breeding or fertilizing production for commercial purposes.
- (c) Penalties for Violations. Violations of this Section shall be subject to the Civil Penalties as provided by Section 501.30 of the Codified Ordinances.

DRAFT

**KENT POLICE DEPARTMENT
AUGUST 2018**

	AUGUST 2017	AUGUST 2018	TOTAL 2017	TOTAL 2018
CALLS FOR SERVICE	2238	2318	18098	16575
FIRE CALLS	355	427	2799	2998
ARRESTS, TOTAL	166	156	1321	1015
JUVENILE ARRESTS	23	9	92	58
O.V.I. ARRESTS	11	18	119	95
TRAFFIC CITATIONS	245	289	2117	1948
PARKING TICKETS	1154	1294	8677	8148
ACCIDENT REPORTS				
ACCIDENT REPORTS	51	61	466	436
Property Damage	31	31	267	239
Injury	4	8	50	60
Private Property	10	15	115	106
Hit-Skip	4	4	22	20
OVI Related	2	2	12	7
Pedestrians	0	1	0	4
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	0	0
Rape	0	0	1	0
Robbery	0	1	6	7
Assault Total	15	12	126	100
Serious	3	3	24	15
Simple	12	9	102	85
Burglary	7	6	56	46
Larceny	25	26	228	201
Auto Theft	3	1	9	7
Arson	0	1	0	3
Human Trafficking:Servitude	0	0	0	0
Human Trafficking:Sex Acts	0	0	0	0
TOTAL	50	47	426	364
CRIME CLEARANCES				
Homicide	0	0	0	0
Rape	0	0	1	0
Robbery	0	1	3	2
Assault Total	12	11	108	84
Serious	2	3	17	13
Simple	10	9	91	72
Burglary	3	2	11	9
Larceny	7	3	42	25
Auto Theft	0	0	1	0
Arson	0	1	0	2
Human Trafficking:Servitude	0	0	0	0
Human Trafficking:Sex Acts	0	0	0	0
TOTAL	22	18	166	122

**City of Kent
Income Tax Division**

August 31, 2018

Income Tax Receipts Comparison - (Excluding 0.25% Police Facility Receipts)

Monthly Receipts

Total receipts for the month of August, 2018	\$1,073,511
Total receipts for the month of August, 2017	\$1,116,420
Total receipts for the month of August, 2016	\$1,219,361

Year-to-date Receipts and Percent of Total Annual Receipts Collected

	<u>Year-to-date Actual</u>	<u>Percent of Annual</u>
Total receipts January 1 through August 31, 2018	\$9,548,514	65.50%
Total receipts January 1 through August 31, 2017	\$9,799,145	66.72%
Total receipts January 1 through August 31, 2016	\$9,607,073	67.98%

Year-to-date Receipts Through August 31, 2018 - Budget vs. Actual

<u>Year</u>	<u>Annual Budgeted Receipts</u>	<u>Revised Budgeted Receipts</u>	<u>Year-to-date Actual Receipts</u>	<u>Percent Collected</u>	<u>Percent Remaining</u>
2018	\$ 14,577,960	\$ 14,577,960	\$ 9,548,514	65.50%	34.50%

Comparisons of Total Annual Receipts for Previous Nine Years

<u>Year</u>	<u>Total Receipts</u>	<u>Change From Prior Year</u>
2008	\$ 10,712,803	1.63%
2009	\$ 10,482,215	-2.15%
2010	\$ 10,453,032	-0.28%
2011	\$ 10,711,766	2.48%
2012	\$ 12,063,299	12.62%
2013	\$ 12,397,812	2.77%
2014	\$ 13,099,836	5.66%
2015	\$ 14,592,491	11.39%
2016	\$ 14,133,033	-3.15%
2017	\$ 14,687,372	3.92%

Submitted by

David A. Coffey

Director of Budget and Finance

2018 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
(Excluding 0.25% Police Facility Receipts)
as of Month Ended August 31, 2018

Monthly Receipts				Comparisons	
Month	2016	2017	2018	Amount	Percent Change
January	\$ 1,154,690	\$ 1,228,846	\$ 1,153,204	\$ (75,641)	-6.16%
February	1,099,532	1,072,047	\$ 1,062,513	(9,534)	-0.89%
March	1,182,357	1,133,943	\$ 1,051,604	(82,340)	-7.26%
April	1,413,680	1,561,337	\$ 1,656,767	95,430	6.11%
May	1,226,790	1,233,090	\$ 1,229,804	(3,286)	-0.27%
June	1,239,820	1,291,517	\$ 1,266,792	(24,725)	-1.91%
July	1,070,843	1,161,945	\$ 1,054,319	(107,626)	-9.26%
August	1,219,361	1,116,420	\$ 1,073,511	(42,909)	-3.84%
September	1,109,848	1,175,347			
October	1,226,785	1,215,670			
November	1,020,285	1,162,952			
December	1,169,043	1,334,259			
Totals	\$ 14,133,033	\$ 14,687,372	\$ 9,548,514		

Year-to-Date Receipts				Comparisons	
Month	2016	2017	2018	Amount	Percent Change
January	\$ 1,154,690	\$ 1,228,846	\$ 1,153,204	\$ (75,641)	-6.16%
February	2,254,221	2,300,893	2,215,718	(85,175)	-3.70%
March	3,436,578	3,434,836	3,267,321	(167,515)	-4.88%
April	4,850,258	4,996,173	4,924,088	(72,085)	-1.44%
May	6,077,048	6,229,263	6,153,892	(75,371)	-1.21%
June	7,316,868	7,520,780	7,420,684	(100,096)	-1.33%
July	8,387,712	8,682,725	8,475,003	(207,721)	-2.39%
August	9,607,073	9,799,145	9,548,514	(250,630)	-2.56%
September	10,716,920	10,974,491			
October	11,943,705	12,190,161			
November	12,963,990	13,353,113			
December	14,133,033	14,687,372			
Totals	\$ 14,133,033	\$ 14,687,372			

2018 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
(Excluding 0.25% Police Facility Receipts)
as of Month Ended August 31, 2018

Month	Monthly Receipts			Comparisons	
	2016	2017	2018	Amount	Percent Change
January	\$ 421,390	\$ 436,131	\$ 441,024	\$ 4,893	1.12%
February	385,108	398,208	\$ 408,429	10,222	2.57%
March	442,123	441,069	\$ 439,804	(1,265)	-0.29%
April	422,702	474,495	\$ 475,808	1,313	0.28%
May	459,795	428,818	\$ 434,264	5,446	1.27%
June	410,589	425,646	\$ 437,151	11,505	2.70%
July	0	403,532	\$ 392,738	(10,794)	-2.67%
August	808,425	417,678	\$ 417,869	191	0.05%
September	350,859	356,602			
October	469,297	471,742			
November	447,327	445,247			
December	438,817	445,693			
Totals	\$ 5,056,433	\$ 5,144,861	\$ 3,447,088		

