

# Notice of Meeting

## ORDINANCE REVIEW COMMISSION

Wednesday, October 20, 2021

*at or about 6:30 p.m. at City Hall – Council  
Chambers – 6131 Taylorsville Road*

**The Huber Heights Ordinance  
Review Commission  
has scheduled a  
Regular Meeting.**

The meeting will also be viewable by the public on live stream available at  
[www.hhoh.org](http://www.hhoh.org)



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HEIGHTS**  
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Distributed – September 28, 2021

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**HUBER  
HEIGHTS**  
*Come Grow With Us!*

**CITY OF HUBER HEIGHTS  
STATE OF OHIO  
Ordinance Review Commission**

**October 20, 2021  
6:30 P.M.**

**City Hall – 6131 Taylorsville Road – Council Chambers**

1. **Call Meeting To Order/Roll Call**
2. **Approval of Minutes**
  - A. September 15, 2021
3. **Topics of Discussion**
  - A. Legislation Worksheets Review
  - B. Ordinance Review Commission Final Report/Presentation
  - C. Administrative/Process Issues
4. **Adjournment**

**CITY OF HUBER HEIGHTS  
STATE OF OHIO**

**Ordinance Review Commission Meeting Minutes**

**Name of Body:** Ordinance Review Commission  
**Date:** October 20, 2021  
**Time:** 6:30 P.M.  
**Place:** City Hall – Council Chambers – 6131 Taylorsville Road

**Members Present:**

Jim Ellis  
Joseph Hendrix  
Brian Kitchen  
Jerry Wamsley  
Don Webb

**Guests Present:**

City Staff Present: Anthony Rodgers

Guests Present: None

**1. Call The Meeting To Order/Roll Call**

Chair Jim Ellis convened the Ordinance Review Commission meeting at 6:31 P.M.

Anthony Rodgers took Roll Call.

**2. Approval Of Minutes**

The following minutes were approved unanimously at the beginning of this meeting:

- September 15, 2021

**3. Topics of Discussion:**

- Legislation Worksheets Review
- Ordinance Review Commission Final Report/Presentation
- Administrative/Process Issues

## Legislation Worksheets Review

Anthony Rodgers distributed information regarding the Legislation Worksheets Review (see attached). He also distributed City Staff responses and feedback from Gerald McDonald, Scott Falkowski, and Keith Knisley (see attached).

Jim Ellis said he is not sure if Section 509.08 is still an open item.

Anthony Rodgers said Section 509.08 – Disturbing The Peace was the item where the City Engineer had suggested revisions to this section and these recommendations were brought forth to the commission. He said previously based on the City Staff recommendation, there was a recommendation to change the hours in Section 509.08 to allow for construction work to take place on Saturdays without special approval from the City Engineer. He said subsequent to that discussion and the commission's approval of the recommendation, there was discussion at a City Council Meeting where a resident spoke against these changes and expressed dissatisfaction with the current status of this section of the City Council. He said his understanding was that at the September 15, 2021 Ordinance Review Commission meeting, the commission decided to go back and look at Section 509.08 and rescinded the initial recommendation to make the proposed change. He said he has had subsequent conversations with City Staff and City Staff still desire to make the change. He said he let City Staff know the commission's position on this issue. He said Section 509.08 will be left as is for this process and certainly City Staff can make a proposal at any time to bring a change to the City Code before the City Council for consideration. He said for the purposes of this process, it is now a closed issue.

Jim Ellis said the commission has received additional input from the City Manager and Law Director regarding Section 1189.09(1) – Signs For Property Offered For Sale Or Rent.

Anthony Rodgers said the commission's discussion around Section 1189.09(1) had more to do with the look or state of disrepair of these signs and how these issues are being addressed. He said the Law Director said, "Properly amending the sign code will take time. I am not disputing that Section 1189.09(1) needs a review, I am just not sure how to change it. I have no problem with the ORC making a recommendation that Section 1189.09(1) be reviewed by the Planning Commission for elimination or clarification." Anthony Rodgers said any changes to Part Eleven which is the Planning and Zoning Code requires action by the Planning Commission before City Council approval in order to implement any recommendations or changes. He said if this commission wants to make that recommendation, it will have to define a way to effect a change to then be taken to the Planning Commission. He said he received an email today from the City Manager who is also the Planning Director which stated, "My opinion on this item is to not change the code. I feel that we should be supportive of the business of filling rental vacancies and the idea of the look or appearance should be addressed in paragraph (2): "Be maintained in good repair and appearance by the owner at all times". He said this issue is more of an enforcement issue than a code change issue.

Don Webb said he would defer to Scott Falkowski on this item, and he agrees this issue is largely an enforcement issue. He said it does call for the City Council then to step up and say let's enforce this section of the City Code a little better.

After discussion, the commission made no recommendation for any changes to Section 1189.09(1), but recommended City Staff become more aware of the condition of signs and look towards more stringent enforcement of what is already on the books.

Jim Ellis said the next two sections are Section 1517.06 and Section 1517.08.

Anthony Rodgers said these two sections been back and forth several times. He said the sections are interrelated and what the commission was hoping to have addressed is about notification of a violation and whether that notification goes to the tenant and the owner or the tenant or the owner. He said previously the Fire Chief and the Law Director recommended no change to either section. He said at the last meeting, the commission asked for further review and clarification on that recommendation from City Staff. He said on October 13, 2021, he forwarded a memorandum from Fire Chief Keith Knisley with extensive comments (see attached). He said the synopsis of Fire Chief Knisley's comments is that he believes the Fire Division is operating in a spirit that fulfills the commission's desire and he states again the City Code language mirrors the Ohio Revised Code and has worked well for the City for the last thirty years.