Month	Year-to-Date Receipts			Comparisons	
	2016	2017	2018	Amount	Percent Change
January	\$ 421,390	\$ 436,131	\$ 441,024	\$ 4,893	1.12%
February	806,499	834,338	849,453	15,115	1.81%
March	1,248,622	1,275,407	1,289,257	13,850	1.09%
April	1,671,324	1,749,902	1,765,066	15,163	0.87%
May	2,131,119	2,178,721	2,199,330	20,610	0.95%
June	2,541,708	2,604,367	2,636,481	32,114	1.23%
July	2,541,708	3,007,898	3,029,218	21,320	0.71%
August	3,350,133	3,425,576	3,447,088	21,512	0.63%
September	3,700,992	3,782,178			
October	4,170,289	4,253,920			
November	4,617,616	4,699,167			
December	5,056,433	5,144,861			
Totals	\$ 5,056,433	\$ 5,144,861			

2018 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
(Excluding 0.25% Police Facility Receipts)

Comparisons of Total Annual Receipts for Previous Nine Years

Year	Total Receipts	Percent Change
2008	\$ 3,919,539	5.71%
2009	\$ 4,090,788	4.37%
2010	\$ 4,267,465	4.32%
2011	\$ 4,246,372	-0.49%
2012	\$ 4,436,666	4.48%
2013	\$ 4,603,095	3.75%
2014	\$ 4,778,094	3.80%
2015	\$ 4,916,874	2.90%
2016	\$ 5,056,433	2.84%
2017	\$ 5,144,861	1.75%

2018 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
Police Facility Dedicated Income Tax Receipts - 1/9 of Total (0.25%)
as of Month Ended August 31, 2018

Monthly Receipts				Comparisons	
Month	2016	2017	2018	Amount	Percent Change
January	\$ 144,319	\$ 153,588	\$ 144,134	\$ (9,454)	-6.16%
February	137,426	133,991	\$ 132,799	\$ (1,192)	-0.89%
March	147,779	141,727	\$ 131,436	\$ (10,291)	-7.26%
April	176,690	195,145	\$ 207,073	\$ 11,927	6.11%
May	153,332	154,119	\$ 153,708	\$ (411)	-0.27%
June	154,960	161,421	\$ 158,331	\$ (3,090)	-1.91%
July	133,840	145,227	\$ 131,775	\$ (13,452)	-9.26%
August	152,403	139,537	\$ 134,174	\$ (5,363)	-3.84%
September	138,715	146,902			
October	153,331	151,942			
November	127,521	145,353			
December	146,114	166,764			
Totals	\$ 1,766,430	\$ 1,835,715	\$ 1,193,430		

Year-to-Date Receipts				Comparisons	
Month	2016	2017	2018	Amount	Percent Change
January	\$ 144,319	\$ 153,588	\$ 144,134	\$ (9,454)	-6.16%
February	\$ 281,745	\$ 287,579	276,934	\$ (10,646)	-3.70%
March	\$ 429,524	\$ 429,306	408,369	\$ (20,937)	-4.88%
April	\$ 606,214	\$ 624,451	615,442	\$ (9,010)	-1.44%
May	\$ 759,546	\$ 778,570	769,150	\$ (9,420)	-1.21%
June	\$ 914,506	\$ 939,992	927,481	\$ (12,511)	-1.33%
July	\$ 1,048,346	\$ 1,085,218	1,059,256	\$ (25,962)	-2.39%
August	\$ 1,200,749	\$ 1,224,755	1,193,430	\$ (31,325)	-2.56%
September	\$ 1,339,464	\$ 1,371,657			
October	\$ 1,492,795	\$ 1,523,599			
November	\$ 1,620,316	\$ 1,668,951			
December	\$ 1,766,430	\$ 1,835,715			
Totals	\$ 1,766,430	\$ 1,835,715			

2018 CITY OF KENT, OHIO
Comparison of Total Income Tax Receipts - Including Police Facility Receipts
as of Month Ended August 31, 2018

Month	Monthly Receipts			Comparisons	
	2016	2017	2018	Amount	Percent Change
January	\$ 1,299,009	\$ 1,382,434	\$ 1,297,339	\$ (85,096)	-6.16%
February	\$ 1,236,958	\$ 1,206,038	1,195,312	(10,725)	-0.89%
March	\$ 1,330,136	\$ 1,275,670	1,183,039	(92,631)	-7.26%
April	\$ 1,590,370	\$ 1,756,482	1,863,839	107,357	6.11%
May	\$ 1,380,122	\$ 1,387,209	1,383,512	(3,697)	-0.27%
June	\$ 1,394,780	\$ 1,452,938	1,425,124	(27,815)	-1.91%
July	\$ 1,204,684	\$ 1,307,171	1,186,094	(121,077)	-9.26%
August	\$ 1,371,764	\$ 1,255,957	1,207,685	(48,272)	-3.84%
September	\$ 1,248,563	\$ 1,322,249			
October	\$ 1,380,115	\$ 1,367,611			
November	\$ 1,147,806	\$ 1,308,304			
December	\$ 1,315,157	\$ 1,501,023			
Totals	\$ 15,899,464	\$ 16,523,087	\$ 10,741,944		

Month	Year-to-Date Receipts			Comparisons	
	2016	2017	2018	Amount	Percent Change
January	\$ 1,299,009	\$ 1,382,434	\$ 1,297,339	\$ (85,096)	-6.16%
February	2,535,966	2,588,472	2,492,651	(95,821)	-3.70%
March	3,866,102	3,864,142	3,675,690	(188,452)	-4.88%
April	5,456,472	5,620,624	5,539,530	(81,095)	-1.44%
May	6,836,594	7,007,833	6,923,042	(84,791)	-1.21%
June	8,231,374	8,460,772	8,348,165	(112,606)	-1.33%
July	9,436,058	9,767,943	9,534,260	(233,683)	-2.39%
August	10,807,822	11,023,900	10,741,944	(281,956)	-2.56%
September	12,056,385	12,346,149			
October	13,436,500	13,713,760			
November	14,584,306	15,022,064			
December	15,899,464	16,523,087			
Totals	\$ 15,899,464	\$ 16,523,087			