Jim Ellis said he had responded with some detailed comments to what the Fire Chief addressed (see attached) and he said the two examples he used were situations where the inspector went out and talked with the person, and the inspector was able to get the problem resolved without a formal citation. He said his concern stems from whereby that does not work, and a citation has to be issued. He said according to Section 1517.06, the notice can go to the owner or the owner's duly authorized agent or the occupant or the individual causing the violation. He said his concern is that under Section 1517.02, the owner is responsible for maintaining the safe and proper maintenance of structure at all times, so then the owner should be made aware of a formal complaint and he discussed scenarios where an out of state owner is not aware of what is going on at his/her property. He said if the Fire Chief determines there is a violation, the abatement can be by repair and rehabilitation or by demolition. He said theoretically it would be possible that an owner's building could be torn down without the owner being notified. He said if you are not aware of the citation, you have nothing to appeal. He said he has no objection with City Staff attempting to resolve an issue. Jim Ellis discussed several issues where violations could cause the City to assess a lien on the property without the owner ever being notified. He said Gerald McDonald said in all these years this has never happened, but he said he hates having a statutory structure that would allow that to happen. He said it is a simple fix to change the word "or" to "and". He said that notice includes what the problem is, what has to be done, and the deadline for which to fix it. He said if he was a property owner and he had a tenant that was doing things in violation of the City Code, as an owner he would want to know about it. He said the fact that it has not been a problem in the past, is in his opinion, that the City has been lucky, and the City has a good staff that has done the right things.

Brian Kitchen said he agreed with Jim Ellis. He said there are so many out of state owners and also there are so many tenants who do their own thing with a property.

Don Webb said the commission has the opportunity to clean this matter up with a simple word change, and he agrees the owner should be notified.

Jerry Wamsley said he also agrees with the owner being notified.

After lengthy discussion, the commission recommended revising Section 1517.06 to read, "The written notice of violation of the Ohio Fire Code shall be served on the owner or the owner's duly authorized agent and on the occupant or other person responsible for the conditions under violation." The commission also recommended revising Section 1517.08 to read, "The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's duly authorized agent, or to the person doing the work and to the occupant or other person responsible for the conditions under violation."

Anthony Rodgers gave an update on the legislation as it relates to the commission's recommendations to date. He said he brought the commission's recommendations to City Council for Part Three – Traffic Code and Part Seven – Business Regulation Code. He said those ordinances were reviewed in Council Work Session, and the recommendations were adopted by ordinance by the City Council. He said last evening at the Council Work Session, he presented the recommendations for Part Five – General Offenses and the one recommendation for Part Fifteen – Fire Prevention Code. He said the City Council's recommendation was to put those two items to a first reading on Monday, and the ordinances will have two readings prior to adoption. He said with the discussion tonight on the other two recommendations in Part Fifteen, his intention would be at the next Council Work Session between the first and second readings of the ordinance on the Fire Prevention Code would be to bring those amendments as part of that ordinance for consideration by the City Council prior to the adoption of the ordinance for Part Fifteen. He said he has scheduled the remaining sections: Part One, Part Nine, Part Eleven and Part Thirteen – to be on the calendar to be before the City Council before the end of the year. He said the City Council has the option to change, amend, adopt, or not move forward with any of the recommendations made by the commission

#### Ordinance Review Commission Final Report/Presentation

Jim Ellis said the commission needs to make a final report and presentation at some point in time on the work and recommendations of the Ordinance Review Commission.

Anthony Rodgers distributed information regarding the Ordinance Review Commission final report and presentation (see attached). He said he included the final report that was done by the Ordinance Review Commission in 2010 – 2011. He said it does not have to be done that way but is a starting point for the discussion about how this commission would like to present its final recommendations in a report form to the City Council. He said he suggests at a minimum, the final report include all of the worksheets with the recommendations. He described the process of preparing the previous final report and the information it contained. He said he also included a PowerPoint presentation that was done at that time and he said the commission came and presented it at a City Council Meeting to summarize the report and the findings.

Jim Ellis said he liked the format of the previous report. He said the commission did a good job putting that together. He said he would like to have everyone's input into the report. He said the commission has covered a lot of material and some things were probably more attached to some members as opposed to others. He said when the commission points out the highlights of the things it accomplished to the City Council and to the community, he wants to make sure

everyone has an opportunity to say what they would like to see in the presentation. He asked the commission to send any information for the final report to Anthony Rodgers.

#### Administrative/Process Issues

Anthony Rodgers said what would have been helpful in the process would have been a greater commitment from the City Staff by being physically present for discussions on the relevant sections. He said it is not too much of a commitment to ask someone to be here a couple of hours on a relevant section of the City Code. He said City Staff were asked and invited and no one attended, and he does not have the authority to direct the City Staff to make that commitment to the process.

Jim Ellis said it would have been helpful to have more interaction with City Staff. He said part of the problem stems from becoming such a technological society that people are more comfortable dealing via email. He said face-to-face interaction could have speeded up things.

Jim Ellis thanked everyone on the commission for all of the input and work that they put in and he thanked Anthony Rodgers for his organizational skills and attention to detail. He said the commission could not have done its work without Anthony Rodgers.

Don Webb said for the next commission ten years from now, the directive should be given to that City Manager that the department/division heads be directed to attend the commission sessions pertinent to their respective departments/divisions. He said it needs to come as a firm recommendation from the commission. He said it would have been more productive as a commission with less back and forth. He said to his fellow commission members, the job Anthony Rodgers did was amazing. He said Anthony Rodgers reads each one of these items at the City Council Meetings, so all of the City Council understands exactly what is being looked at in the recommendations. He thanked everyone for putting in the time and work.

Jerry Wamsley thanked everyone for the commitment they have taken from their personal lives. He said he learned a lot about ordinances and codes and he never knew it was this complex. He said being on the other side of the community and seeing what happens on this side, he does agree that if City Staff should be present in these meetings. He said it would save time and be more efficient.

Anthony Rodgers said Karen Powell, Deputy Clerk of Council, prepared the minutes and she was behind the scenes, but contributed to this effort as well. He said this commission is not an easy commission to recruit people to participate. He said it is time limited, but it takes a certain type of person to be willing to delve into these very technical aspects of the City Code. He thanked everyone for their commitment and being present to make sure there were quorums to have these meetings. He said there is some good work that has been done and there were not as many changes this time around, but that says something about the work that was done ten years ago.

He said when the final presentation and report take place, the City Council has historically done something to acknowledge the members at that point and he encouraged all of the members to be present for that presentation. He said it is good for the City Council to see who is behind the

recommendations. He said he and Jim Ellis will work to get that final report and presentation together. He said there are only three Council meetings left this year. He asked if the commission could plan for the November 22, 2021 City Council Meeting at 7:00 p.m. for the Ordinance Review Commission final report and presentation as that would be the best target date.

4. **Adjournment:**

Chair Jim Ellis adjourned the Ordinance Review Commission meeting at 7:12 P.M.



**CITY OF HUBER HEIGHTS  
ORDINANCE REVIEW COMMISSION  
PART ONE - ADMINISTRATIVE CODE - WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
101.02 General Definitions	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review general definitions to ensure the definitions are current with Ohio Revised Code. Law Director to determine if statement needs to be added regarding automatic updates as definitions are changed in the Ohio Revised Code. Law Director to determine if definition for "officer" should be added. Law Director reviewed section and made suggestions for changes to several definitions which were approved as a recommendation for update by the ORC at the 12/16/20 meeting. Law Director determined that a statement regarding automatic updates as definitions are changed in the Ohio Revised Code was not needed. Law Director determined a definition for "officer" was not needed. ORC concurred with these determinations at 12/16/20 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
101.03 Rules of Construction	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review section for changes. Law Director reviewed section for changes and determined that no changes were needed for this section.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
101.99 General Penalty	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review last sentence of the section to determine if what constitutes a "day" needs to be defined. Law Director reviewed section for changes and determined that no changes were needed for this section.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
103 City Flag	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input checked="" type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Clerk of Council had planned to add City flag legislation to City Code for codification by Municode. There was never any legislation adopting the City flag; only a motion passed by City Council. ORC concurred with adding it to the City Code at 01/20/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
105 Wards	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>The entire chapter needs to be rewritten and revised after receipt of 2020 U.S. Census data. City Council to determine process for the ward redrawing/redistricting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM/CITY COUNCIL WILL REVISE CITY WARDS BASED ON 2020 U.S. CENSUS DATA</b></p>

107.01 Dates – Primary Elections	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review section to determine if clarification is needed that the City’s primary elections are held on the same date established for conducting primary elections in the State of Ohio. Law Director reviewed section and made suggestions for changes to language in section which were approved as a recommendation for update by the ORC at the 12/16/20 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
109 State of Emergency	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>The entire chapter needs to be reviewed to ensure that it is adequate and appropriate for the current times. In 109.01 – the number of people that constitute an emergency needs reviewed. In 109.02 – the “designee” language needs reviewed. In 109.03 – the list of powers needs reviewed. In 109.04 – the penalty needs reviewed. Law Director reviewed sections for changes and made suggestions for changes. The ORC approved suggestions for changes in Sections 109.01, 109.02, 109.04, and 109.05 as a recommendation for update by the ORC at the 12/16/20 meeting. The ORC did not approve suggestions for changes in Section 109.03 at the 12/16/20 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
109.07 Control of Public Utilities	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review section to determine if control of public utilities should be limited to the Mayor or if some other hierarchy should be established for the purposes of this section. Law Director reviewed Section 109.07 for changes and made suggestions for changes. The ORC approved suggestions for changes in Sections 109.07 as a recommendation for update by the ORC at the 12/16/20 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
125.02 Assistant Clerk of Council	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Clerk of Council to rewrite section to change references to Assistant Clerk of Council to Deputy Clerk of Council and to change “a hourly” to “an hourly”. The ORC approved suggestions for changes in Sections 125.02 as a recommendation for update by the ORC at the 12/16/20 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
125.03 Information – Public Reports	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review  <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review section to determine appropriateness of “may” or “shall” and clarifying the purpose of this section and the types of information to be provided. Law Director reviewed Section 125.03 and recommended against making any changes to section. ORC requested more background information and history at 12/16/20 and 01/20/21 meetings. No information was found in search. The ORC recommended making no changes to Section 125.03 at the 2/17/21 meeting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
131.03 Computer	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review section for changes. Law Director reviewed Section 131.03 for changes and made suggestions for changes. The ORC approved suggestions for changes in Sections 131.03 as a</p>