KENT HEALTH DEPARTMENT STATISTICAL REPORT 2018

3. A.

	Aug 2018	YTD 2018	Aug 2017	YTD 2017
HEALTH DEPT. \$ COLLECTED				
FamAbuse fund	\$ 1,330.53	\$ 9,885.06	\$ 1,300.52	\$ 9,681.03
Vital Stats Rev.	\$ 9,373.50	\$ 59,445.00	\$ 7,369.50	\$ 54,842.00
Child Abuse	\$ 2,660.97	\$ 19,769.94	\$ 2,600.98	\$ 19,355.97
State VS	\$ 7,983.00	\$ 59,310.00	\$ 7,803.00	\$ 58,068.00
B Perm Rev	\$ 22.50	\$ 241.50	\$ 27.00	\$ 227.00
B Perm State	\$ 112.50	\$ 1,207.50	\$ 135.00	\$ 1,135.00
Food Estab.	\$ 0.00	\$ 41,630.50	\$ 553.00	\$ 38,502.00
Food Service	\$ 2,501.00	\$ 92,791.50	\$ 4,202.00	\$ 75,754.50
SolWst Tickets	\$ 70.00	\$ 220.00	\$ 20.00	\$ 420.00
Housing	\$ 11,113.25	\$ 86,937.00	\$ 17,153.75	\$ 86,366.25
Swim Pools	\$ 0.00	\$ 9,015.00	\$ 0.00	\$ 8,565.00
SolWst(Trks)	\$ 0.00	\$ 1,700.00	\$ 0.00	\$ 1,575.00
Tattoo Parlors	\$ 0.00	\$ 1,000.00	\$ 0.00	\$ 885.00
*Misc	\$ 0.00	\$ 28.00	\$ 0.00	\$ 125.00
	\$ 0.00	\$ 19,924.00	\$ 0.00	\$ 41,004.22
MAC Claiming	\$ 7,474.44	\$ 21,255.94	\$ 5,102.49	\$ 15,704.83
Tobacco Grant	\$ 17,344.00	\$ 45,386.00	\$ 0.00	\$ 41,222.54
**ST Subsidy	\$ 0.00	\$ 0.00	\$ 0.00	\$ 26,176.00
TOTAL COLLECTED	\$ 59,985.69	\$ 469,746.94	\$ 46,267.24	\$ 479,609.34
TO STATE				
FamAbuse fund	\$ 1,290.60	\$ 9,594.34	\$ 1,261.49	\$ 9,387.63
Food Estabs	\$ 0.00	\$ 1,260.00	\$ 28.00	\$ 1,344.00
Bur.Permits	\$ 112.50	\$ 1,207.50	\$ 135.00	\$ 1,135.00
Child Abuse	\$ 2,581.16	\$ 19,188.54	\$ 2,522.95	\$ 17,035.34
State VS QTRLY	\$ 7,983.00	\$ 59,346.00	\$ 7,803.00	\$ 58,068.00
Food Service	\$ 0.00	\$ 4,086.00	\$ 112.00	\$ 4,086.00
Food Vendors*	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Swim Pools	\$ 0.00	\$ 1,365.00	\$ 0.00	\$ 1,185.00
Wells	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL	\$ 11,967.26	\$ 96,047.38	\$ 11,862.44	\$ 92,240.97
TOTAL ASSETS	\$ 48,018.43	\$ 373,699.56	\$ 34,404.80	\$ 387,368.37
+Admin fee to Vital Stats	\$ 119.76	\$ 889.59	\$ 117.07	\$ 871.28
-3% FamAbuse	\$ 39.93	\$ 296.54	\$ 39.04	\$ 290.60
-3% ChildAbuse	\$ 79.83	\$ 593.05	\$ 78.03	\$ 580.68

STATISTICAL REPORT Cont.

Aug 2018

YTD 2018

Aug 2017

YTD 2017

PERMIT/lic.

Food Estabs	0	40	1	42
Food Service (2 temps)	0	119	4	117
FS Vending	0	12	0	23
Home Sewage	0	0	0	0
Housing	43	230	27	226
Solid Waste	0	32	0	35
Swim Pools	0	18	0	17
Septic Haul.	0	0	0	0
Tattoo Parlors	0	3	0	2
Other	0	0	0	0
TOTAL	43	454	32	462

MOSQ.CONT.

Larvacide Hrs.	0.0	0.0	0.0	0.0
Adulticide Hrs.	0.0	0.0	0.0	0.0
* Tot Man Hrs	47.0	252.8	82.0	293.8
* Total man hours include sites treated and adulticiding hours.				

COMPLAINTS

Received	14	79	12	75
Abated	16	69	11	68

LEGAL.COMPL.

Filed	0	0	0	0
Pre-trials	0	0	0	0
Trials	0	0	0	0

COMM.DISEASE

Not Available

0	46	20	20
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IMMUNIZATIONS

22	76	27	95
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BIRTH Copies issued

451	2948	425	2689
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DEATH Copies issued

436	3642	442	3763
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CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT Building Services Division

To: Dave Ruller
City Manager

From: Bridget Susel
Community Development Director *B.S.*

Date: September 24, 2018

RE: Monthly Permit and Zoning Complaint Report – June 2018

Attached are the monthly reports per council's request. If you have questions or require further information, please let us know.

Permit Revenue Report

Payment Date Range 05/31/18 - 06/30/18

Summary Listing

Fee Code	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
Permit Type DEMOLITION-DEMOLITION						
1% BBS - 1% BBS		2	0	1.00	.00	1.00
EXCAVATION - EXCAVATION		2	0	40.00	.00	40.00
RES-DEMO/MOVE - Residential Demolition/Moving		2	0	100.00	.00	100.00
Permit Type DEMOLITION-DEMOLITION Totals						
		6	0	\$141.00	\$0.00	\$141.00
Permit Type ELECTRICAL COMM-ELECTRICAL COMMERCIAL						
3% BBS - 3% BBS		4	0	6.45	.00	6.45
COM-ELEC REPAIR - Commercial Electric Repair/Remodel		2	0	115.00	.00	115.00
COM-ELEC SERVICE - Commercial Electric Service Replacement		1	0	50.00	.00	50.00
CRES-ELECT RPAIR - Commercial Residential Electric Repair/Remodel		1	0	50.00	.00	50.00
Permit Type ELECTRICAL COMM-ELECTRICAL COMMERCIAL Totals						
		8	0	\$221.45	\$0.00	\$221.45
Permit Type ELECTRICAL RES-ELECTRICAL RESIDENTIAL						
1% BBS - 1% BBS		4	0	1.70	.00	1.70
RES-ELEC REPAIR - Residential Electric Repair/Repair		2	0	100.00	.00	100.00
RES-ELEC OWN SRV - Residential Electric Owner Occupied Service		2	0	70.00	.00	70.00
Permit Type ELECTRICAL RES-ELECTRICAL RESIDENTIAL Totals						
		8	0	\$171.70	\$0.00	\$171.70
Permit Type ENGINEERING COM-ENGINEERING COMMERCIAL						
BOND-CONST PERF - CONSTRUCTION GUARANTEE		1	0	8,000.00	.00	8,000.00
PERFORMANCE BOND						
EXCAVATION - EXCAVATION		6	0	120.00	.00	120.00
PLAN REV / INSP - ENGINEERING PLAN REVIEW / INSPECTION		2	0	1,700.00	.00	1,700.00
STORM COM PERMIT - STORM SEWER COMMERCIAL PERMIT		1	0	75.00	.00	75.00
W-TAP ONLY 6" - WATER TAP 6"		1	0	600.00	.00	600.00
WATER CL2 FOOTAG - WATER CHLORINATION BASE FEE		2	0	500.00	.00	500.00
WATER CL2 SET-UP - WATER CHLORINATION SET-UP		1	0	340.00	.00	340.00
CHARGES						
WATER FEE - WATER FEE		3	0	75.00	.00	75.00
Permit Type ENGINEERING COM-ENGINEERING COMMERCIAL Totals						
		17	0	\$11,410.00	\$0.00	\$11,410.00
Permit Type ENGINEERING RES-ENGINEERING RESIDENTIAL						
BOND-EXCAVATION - EXCAVATION BOND		4	0	4,000.00	.00	4,000.00
EXCAVATION - EXCAVATION		12	0	240.00	.00	240.00
SEWER RES - SEWER RESIDENTIAL		4	0	100.00	.00	100.00
SEWER UTILIZE - SEWER UTILIZATION		2	0	2,620.00	.00	2,620.00
STORM CONNECTION - STORM SEWER CONNECTION		2	0	200.00	.00	200.00
STORM RES PERMIT - STORM SEWER RESIDENTIAL PERMIT		3	0	75.00	.00	75.00
W-METR (3/4"W/BF - WATER METER (5/8-3/4")		1	0	315.00	.00	315.00
W-METR 1" - WATER METER 1"		2	0	830.00	.00	830.00
W-TAP 1" +PRTS - WATER TAP 1" +MISC PARTS NO METER		2	0	880.00	.00	880.00
WATER FEE - WATER FEE		7	0	175.00	.00	175.00
Permit Type ENGINEERING RES-ENGINEERING RESIDENTIAL Totals						
		39	0	\$9,435.00	\$0.00	\$9,435.00