Programming			recommendation for update by the ORC at the 12/16/20 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
All Sections/ 131.06 Fees	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review all sections as to use of the term "designee" as in 131.06. and to determine if "designee" should be defined in definitions. Law Director reviewed use of term "designee" throughout the City Code. The ORC approved suggestion for adding proposed definition for "designee" to the definitions section of the City Code as a recommendation for update by the ORC at the 12/16/20 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
131.09 Mailbox Replacement	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to consult with City Staff to determine if any updates are needed to policy. Multiple requests to City Staff have been made for clarification with no response. Public Works Manager provided feedback on policy. The ORC approved suggestions for increasing the reimbursement amount to \$35 and to adding an additional statement to the certification on the form at the 2/17/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
141.01 Bonds	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to consult with City Staff to determine if any updates are needed to amount of bonds. Finance Director recommended rewriting section with information from Human Resources Director using City's umbrella insurance policy for bonds. The ORC approved rewrite of the section as recommended at the 01/20/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
141.07 Deferred Compensation	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review section for changes. Law Director reviewed Section 141.07 for changes. The ORC approved suggestion for adding proposed language from Law Director as a recommendation for update by the ORC at the 12/16/20 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
145.04 Thoroughfare Plan	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Clerk of Council to consult with City Staff to determine if any updates are needed to the Thoroughfare Plan. The City Engineer reviewed this section and determined no changes were needed for this section. The ORC determined that no changes were needed for this section at the 01/20/21 meeting. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
149 Parks and Recreation	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to rewrite section to change terms for the Parks and Recreation Board from four years to three years. The ORC approved suggestions for changes in Sections 149 as a recommendation for update by the ORC at the 12/16/20 meeting.

Board			Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
155.03 Public Records Commission	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to rewrite section to change "outline" to "outlined". The ORC approved suggestions for changes in Sections 155.03 as a recommendation for update by the ORC at the 12/16/20 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
163 Arts and Beautification Commission	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to rewrite section to change terms the Arts and Beautification Commission from four years to three years and to change requirement that 2/3 of members have to be residents of the City to all members have to be residents of the City. The ORC approved suggestions for changes in Sections 163 as a recommendation for update by the ORC at the 12/16/20 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
166 Board of Tax Appeals	11/18/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to rewrite section to change name to Board of Tax Review and to add other information regarding the Board of Tax Review as needed. The ORC approved suggestions for changes in Sections 166 as a recommendation for update by the ORC at the 12/16/20 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
All Sections Boards and Commissions	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review all section dealing with City boards and commissions to determine if provisions ensuring compliance with the Board and Commission Handbook and the Open Meetings Act (including committees/subcommittees) should be included in the City Code and in the enabling legislation creating the boards/commissions. The ORC approved a recommendation that compliance with the Board and Commission Handbook and the Open Meetings Act should be incorporated as a requirement for City boards/commissions in the legislation approving an updated Board and Commission Handbook at the 01/20/21 meeting. Status: <b>INCORPORATING INTO ORC RECOMMENDATIONS</b>
171 Bidding and Purchasing	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review all sections to determine basis for requiring an estimated cost in advance of a competitively bid project to assess whether this provision could be amended. The ORC approved recommendations for changes in Sections 171 for update at the 01/20/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
171.03 (b) Advertising	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review Section 171.03(b) to determine if any changes should be made to advertising requirements or methods of advertising (i.e., online methods). The ORC approved recommendations for changes in Sections 171.03(b) for update at the 01/20/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b>
171.08	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise	Law Director to review Section 171.08 to determine if changes are needed to address and formalize

Inspection		<input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>the steps to be taken if something is not in conformity with a contract or specifications so everyone is operating under the same set of rules. Law Director reviewed section for changes and the ORC determined that no changes were needed for this section at the 01/20/21 meeting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
171.09 Cooperative Purchases	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Clerk of Council to correct typographical error in first sentence by removing "another". City Staff to review list of cooperative purchasing programs for changes or updates. Finance Director reviewed section for changes and the ORC determined that no changes other than correcting the typographical error were needed for this section at the 01/20/21 meeting</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
175.03 Deferments/ Waivers	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review Section 175.03 to determine if the 15-day period for a property owner to apply for a deferment or waiver of an assessment is in the notices sent to residents to make them aware of the right to petition Council or the City and to determine how residents know when the 15-day period has started. Law Director reviewed section and did not recommend any changes. The ORC requested information from City Staff regarding the frequency of applications for deferment/waiver and for a copy of the referenced Exhibit A/application form. City Staff provided the ORC with the statistics on the frequency of applications for deferment/waiver. City Staff are still trying to locate a copy of the referenced Exhibit A/application form. The ORC determined that no changes were needed for this section at the 03/17/21 meeting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
175.06 Alternate Assessment Procedures	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Clerk of Council to correct typographical errors identified in Section 175.06 by the Law Director and the ORC. Law Director to review Section 175.04 as it compares to Section 175.06 (see minutes) for any changes. City Staff to review application process and materials. Finance Director reviewed section and did not recommend any further changes. City Engineer to review Section for any changes needed. City Engineer reviewed section for changes and the ORC determined that no changes other than correcting the typographical errors were needed for this section at the 03/17/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>
177.01 Applicant Obligation For Extra	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director and City Staff to review Section 177.01 for any changes and to determine if extra costs are being passed on to the applicant. Law Director and City Staff reviewed section for changes and the ORC determined that no changes were needed for this section at the 01/20/21 meeting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>

Expenses			
179 Funds	12/16/20	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and City Staff to review Chapter 179 for any changes and to determine if the list and titles of the funds are complete, the order of the listed funds is appropriate or can be changed, and the consistency of the titles/numbers by fund (see minutes). Law Director and Finance Director reviewed section and the Finance Director did recommend changes to this section. The ORC approved recommendations for changes in Sections 179 for update at the 01/20/21 meeting. The ORC asked if the Finance Director could add the fund numbers and better organize this section. The ORC approved recommendations for adding the fund numbers to better organize Section 179 at the 03/17/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ONE</b></p>

**CITY OF HUBER HEIGHTS**  
**ORDINANCE REVIEW COMMISSION**  
**PART THREE - TRAFFIC CODE - WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
303.08 Impounding Of Vehicles; Notice And Redemption	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review Section 303.08(a) versus Section 305.02 in reference to the term "street" (see minutes). Law Director to determine if there is a definition for "highway". Clerk of Council to get information regarding City's towing contract. ORC reviewed towing contract and information from Law Director. ORC concurred with correcting the Ohio Revised Code citation in Section 301.42(a) by changing citation from Section 4511.01(B) to Section 4511.01(BB) at the 2/17/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART THREE</b>
331.44 Driving On Brandt Pike Busway	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	City Engineer (in consultation with RTA) to determine exact location of Brandt Pike Busway and to determine if this section needs to be changes or removed entirely. City Engineer recommends removing Section 331.44 entirely from the City Code. ORC recommended removing Section 331.44 entirely from the City Code at the 3/17/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART THREE</b>
337.25 Air Cleaner Required	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review this section to determine purpose and why violation of this section is criminalized. Law Director reviewed and found no corresponding state or federal counterpart and no citations under this provision. ORC requested that Law Director sanction ORC recommendation for removing Section 337.25 entirely from the City Code. Law Director, City Manager, and Police Chief recommended removing Section 337.25 entirely from the City Code. ORC recommended removing Section 337.25 entirely from the City Code at the 3/17/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART THREE</b>
343 Golf Carts	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review this section to determine if requirement for front and back license plates on golf carts needs to be changed in light of Ohio Revised Code changes to license plate requirements. ORC recommended removing the requirement for front plates on golf carts from Section 343 at the 2/17/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART THREE</b>
351.18 Nonmotorized	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to gather information from local communities to see how this prohibition is handled in other communities. Clerk of Council gathered requested information and shared with ORC for

Vehicles Not To Be Parked On Streets		<input checked="" type="checkbox"/> No Further Action Needed	discussion. ORC determined that no changes were needed for this section at the 2/17/21 ORC meeting. <b>Status: NO FURTHER ACTION NEEDED ON THIS ITEM</b>
Parking Vehicles On Residential Properties	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	ORC to discuss parking of vehicles on residential properties during review of Planning and Zoning Code. ORC discussed during review of Planning and Zoning Code. <b>Status: NO FURTHER ACTION NEEDED ON THIS ITEM</b>
351.23 Leaving Motor Vehicles On Private Or Public Property	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director to review this section to determine why it is the only section in this chapter that has a penalty specified. Law Director reviewed Section 351.23 and said this section was added at the request of the Police Chief in 2010 to deal with problem vehicles. Police Chief and City Manager to review this section regarding the penalty section. City Staff reviewed section and do not recommend any changes to this section. ORC determined that no changes were needed for this section at the 4/21/21 ORC meeting. <b>Status: NO FURTHER ACTION NEEDED ON THIS ITEM</b>
353 Civil Infractions Violations Bureau	01/20/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director and City Staff to review this section to determine if this provision is being utilized or if it is any longer necessary. Law Director reviewed Section 353 and said the Civil Infractions Violations Bureau still exists and is utilized. ORC determined that no changes were needed for this section at the 2/17/21 ORC meeting. Clerk of Council to request parking violation statistics and information for the ORC. <b>Status: NO FURTHER ACTION NEEDED ON THIS ITEM</b>



**CITY OF HUBER HEIGHTS  
ORDINANCE REVIEW COMMISSION  
PART FIVE – GENERAL OFFENSES CODE - WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
505 Animals	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review Section 505 to determine if it should be restructured to move all definitions to the beginning of Section 505 and to reorder Section 505 to make it flow from the general to the specific in content (see minutes). Law Director reviewed Section 505 and saw no reason for restructuring Section 505. ORC determined that no changes were needed for this section at the 3/17/21 ORC meeting</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
505.01(e) Montgomery County Animal Resource Center	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>City Staff to determine if Montgomery County Animal Resource Center Trap, Neuter and Return Program is still in effect or if this section needs to be modified or removed. City Staff verified that program is still in effect. ORC determined that no changes were needed for this section at the 3/17/21 ORC meeting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
505.01(a) Dogs, Cats And Other Animals Running At Large	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review this section to determine if an exception for the City's dog park should be added to this section (see minutes). Law Director reviewed Section 505.01(a) and saw no need for changes to this section. ORC determined that no changes were needed for this section at the 3/17/21 ORC meeting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
505.04 Abandoning Animals	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director review this section and determined there were incorrect Ohio Revised Code citations in Sections 505.04(a) and 505.04(b). ORC recommended correcting these citations at the 2/17/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b></p>
505.10/505.14 Animal Bites/ Dangerous	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director reviewed these sections and determined these sections are in the Ohio Revised Code but are quite different than the City Code. Law Director recommended changing these sections to mirror the Ohio Revised Code. ORC recommended changing these sections to mirror the Ohio</p>