Permit Revenue Report

Payment Date Range 05/31/18 - 06/30/18

Summary Listing

Fee Code	Permit Type	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
Permit Type EXISTING COMM-EXISTING COMMERCIAL							
3% BBS - 3% BBS	COM-BUILD ADD - Commercial Building Addition		1	0	24.60	.00	24.60
FIRE-REVIEW INSP - FIRE DEPT REVIEW & INSPECTION	PLAN REVIEW <=3 - Plan Review for 3 or Less Reviews		1	0	820.00	.00	820.00
			1	0	100.00	.00	100.00
			4	0	618.75	.00	618.75
			7	0	\$1,563.35	\$0.00	\$1,563.35
Permit Type EXISTING COMM-EXISTING COMMERCIAL Totals							
Permit Type EXISTING RES-EXISTING RESIDENTIAL							
1% BBS - 1% BBS	RES-BUILD ADD 1 - Residential Building Addition- Single Family		12	0	7.18	.00	7.18
RES-BUILD REPAIR - Residential Building Remodel/Repair			10	0	616.70	.00	616.70
			2	0	100.00	.00	100.00
			24	0	\$723.88	\$0.00	\$723.88
Permit Type EXISTING RES-EXISTING RESIDENTIAL Totals							
Permit Type FIRE ALARM-FIRE ALARM							
3% BBS - 3% BBS	CRES-SPR SYS NEW - Commercial Residential Suppression Systems New		1	0	9.00	.00	9.00
			1	0	300.00	.00	300.00
Permit Type FIRE ALARM-FIRE ALARM Totals							
Permit Type FIRE SUPPRESSION-FIRE SUPPRESSION							
3% BBS - 3% BBS	COM-SUPR SYS RPR - Commercial Suppression Systems Repair/Remodel		1	0	17.27	.00	17.27
PLAN REVIEW <=3 - Plan Review for 3 or Less Reviews			1	0	575.60	.00	575.60
			2	0	225.00	.00	225.00
			4	0	\$817.87	\$0.00	\$817.87
Permit Type FIRE SUPPRESSION-FIRE SUPPRESSION Totals							
Permit Type HVAC RES-HVAC RESIDENTIAL							
1% BBS - 1% BBS	RES-HVAC NEW - Residential HVAC New		10	0	4.45	.00	4.45
RES-HVAC OWN RPL - Residential HVAC Owner Occupied Replacement			1	0	100.00	.00	100.00
RES-HVAC REPAIR - Residential HVAC Repair/Remodel			7	0	245.00	.00	245.00
			2	0	100.00	.00	100.00
			20	0	\$449.45	\$0.00	\$449.45
Permit Type HVAC RES-HVAC RESIDENTIAL Totals							
Permit Type NEW COMM-NEW COMMERCIAL							
3% BBS - 3% BBS	COM-BUILD NEW - Commercial Building New		1	0	40.50	.00	40.50
PLAN REVIEW <=3 - Plan Review for 3 or Less Reviews			1	0	1,350.00	.00	1,350.00
			2	0	450.00	.00	450.00
			4	0	\$1,840.50	\$0.00	\$1,840.50
Permit Type NEW COMM-NEW COMMERCIAL Totals							
Permit Type NEW RES-NEW RESIDENTIAL							
1% BBS - 1% BBS	PARKS & REC - PARKS & REC		3	0	7.30	.00	7.30
RES-BUILD NEW 1 - Residential Building New Construction- Single Family			2	0	916.00	.00	916.00
			3	0	729.50	.00	729.50
			8	0	\$1,652.80	\$0.00	\$1,652.80
Permit Type NEW RES-NEW RESIDENTIAL Totals							
Permit Type PLUMB COMM-PLUMBING COMMERCIAL							
3% BBS - 3% BBS			1	0	1.50	.00	1.50

Fee Code	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
Permit Type PLUMB COMM-PLUMBING COMMERCIAL						
COM-PLUMB REPAIR - Commercial Plumbing Repair/Remodel		1	0	50.00	.00	50.00
Permit Type PLUMB COMM-PLUMBING COMMERCIAL Totals						
		2	0	\$51.50	\$0.00	\$51.50
Permit Type PLUMB RES-PLUMBING RESIDENTIAL						
1% BBS - 1% BBS		6	0	2.90	.00	2.90
RES-PLUMB OWN RP - Residential Plumbing Owner Occupied Replacement		4	0	140.00	.00	140.00
RES-PLUMB REPAIR - Residential Plumbing Repair/Remodel		1	0	50.00	.00	50.00
RES-PLUMBING NEW - Residential Plumbing New		1	0	100.00	.00	100.00
Permit Type PLUMB RES-PLUMBING RESIDENTIAL Totals						
		12	0	\$292.90	\$0.00	\$292.90
Permit Type SIGN/AWNINGS-SIGN/AWNINGS						
3% BBS - 3% BBS		1	0	1.50	.00	1.50
COM-SIGN/AWN/CAN - Commercial Signs Awnings Canopies		4	0	250.00	.00	250.00
COM-ZONING PSIGN - Commercial Zoning Permanent Signs		3	0	150.00	.00	150.00
Permit Type SIGN/AWNINGS-SIGN/AWNINGS Totals						
		8	0	\$401.50	\$0.00	\$401.50
Permit Type SUBDIVISION-SUBDIVISION						
MIN SUB PLAT - MINOR SUBDIVISION PLAT		1	0	30.00	.00	30.00
Permit Type SUBDIVISION-SUBDIVISION Totals						
		1	0	\$30.00	\$0.00	\$30.00
Permit Type ZONING-ZONING						
COM-ZONING ADD - Commercial Zoning Addition		1	0	316.00	.00	316.00
COM-ZONING NEW - Commercial Zoning New		1	0	510.00	.00	510.00
RES-ZONING - Residential Zoning Fence Pool Etc		13	0	325.00	.00	325.00
RES-ZONING ADD - Residential Zoning Addition		10	0	250.00	.00	250.00
RES-ZONING NEW - Residential Zoning New		3	0	225.00	.00	225.00
Permit Type ZONING-ZONING Totals						
		28	0	\$1,626.00	\$0.00	\$1,626.00
Grand Totals						
		198	0	\$31,137.90	\$0.00	\$31,137.90

Permit Revenue Report

Payment Date Range 05/31/18 - 06/30/18

Detail Listing

Fee Code	Permit Type	Transaction Type	Permit Number	Issued To	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
DEMOLITION-DEMOLITION									
1% BBS - 1% BBS	DEMOLITION-DEMOLITION	Transaction Type	Permit Number	Issued To	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
06/08/2018	Payment Monies Received	2018-00000407	GIBBS CONSTRUCTION	2	0		1.00	.00	1.00
06/08/2018	Payment Monies Received	2018-00000408	GIBBS CONSTRUCTION					.50	
								.50	
								\$1.00	
EXCAVATION - EXCAVATION									
06/08/2018	Payment Monies Received	2018-00000407	GIBBS CONSTRUCTION	2	0		40.00	.00	40.00
06/08/2018	Payment Monies Received	2018-00000408	GIBBS CONSTRUCTION					20.00	
								20.00	
								\$40.00	
RES-DEMO/MOVE - Residential Demolition/Moving									
06/08/2018	Payment Monies Received	2018-00000407	GIBBS CONSTRUCTION	2	0		100.00	.00	100.00
06/08/2018	Payment Monies Received	2018-00000408	GIBBS CONSTRUCTION					50.00	
								50.00	
								\$100.00	
Permit Type DEMOLITION-DEMOLITION Totals									
					6	0	\$141.00	\$0.00	\$141.00
ELECTRICAL COMM-ELECTRICAL COMMERCIAL									
3% BBS - 3% BBS	ELECTRICAL COMM-ELECTRICAL COMMERCIAL	Transaction Type	Permit Number	Issued To	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
05/31/2018	Payment Monies Received	2018-00000366	RUMMEL ELECTRIC, INC	4	0		6.45	.00	6.45
06/13/2018	Payment Monies Received	2018-00000424	ALL TECH LLC					1.50	
06/19/2018	Payment Monies Received	2018-00000429	HILSCHER CLARKE ELECTRIC					1.50	
06/26/2018	Payment Monies Received	2018-00000452	THOMPSON ELECTRIC					1.50	
								\$6.45	
Permit Type DEMOLITION-DEMOLITION Totals									
					4	0	6.45	.00	6.45
COM-ELEC REPAIR - Commercial Electric Repair/Remodel									
05/31/2018	Payment Monies Received	2018-00000366	RUMMEL ELECTRIC, INC	2	0		115.00	.00	115.00
06/19/2018	Payment Monies Received	2018-00000429	HILSCHER CLARKE ELECTRIC					50.00	
								65.00	
								\$115.00	
Permit Type DEMOLITION-DEMOLITION Totals									
					2	0	115.00	.00	115.00
COM-ELEC SERVICE - Commercial Electric Service Replacement									
06/26/2018	Payment Monies Received	2018-00000452	THOMPSON ELECTRIC	1	0		50.00	.00	50.00
Permit Type DEMOLITION-DEMOLITION Totals									
					1	0	50.00	.00	50.00
CRES-ELECT RPAIR - Commercial Residential Electric Repair/Remodel									
06/13/2018	Payment Monies Received	2018-00000424	ALL TECH LLC	1	0		50.00	.00	50.00
Permit Type DEMOLITION-DEMOLITION Totals									
					1	0	50.00	.00	50.00

Permit Revenue Report

Payment Date Range 05/31/18 - 06/30/18

Detail Listing

Fee Code	Permit Type	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
ELECTRICAL COMM-ELECTRICAL COMMERCIAL							
1% BBS - 1% BBS							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
05/31/2018	RES-ELEC REPAIR - Residential Electric Remodel/Repair	Payment Monies Received	2018-00000367	OTT ELECTRICAL SERVICES INC.	1.70	.35	1.70
06/05/2018	RES-ELEC REPAIR - Residential Electric Remodel/Repair	Payment Monies Received	2018-00000382	SPEELMAN ELECTRIC INC.	1.70	.50	1.70
06/21/2018	RES-ELEC REPAIR - Residential Electric Remodel/Repair	Payment Monies Received	2018-00000442	OTT ELECTRICAL SERVICES INC.	1.70	.35	1.70
06/26/2018	RES-ELEC REPAIR - Residential Electric Remodel/Repair	Payment Monies Received	2018-00000453	DEUTSCHE BANK NATIONAL	1.70	.50	1.70
RES-ELEC REPAIR - Residential Electric Remodel/Repair							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
06/05/2018	RES-ELEC REPAIR - Residential Electric Remodel/Repair	Payment Monies Received	2018-00000382	SPEELMAN ELECTRIC INC.	100.00	50.00	100.00
06/26/2018	RES-ELEC REPAIR - Residential Electric Remodel/Repair	Payment Monies Received	2018-00000453	DEUTSCHE BANK NATIONAL	100.00	50.00	100.00
RES-ELEC OWN SRV - Residential Electric Owner Occupied							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
05/31/2018	RES-ELEC OWN SRV - Residential Electric Owner Occupied	Payment Monies Received	2018-00000367	OTT ELECTRICAL SERVICES INC.	70.00	35.00	70.00
06/21/2018	RES-ELEC OWN SRV - Residential Electric Owner Occupied	Payment Monies Received	2018-00000442	OTT ELECTRICAL SERVICES INC.	70.00	35.00	70.00
RES-ELEC OWN SRV - Residential Electric Owner Occupied							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
06/14/2018	RES-ELEC OWN SRV - Residential Electric Owner Occupied	Payment Monies Received	2018-00000060	K L P INC AN OHIO CORP	70.00	8,000.00	70.00
ELECTRICAL RES-ELECTRICAL RESIDENTIAL							
BOND-CONST PERF - CONSTRUCTION GUARANTEE PERFORMANCE BOND							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
06/14/2018	BOND-CONST PERF - CONSTRUCTION GUARANTEE PERFORMANCE BOND	Payment Monies Received	2018-00000060	K L P INC AN OHIO CORP	8,000.00	8,000.00	8,000.00
EXCAVATION - EXCAVATION							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
05/31/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000047	B & M NOBLE ENTERPRISES LLC	120.00	20.00	120.00
05/31/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000057	KLINE & KAVALI	120.00	20.00	120.00
06/13/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000049	PIPELINE PLUMBING	120.00	20.00	120.00
06/14/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000060	K L P INC AN OHIO CORP	120.00	20.00	120.00
06/22/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000051	S A COMUNALE	120.00	20.00	120.00
06/25/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000072	KENT CITY OF	120.00	20.00	120.00
EXCAVATION - EXCAVATION							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
05/31/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000047	B & M NOBLE ENTERPRISES LLC	1,700.00	100.00	1,700.00
06/14/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000060	K L P INC AN OHIO CORP	1,700.00	1,600.00	1,700.00
EXCAVATION - EXCAVATION							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
05/31/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000047	B & M NOBLE ENTERPRISES LLC	1,700.00	100.00	1,700.00
06/14/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000060	K L P INC AN OHIO CORP	1,700.00	1,600.00	1,700.00
EXCAVATION - EXCAVATION							
	Permit Type	Transaction Type	Permit Number	Issued To	Amount	Amount	Amount
05/31/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000047	B & M NOBLE ENTERPRISES LLC	1,700.00	100.00	1,700.00
06/14/2018	EXCAVATION - EXCAVATION	Payment Monies Received	2018-00000060	K L P INC AN OHIO CORP	1,700.00	1,600.00	1,700.00