Dogs			Revised Code at the 2/17/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b>
505.11 Presumption Of Animal Owner, Keeper Or Harborer	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director reviewed this section and suggested that ORC may want to consider adding a direct prohibition on feeding feral cats to the City Code. ORC requested that the Law Director draft language for Section 505.11 to add a direct prohibition on feeding feral cats at the 2/17/21 meeting. Law Director provided draft language for Section 505.11 to add a direct prohibition on feeding feral cats. ORC recommended adding the draft language to Section 505.11 to add a direct prohibition on feeding feral cats at the 3/17/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b>
509.08 Disturbing The Peace	08/18/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	City Engineer recommended changing "weekdays" to "Monday through Saturday" in Section 509.08(b)(10). ORC recommended revisions proposed by City Engineer to Section 509.08(b)(10) at the 8/18/21 ORC meeting. ORC discussed Section 509.08 again after a resident complaint on this issue at a City Council Meeting at the 9/15/21 ORC meeting. ORC recommended City Staff look at Section 509.08 further and rescinded the recommendation the commission made previously to accept the City Engineer's proposed changes to Section 509.08 regarding Saturdays at the 9/15/21 ORC meeting. ORC decided to take no further action regarding Section 509.08 at the 10/20/21 ORC meeting. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
509.10 Motor Vehicle Noise Control	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review the American National Standards Institute reference in Section 509.10(a) and the addition of golf carts to the list of vehicles in Section 509.10(a)(4) to determine if any changes are needed to this section (see minutes). Law Director reviewed Section 509.10 and recommended revisions to Section 509.10. ORC recommended revisions proposed by Law Director to Section 509.10 at the 4/21/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b>
509.12 Barking Or Howling Dogs	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director to cross reference this section with Ohio Revised Code to determine if any changes related to debarking dogs are needed to this section. Law Director reviewed Section 509.12 and saw no need for changes to this section. ORC determined that no changes were needed for this section at the 3/17/21 ORC meeting. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
509.13 Admission Of	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review the American National Standards Institute reference in Section 509.13) to determine if any changes are needed to this section (see minutes). Law Director reviewed Section

Evidence		<input checked="" type="checkbox"/> No Further Action Needed	509.13 and saw no need for changes to this section. ORC determined that no changes were needed for this section at the 4/21/21 ORC meeting. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
511.02 Curfew	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director to Section 511.02 to determine if correct days and times are spelled out for curfew periods (see minutes). Law Director reviewed Section 511.02 and saw no need for changes to this section. ORC determined that no changes were needed for this section at the 8/18/21 ORC meeting. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
521.06 Duty To Keep Sidewalks In Repair And Clean	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director/City Staff had provided suggested changes to this section for consideration by ORC. ORC had some questions about the suggested changes (see minutes). Law Director and City Staff to review the questions from ORC and determine if any additional changes to this section are needed. Law Director and City Staff reviewed Section 521.06 and recommended Section 521.06(F)(2) be changed to read "within those 30 days" and not "10 days" as the section currently reads and to remove the references to curbs and gutters totally from Section 521.06. ORC recommended approval of the proposed changes to this section at the 3/17/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b>
521.081 Littering And Deposit Of Garbage And Trash	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Staff to review the questions regarding fees and service of notice from ORC and determine if any changes to this section are needed (see minutes). Law Director and City Staff reviewed Section 521.081 and recommended changes to Section 521.081(h). ORC recommended approval of the proposed changes to this section at the 3/17/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b>
521.082(c) Residential Solid Waste Collection And Disposal	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Clerk of Council to correct typographical error in this section to change "remove Waster Material" to "remove Waste Material". Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b>
521.10 Duty To Cut Weeds And Grass	02/17/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Staff to review the questions regarding section organization, typographical error, and noticing from ORC and determine if any changes to this section are needed (see minutes). Law Director and City Staff reviewed Section 521.10 and recommended changes to Section 521.10. ORC recommended approval of the proposed changes to this section at the 3/17/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIVE</b>



**CITY OF HUBER HEIGHTS**  
**ORDINANCE REVIEW COMMISSION**  
**PART NINE – STREETS AND PUBLIC SERVICES CODE - WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
903.02(f) Permit Required For Excavation And Construction	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	ORC recommended a change to Section 903.02(f) to correct a typographical error from “my file” to “may file”. ORC recommended correcting this typographical error at the 4/21/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
903.04 911.04 915.03 Various Sections	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	City Engineer to review Sections 903.04, 911.04, and 915.03 for consistency in standards and requirements (see minutes). City Engineer recommended revisions to Sections 903.04, 911.04, and 915.03. ORC approved suggestions for changes in Sections 903.04, 911.04, and 915.03 (see minutes) as recommendations for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
911.02(e) Duty To Repair And Clean Sidewalks And Curbs	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	ORC recommended a change to Section 911.02(e) to correct typographical errors from “is” to “are” in two places in the first sentence. ORC recommended correcting these typographical errors at the 4/21/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
919 Street Lighting Assessment Procedure	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and Finance Director to review Sections 919.01, 919.02, and 919.03 for changes to remove Clerk of Council from process and to clarify the determination of property owners in the street lighting assessment districts (see minutes). Law Director recommended revisions to Chapter 919 to change “affected property owners” to “members of the proposed lighting district”. ORC approved suggestions for changes in Chapter 919 (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
920.07	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise	Law Director and City Engineer to review Section 920.07 for consistency in process and for appeals

Appeals		<input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	(see minutes). Law Director and City Engineer proposed conflicting recommendations which were not fully discussed by the ORC at the 6/16/21 ORC meeting. The ORC discussed again at 8/18/21 ORC meeting and requested the Law Director review again along with City Engineer's comments and proposed recommended changes to Section 920.07 (see minutes). Law Director and City Engineer reviewed Section 920.07 again and recommended the changes proposed by Law Director to Section 920.07 (see minutes). ORC approved proposed changes to Section 920.07 as a recommendation for update by the ORC at the 9/15/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
921.04.10 Appeals	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Engineer to review Section 921.04.10 for consistency in process and for appeals (see minutes). Law Director and City Engineer proposed conflicting recommendations which were not fully discussed by the ORC at the 6/16/21 ORC meeting. The ORC discussed again at 8/18/21 ORC meeting and requested the Law Director review again along with City Engineer's comments and proposed recommended changes to Section 921.04.10 (see minutes). Law Director and City Engineer reviewed Section 921.04.10 again and recommended the changes proposed by Law Director to Section 920.07 (see minutes). ORC approved proposed changes to Section 920.04.10 as a recommendation for update by the ORC at the 9/15/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
922.02(c) 922.03 Various Sections	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Engineer to review Section 922.02(c) for clarification on stormwater charges (see minutes). ORC recommended a change to Section 922.03 in definition of "County" to remove reference to Greene County and to correct a typographical error from "situate" to "situated". Law Director and the City Engineer concurred with the recommended revisions to Section 922.02(c) and Section 922.03. ORC approved suggestions for changes in Section 922.02(c) and Section 922.03 (see minutes) as recommendations for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
922.13(c) Permits And Plan Review	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Engineer to review Section 922.13(c) for clarification (see minutes). Law Director and the City Engineer concurred with the recommended revision to Section 922.13(c). ORC approved suggestions for the change in Section 922.13(c) (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
922.30(b) Adjustment Of	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Engineer to review Section 922.30(b) to determine if it should read "application" instead of "appeal" because that is what the City Manager is reviewing (see minutes).