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Detail Listing

Fee Code	Permit Type	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
ENGINEERING COM-ENGINEERING COMMERCIAL							
STORM COM PERMIT - STORM SEWER COMMERCIAL PERMIT			1	0	75.00	.00	75.00
06/14/2018	2018-00000060	Payment Monies Received	Issued To K L P INC AN OHIO CORP			Amount 75.00	
						Amount \$75.00	
W-TAP ONLY 6" - WATER TAP 6"			1	0	600.00	.00	600.00
06/13/2018	2018-00000049	Payment Monies Received	Issued To PIPELINE PLUMBING			Amount 600.00	
						Amount \$600.00	
WATER CL2 FOOTAG - WATER CHLORINATION BASE FEE			2	0	500.00	.00	500.00
06/13/2018	2018-00000049	Payment Monies Received	Issued To PIPELINE PLUMBING			Amount 330.00	
06/13/2018	2018-00000049	Payment Monies Received	Issued To PIPELINE PLUMBING			Amount 170.00	
						Amount \$500.00	
WATER CL2 SET-UP - WATER CHLORINATION SET-UP CHARGES			1	0	340.00	.00	340.00
06/13/2018	2018-00000049	Payment Monies Received	Issued To PIPELINE PLUMBING			Amount 340.00	
						Amount \$340.00	
WATER FEE - WATER FEE			3	0	75.00	.00	75.00
05/31/2018	2018-00000057	Payment Monies Received	Issued To KLINE & KAVALI			Amount 25.00	
06/13/2018	2018-00000049	Payment Monies Received	Issued To PIPELINE PLUMBING			Amount 25.00	
06/22/2018	2018-00000051	Payment Monies Received	Issued To S A COMUNALE			Amount 25.00	
						Amount \$75.00	
ENGINEERING COM-ENGINEERING COMMERCIAL Totals							
			17	0	\$11,410.00	\$0.00	\$11,410.00
ENGINEERING RES-ENGINEERING RESIDENTIAL							
BOND-EXCAVATION - EXCAVATION BOND			4	0	4,000.00	.00	4,000.00
06/08/2018	2018-00000061	Payment Monies Received	Issued To PATRICK LONG HOMES			Amount 1,000.00	
06/08/2018	2018-00000062	Payment Monies Received	Issued To PATRICK LONG HOMES			Amount 1,000.00	
06/08/2018	2018-00000063	Payment Monies Received	Issued To SCHUMACHER HOMES OF RAVENNA			Amount 1,000.00	
06/26/2018	2018-00000074	Payment Monies Received	Issued To M & L HURD RENTALS LLC			Amount 1,000.00	
						Amount \$4,000.00	
EXCAVATION - EXCAVATION							
EXCAVATION - EXCAVATION			12	0	240.00	.00	240.00
06/06/2018	2018-00000058	Payment Monies Received	Issued To MIRACLE PLUMBING AND HEATING			Amount 20.00	
06/08/2018	2018-00000061	Payment Monies Received	Issued To PATRICK LONG HOMES			Amount 20.00	

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Payment Date Range 05/31/18 - 06/30/18

Detail Listing

Fee Code	Permit Type	Transaction Type	Permit Number	Issued To	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
	EXCAVATION - EXCAVATION	ENGINEERING RES-ENGINEERING RESIDENTIAL				240.00	.00	240.00
			2018-00000062	PATRICK LONG HOMES			20.00	
			2018-00000063	SCHUMACHER HOMES OF RAVENNA			20.00	
			2018-00000064	STEVEN M & MICHELLE BOSAK			20.00	
			2018-00000067	WIESE PLUMBING & HEATING			20.00	
			2018-00000068	WIESE PLUMBING & HEATING			20.00	
			2018-00000069	S K MECHANICAL LLC			20.00	
			2018-00000070	WHITED CONCRETE & CONSTRUCTION			20.00	
			2018-00000071	HUBER CONCRETE			20.00	
			2018-00000073	M & L HURD RENTALS LLC			20.00	
			2018-00000074	M & L HURD RENTALS LLC			20.00	
							\$240.00	
	SEWER RES - SEWER RESIDENTIAL					100.00	.00	100.00
			2018-00000061	PATRICK LONG HOMES			25.00	
			2018-00000062	PATRICK LONG HOMES			25.00	
			2018-00000063	SCHUMACHER HOMES OF RAVENNA			25.00	
			2018-00000064	STEVEN M & MICHELLE BOSAK			25.00	
							\$100.00	
	SEWER UTILIZE - SEWER UTILIZATION					2,620.00	.00	2,620.00
			2018-00000061	PATRICK LONG HOMES			1,310.00	
			2018-00000062	PATRICK LONG HOMES			1,310.00	
							\$2,620.00	
	STORM CONNECTION - STORM SEWER CONNECTION					200.00	.00	200.00
			2018-00000061	PATRICK LONG HOMES			100.00	
			2018-00000062	PATRICK LONG HOMES			100.00	
							\$200.00	
	STORM RES PERMIT - STORM SEWER RESIDENTIAL PERMIT					75.00	.00	75.00
			2018-00000061	PATRICK LONG HOMES			25.00	
			2018-00000062	PATRICK LONG HOMES			25.00	
			2018-00000063	SCHUMACHER HOMES OF RAVENNA			25.00	
							\$75.00	

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Detail Listing

Fee Code	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
Permit Type ENGINEERING RES-ENGINEERING RESIDENTIAL						
W-METR (3/4"W/BF - WATER METER (5/8-3/4")		1	0	315.00	.00	315.00
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000063	Issued To SCHUMACHER HOMES OF RAVENNA		Amount 315.00	
					\$315.00	
W-METR 1" - WATER METER 1"						
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000061	Issued To PATRICK LONG HOMES	830.00	.00	830.00
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000062	Issued To PATRICK LONG HOMES		Amount 415.00	
					415.00	
					\$830.00	
W-TAP 1" +PRTS - WATER TAP 1" +MISC PARTS NO METER						
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000061	Issued To PATRICK LONG HOMES	880.00	.00	880.00
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000062	Issued To PATRICK LONG HOMES		Amount 440.00	
					440.00	
					\$880.00	
WATER FEE - WATER FEE						
06/06/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000058	Issued To MIRACLE PLUMBING AND HEATING	175.00	.00	175.00
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000061	Issued To PATRICK LONG HOMES		Amount 25.00	
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000062	Issued To PATRICK LONG HOMES		25.00	
06/08/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000063	Issued To SCHUMACHER HOMES OF RAVENNA		25.00	
06/20/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000067	Issued To WIESE PLUMBING & HEATING		25.00	
06/20/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000068	Issued To WIESE PLUMBING & HEATING		25.00	
06/22/2018	Transaction Type Payment Monies Received	Permit Number 2018-00000069	Issued To S K MECHANICAL LLC		25.00	
					\$175.00	
Permit Type ENGINEERING RES-ENGINEERING RESIDENTIAL Totals				\$9,435.00	\$0.00	\$9,435.00
Permit Type EXISTING COMM-EXISTING COMMERCIAL						
05/31/2018	Transaction Type Payment Monies Received	Permit Number 2017-00000611	Issued To B & M NOBLE ENTERPRISES LLC	24.60	.00	24.60
					Amount 24.60	
					\$24.60	
COM-BUILD ADD - Commercial Building Addition						
05/31/2018	Transaction Type Payment Monies Received	Permit Number 2017-00000611	Issued To B & M NOBLE ENTERPRISES LLC	820.00	.00	820.00
					Amount 820.00	
					\$820.00	
FIRE-REVIEW INSP - FIRE DEPT REVIEW & INSPECTION						
05/31/2018	Transaction Type Payment Monies Received	Permit Number 2017-00000611	Issued To B & M NOBLE ENTERPRISES LLC	100.00	.00	100.00
					Amount 100.00	
					\$100.00	

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Detail Listing

Fee Code	Permit Type	Transaction Type	Date	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
EXISTING COMM-EXISTING COMMERCIAL									
PLAN REVIEW <=3 - Plan Review for 3 or Less Reviews									
					4	0	618.75	.00	618.75
					<i>Issued To</i>				
					Permit Number			Amount	
			05/31/2018		2017-00000611	B & M NOBLE ENTERPRISES LLC		262.50	
			05/31/2018		2017-00000611	B & M NOBLE ENTERPRISES LLC		187.50	
			05/31/2018		2017-00000611	B & M NOBLE ENTERPRISES LLC		75.00	
			06/04/2018		2018-00000005	PRO PLUS CONSTRUCTION, LLC		93.75	
								\$618.75	
Permit Type EXISTING COMM-EXISTING COMMERCIAL Totals							7	\$0.00	\$1,563.35
EXISTING RES-EXISTING RESIDENTIAL									
1% BBS - 1% BBS									
					12	0	7.18	.00	7.18
					<i>Issued To</i>				
					Permit Number			Amount	
			05/31/2018		2018-00000360	JAMES W. KURTZ		.62	
			06/04/2018		2018-00000358	RCB HOME RENOVATIONS, LLC		.66	
			06/06/2018		2018-00000369	KEVIN BUILT LLC		.54	
			06/06/2018		2018-00000371	KEVIN BUILT LLC		.53	
			06/06/2018		2018-00000384	DECKMASTER		.66	
			06/08/2018		2018-00000391	CHARLES L & LONNA A MCQUAID		.66	
			06/08/2018		2018-00000399	PARSONS HOMESCAPES LLC		.68	
			06/08/2018		2018-00000416	GREAT DAY IMPROVEMENTS		.59	
			06/21/2018		2018-00000272	DREAM DECKS		.68	
			06/26/2018		2018-00000315	J HUNTER CONSTRUCTION		.56	
			06/26/2018		2018-00000446	STEWART-HAWES GROUP LLC		.50	
			06/26/2018		2018-00000457	D SCOTT HUGHES		.50	
								\$7.18	
Permit Type EXISTING COMM-EXISTING COMMERCIAL Totals							12	\$0.00	\$1,563.35
RES-BUILD ADD 1 - Residential Building Addition- Single Family									
					10	0	616.70	.00	616.70
					<i>Issued To</i>				
					Permit Number			Amount	
			05/31/2018		2018-00000360	JAMES W. KURTZ		62.00	
			06/04/2018		2018-00000358	RCB HOME RENOVATIONS, LLC		66.00	
			06/06/2018		2018-00000369	KEVIN BUILT LLC		54.00	
			06/06/2018		2018-00000371	KEVIN BUILT LLC		53.00	
			06/06/2018		2018-00000384	DECKMASTER		66.00	
			06/08/2018		2018-00000391	CHARLES L & LONNA A MCQUAID		66.00	
			06/08/2018		2018-00000399	PARSONS HOMESCAPES LLC		67.60	
			06/08/2018		2018-00000416	GREAT DAY IMPROVEMENTS		59.00	
			06/21/2018		2018-00000272	DREAM DECKS		67.50	
			06/26/2018		2018-00000315	J HUNTER CONSTRUCTION		55.60	
								\$616.70	

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Fee Code	Permit Type	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
EXISTING RES-EXISTING RESIDENTIAL							
RES-BUILD REPAIR - Residential Building Remodel/Repair							
	Transaction Type		Permit Number	Issued To	Amount	Amount	
06/26/2018	Payment Monies Received		2018-00000446	STEWART-HAWES GROUP LLC	100.00	50.00	100.00
06/26/2018	Payment Monies Received		2018-00000457	D SCOTT HUGHES		50.00	
						\$100.00	
Permit Type EXISTING RES-EXISTING RESIDENTIAL Totals					\$723.88	\$0.00	\$723.88
FIRE ALARM-FIRE ALARM							
3% BBS - 3% BBS							
	Transaction Type		Permit Number	Issued To	Amount	Amount	
06/08/2018	Payment Monies Received		2018-00000405	J SEVERINO CONSTRUCTION	9.00	9.00	9.00
Permit Type FIRE ALARM-FIRE ALARM Totals					9.00	0.00	9.00
CRES-SPR SYS NEW - Commercial Residential Suppression Systems New							
	Transaction Type		Permit Number	Issued To	Amount	Amount	
06/08/2018	Payment Monies Received		2018-00000405	J SEVERINO CONSTRUCTION	300.00	300.00	300.00
Permit Type CRES-SPR SYS NEW - Commercial Residential Suppression Systems New Totals					300.00	0.00	300.00
FIRE SUPPRESSION-FIRE SUPPRESSION							
3% BBS - 3% BBS							
	Transaction Type		Permit Number	Issued To	Amount	Amount	
06/04/2018	Payment Monies Received		2018-00000343	HOLMESBREW PROPERTIES LLC	17.27	17.27	17.27
Permit Type FIRE SUPPRESSION-FIRE SUPPRESSION Totals					17.27	0.00	17.27
COM-SUPR SYS RPR - Commercial Suppression Systems Repair/Remodel							
	Transaction Type		Permit Number	Issued To	Amount	Amount	
06/04/2018	Payment Monies Received		2018-00000343	HOLMESBREW PROPERTIES LLC	575.60	575.60	575.60
Permit Type COM-SUPR SYS RPR - Commercial Suppression Systems Repair/Remodel Totals					575.60	0.00	575.60
PLAN REVIEW <=3 - Plan Review for 3 or Less Reviews							
	Transaction Type		Permit Number	Issued To	Amount	Amount	
06/04/2018	Payment Monies Received		2018-00000343	HOLMESBREW PROPERTIES LLC	225.00	112.50	225.00
06/04/2018	Payment Monies Received		2018-00000343	HOLMESBREW PROPERTIES LLC		112.50	
Permit Type PLAN REVIEW <=3 - Plan Review for 3 or Less Reviews Totals					225.00	\$225.00	225.00
HVAC RES-HVAC RESIDENTIAL							
1% BBS - 1% BBS							
	Transaction Type		Permit Number	Issued To	Amount	Amount	
06/04/2018	Payment Monies Received		2018-00000378	BRANDON HEATING & AIR CONDITIONING	4.45	0.35	4.45
06/06/2018	Payment Monies Received		2018-00000386	ALUM CREEK HEATING & COOLING		1.00	
Permit Type HVAC RES-HVAC RESIDENTIAL Totals					4.45	\$0.00	4.45