Service Charge			Law Director and the City Engineer provided recommended revisions to Section 922.30(b). ORC approved suggestion to change "appeal" to "application for adjustment" in Section 922.30(b) (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
923.03 Waste To Be Discharged In Sanitary Sewer	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Engineer to review Section 923.03 to determine if type of waste needs to be updated and to update name of treatment facility (see minutes). City Engineer provided recommended revisions to Section 923.03. ORC approved suggestion for revision to Section 923.03 (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
923.04 Sewer Use And Pretreatment	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Engineer to review Section 923.04 to consider recommended changes, correct typographical errors, and to ensure correct references (see minutes). Law Director and the City Engineer provided recommended revisions to Section 923.04. ORC approved suggestions for revisions in Section 923.04 with the exception of the suggested revision to paragraph (a) (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting. Paragraph (a) will be reviewed again by Law Director. Law Director reviewed Paragraph (a) again and recommended the phrase "cause any of the following" be deleted in its entirety and a colon placed after the phrase, "which in whole or part:". ORC approved suggestion for revision to Paragraph (a) (see minutes) as a recommendation for update by the ORC at the 7/21/21 meeting Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
923.08(g)(1) Billing And Delinquent Accounts	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	The ORC recommended changing "man-made pond" to "artificial pond" in Section 923.08(g)(1). City Engineer recommended adding "swimming pool" to Section 923.08(g)(1). ORC approved these revisions in Section 923.08(g)(1) as a recommendation for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
923.10 Complaints And Appeals	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and City Engineer to review Section 923.10 to consider recommended changes (see minutes). Law Director and the City Engineer provided recommended revisions to Section 923.10. ORC approved the suggestion for the revision to Section 923.10(a) with thirty days (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting. The ORC also approved the suggestion for the revision to Section 923.10(b) with "ten business days" (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>

924.01 Definitions	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and City Engineer to review Section 924.01 to consider recommended changes and to ensure correct references (see minutes). Law Director provided a recommended revision to Section 924.01 regarding "the Act". ORC approved the suggestion for the revision to Section 924.01 (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b></p>
925 Sewer Districts Generally	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director and City Engineer to review Chapter 925 to determine if this is an accurate and complete listing of the sewer districts in the City (see minutes). Law Direct and City Engineer reviewed Chapter 925 and determined this is an accurate and complete listing of the sewer districts in the City.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
929.38 Billing Complaints	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and City Engineer to review Section 929.38 to determine if any changes are needed to process and appeal process (see minutes). Law Director and City Engineer provided recommended revisions to Section 929.38. ORC approved the suggestion for the revision to Section 929.38 to use the Law Director's recommended language with sixty days in Section 929.38(a) and to change the wording to "ten business days" in Section 929.38(b) (see minutes) as a recommendation for update by the ORC at the 6/16/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b></p>
931 Water Distribution Districts	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director and City Engineer to review Chapter 931 to determine if this is an accurate and complete listing of the water districts in the City (see minutes). Law Direct and City Engineer reviewed Chapter 931 and determined this is an accurate and complete listing of the water districts in the City.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
932.07 Types Of Protection Required	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and City Engineer to review Section 932.07 to determine if any changes or updates are needed (see minutes). Law Direct and City Engineer provided recommended revisions to Section 932.07. ORC approved the suggestion for the revision to Section 932.07 to change the spelling of "Principle" in "Reduced Pressure Principal Backflow Preventer" as a recommendation for update by the ORC at the 6/16/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b></p>
935.02 Legal Analysis	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>ORC recommended a change to Section 935.02 to remove, "The legal analysis is very simple." ORC recommended correcting this typographical error at the 4/21/21 ORC meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b></p>



943.02 Definitions	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	City Staff recommended a change to Section 943.02 to define, "Parks and Recreation Division Manager shall mean the Parks Manager." Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
943.04 Park Facilities	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Parks Manager to review Section 943.04 to update list of City parks, including changes for City Dog Park, Dial Park, etc. (see minutes). The Parks Manager provided a current list of City parks. ORC recommended updating the list of City parks in Section 943.04 with this information at the 8/18/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
945 Competitive Video Service Authorizations	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <b>X No Further Action Needed</b>	Law Director to review Chapter 945 for any revisions or changes (see minutes). Law Director reviewed Chapter 945 and determined no changes are needed to Chapter 945. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
950.05(a)(3) Plans	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	ORC recommended correcting a typographical error in Section 950.05(a)(3) to change "mayor" to "major". ORC recommended correcting this typographical error at the 4/21/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>
951 Engineering Related Fees	04/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	City Engineer to review Chapter 951 for any revisions or changes (see minutes). City Engineer reviewed Chapter 951 and recommended proposed updates to the engineering fees to match the current engineering fees. ORC recommended the proposed revisions to Chapter 951 at the 6/16/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART NINE</b>