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Fee Code	Permit Type	Transaction Type	Date	Permit Number	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
SIGN/AWNINGS-SIGN/AWNINGS									
COM-SIGN/AWN/CAN	Commercial Signs Awnings Canopies								
06/19/2018	Payment Monies Received			2018-00000411	4	0	250.00	.00	250.00
06/19/2018	Payment Monies Received			2018-00000412				100.00	
								50.00	
								\$250.00	
COM-ZONING PSIGN - Commercial Zoning Permanent Signs									
06/04/2018	Payment Monies Received			2018-00000376	3	0	150.00	.00	150.00
06/05/2018	Payment Monies Received			2018-00000381				50.00	
06/19/2018	Payment Monies Received			2018-00000412				50.00	
								\$150.00	
SUBDIVISION-SUBDIVISION									
MIN SUB PLAT - MINOR SUBDIVISION PLAT									
06/08/2018	Payment Monies Received			2018-00000059	1	0	30.00	.00	30.00
								30.00	
								\$30.00	
ZONING-ZONING									
COM-ZONING ADD - Commercial Zoning Addition									
05/31/2018	Payment Monies Received			2018-00000131	1	0	316.00	.00	316.00
								316.00	
								\$316.00	
COM-ZONING NEW - Commercial Zoning New									
06/08/2018	Payment Monies Received			2018-00000387	1	0	510.00	.00	510.00
								510.00	
								\$510.00	
RES-ZONING - Residential Zoning Fence Pool Etc									
05/31/2018	Payment Monies Received			2018-00000357	13	0	325.00	.00	325.00
06/04/2018	Payment Monies Received			2018-00000363				25.00	
06/05/2018	Payment Monies Received			2018-00000380				25.00	
06/05/2018	Payment Monies Received			2018-00000383				25.00	
06/08/2018	Payment Monies Received			2018-00000394				25.00	
06/08/2018	Payment Monies Received			2018-00000395				25.00	
06/08/2018	Payment Monies Received			2018-00000401				25.00	
06/08/2018	Payment Monies Received			2018-00000404				25.00	
06/15/2018	Payment Monies Received			2018-00000425				25.00	

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Detail Listing

Fee Code	Permit Type	Transaction Type	Fee Type	Billing Transactions	Adjustment Transactions	Amount Billed	Adjustments	Net Billed
RES-ZONING - Residential Zoning Fence Pool Etc								
	Permit Number	Issued To		13	0	325.00	.00	325.00
06/22/2018	2018-00000444	THOMAS J BISHOP TOBIN					Amount	
06/22/2018	2018-00000445	ARTHUR PROPERTY MANAGEMENT LLC					25.00	
06/25/2018	2018-00000451	DOUGLAS RUFFING					25.00	
06/26/2018	2018-00000454	BRADFORD & SUSAN FISK					25.00	
							\$325.00	
RES-ZONING ADD - Residential Zoning Addition								
	Permit Number	Issued To		10	0	250.00	.00	250.00
05/31/2018	2018-00000359	RCB HOME RENOVATIONS, LLC					Amount	
05/31/2018	2018-00000361	JAMES W KURTZ					25.00	
06/06/2018	2018-00000370	KEVIN BUILT LLC					25.00	
06/06/2018	2018-00000372	KEVIN BUILT LLC					25.00	
06/06/2018	2018-00000385	DECKMASTER					25.00	
06/08/2018	2018-00000392	CHARLES L & LONNA A MCQUAID					25.00	
06/08/2018	2018-00000400	PARSONS HOMESCAPES LLC					25.00	
06/08/2018	2018-00000417	GREAT DAY IMPROVEMENTS					25.00	
06/21/2018	2018-00000271	DREAM DECKS					25.00	
06/26/2018	2018-00000316	J HUNTER CONSTRUCTION					25.00	
							\$250.00	
RES-ZONING NEW - Residential Zoning New								
	Permit Number	Issued To		3	0	225.00	.00	225.00
06/08/2018	2018-00000299	PATRICK LONG HOMES					Amount	
06/08/2018	2018-00000301	PATRICK LONG HOMES					75.00	
06/08/2018	2018-00000397	SCHUMACHER HOMES OF RAVENNA					75.00	
							\$225.00	
Permit Type ZONING-ZONING Totals				28	0	\$1,626.00	\$0.00	\$1,626.00
Grand Totals				198	0	\$31,137.90	\$0.00	\$31,137.90

Case by Inspector Report

Date Type: Open Date

From Date: 06/01/2018 - To Date: 06/30/2018

Case Type	Case Number	Status/Priority	Description	Case Date	Resolution Date	Open Period In Days	Reported By	Location
Inspector: Paul Bauer								
UNSHELTERED STORAGE-VEHICLE	2018-00000669	Active	at back of drive	06/04/2018		112	Garret M Ferrara	1232 WOODHILL KENT, OH 44240
PROPERTY MAINTENANCE	2018-00000687	Active	garage roof	06/06/2018		110	Paul J. Bauer	813 HAROLD ST KENT, OH 44240
PROPERTY MAINTENANCE	2018-00000697	Active	repair/replace porch deck	06/07/2018		109	Paul J. Bauer	231 CRAIN AVE KENT, OH 44240
PROPERTY MAINTENANCE	2018-00000797	Active	paint garage	06/21/2018		95	Paul J. Bauer	307 N MANTUA ST KENT, OH 44240
Paul Bauer Totals: 4 Case(s)								
Inspector: Eric Helmstedter								
PROPERTY MAINTENANCE	2018-00000730	Active	Paint/broke window garage, broken window house, gutters, porch	06/08/2018		108	Eric C. Helmstedter	245 CHERRY ST KENT, OH 44240
PROPERTY MAINTENANCE	2018-00000775	Active	Paint, install gutters/downspouts	06/15/2018		101	Eric C. Helmstedter	116 N PEARL ST KENT, OH 44240
PROPERTY MAINTENANCE	2018-00000855	Active	Windows, paint, downspouts, siding	06/29/2018		87	Robin Turner	1001 FRANKLIN AVE KENT, OH 44240
PROPERTY MAINTENANCE	2018-00000921	Active	Paint, replace shake siding, fix front porch	06/13/2018		103	Eric C. Helmstedter	212 LAKE ST KENT, OH 44240
PROPERTY MAINTENANCE	2018-00001063	Active	Peeling paint around house	06/01/2018		115	Eric C. Helmstedter	1308 DENISE DR KENT, OH 44240
Eric Helmstedter Totals: 5 Case(s)								
Grand Totals : 9 Case(s)								