**CITY OF HUBER HEIGHTS**  
**ORDINANCE REVIEW COMMISSION**  
**PART ELEVEN – PLANNING AND ZONING CODE - WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
1103.01(a) Interpretation Of Terms Or Words	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review Section 1103.01(a) to determine if the definition of “person” includes a “limited liability company” (see minutes). Law Director reviewed Section 1103.01(a) and determined no changes are needed.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1103.39 Person	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review Section 1103.39 to determine if the definition of “person” is consistent with definition of “person” in Section 1103.01(a) (see minutes). Law Director reviewed and made suggestions for revisions. ORC recommended deleting the Section 1103.39 reference to the definition of “person”. ORC approved the suggested revisions as a recommendation for update by the ORC at the 7/21/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b></p>
1103.54(c) Thoroughfare, Street Or Road	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>ORC recommended a change to Section 1103.54(c) to correct a typographical error from “principle” to “principal”. ORC recommended correcting this typographical error at the 6/16/21 ORC meeting.</p> <p>O</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b></p>
1109.09 Horizontal Alignment/ 1109.10 Vertical Alignment	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director and City Engineer to review Section 1109.09 and Section 1109.10 to determine if the AASHTO reference are up to date and valid (see minutes). Law Director reviewed Section 1109.09 and Section 1109.10 and determined no changes are needed.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1109.12 Special Street Types	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and City Engineer to review Section 1109.12 to determine if gated streets need to be included in this section (see minutes). Law Director reviewed Section 1109.12 and determined no changes are needed. City Engineer reviewed Section 1109.12 and recommended adding a new paragraph (e) to Section 1109.12 (see minutes). ORC recommended making revision to add the proposed paragraph (e) at the 8/18/21 ORC meeting.</p>

			Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b>
1109.15 Sidewalks	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director and Interim City Manager to review Section 1109.15 to determine if sidewalks should be required on both sides of streets in this section (see minutes). Law Director and City Staff reviewed Section 1109.15 and determined no changes are needed.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1113.05(f) Building Site Improvements	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>ORC recommended a change to Section 1113.05(f) to remove the word "himself". ORC recommended making this revision at the 6/16/21 ORC meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b></p>
1117.04 Schedule Of Fees, Charges And Expenses	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Interim City Manager to review Section 1117.04 to determine if any changes are needed to the fee schedule in this section (see minutes). Law Director and City Staff reviewed Section 1117.04 and determined no changes are needed.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1117.99(b) Penalty	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review Section 1117.99(b) to determine if the reference to Ohio R.C. 711.12 needs updated (see minutes). Law Director reviewed Section 1117.99(b) and recommended removing Section 1117.99(b). ORC recommended making this revision at the 7/21/21 ORC meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b></p>
1121.02 Fee Schedule	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Interim City Manager to review Section 1121.02 to determine if any changes are needed to the fee schedule in this section (see minutes). City Staff reviewed Section 1121.02 and determined no changes are needed.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1121.07 When Effective	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review Section 1121.07 to determine if any changes are needed or if Section 1121.07 can be removed (see minutes). Law Director reviewed Section 1121.07 and recommended removing Section 1121.07. ORC recommended making this revision at the 7/21/21 ORC meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b></p>
1123.25 Carport	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director to review Section 1123.25 to determine if any changes are needed (see minutes). Law Director reviewed Section 1123.25 and offered feedback. ORC recommended Law Director review Section 1123.25 again (see minutes). City Staff reviewed Section 1123.25 and determined no changes are needed.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1123.53 Home	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and Interim City Manager to review Section 1123.53 to determine if any changes are needed and to address relevance to Section 1123.01 and Section 1123.02 (see minutes). Law</p>

Occupation		<input checked="" type="checkbox"/> No Further Action Needed	Director and City Staff reviewed Section 1123.53 and advised that revisions to Section 1123.53 will be handled outside of the ORC process. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
1123.951(j)(2) Sexually Oriented Businesses	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director to review Section 1123.951(j)(2) to see if change to definition is recommended consistent with similar change made to Business Regulations Code (see minutes). Law Director reviewed Section 1123.951(j)(2) and recommended change to definition consistent with similar change made to Business Regulations Code. ORC recommended making this revision at the 7/21/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b>
1123.127 Public Water Supply	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director to review Section 1123.127 to determine if any changes are needed to the water companies referenced in this section (see minutes). Law Director reviewed Section 1123.127 and advised that revisions to Section 1123.127 were not needed. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
1125.02 Zoning Certificates And Occupancy Permits	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director and Interim City Manager to review Section 1125.02 to determine if changes are needed and to address the term "substantial" (see minutes). Law Director reviewed Section 1125.02 and advised that revisions to Section 1125.02 were not needed. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
1127.03(c)(4) Powers	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director to review Section 1127.03(c)(4) to determine if any changes or updates are needed and to see how other communities address this issue (see minutes). Law Director reviewed Section 1127.03(c)(4) and offered feedback. ORC recommended Law Director review Section 1127.03(c)(4) again (see minutes). After additional review, Law Director advised that revisions to Section 1127.03(c)(4) were not recommended. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
1141.01 Districts	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director and Interim City Manager to review Section 1141.01 to determine if any changes or updates are needed to the list of districts (i.e., Brandt Pike Revitalization Overlay District) (see minutes). Law Director reviewed Section 1141.01 and offered feedback. ORC recommended Law Director review Section 1141.01 again (see minutes). Law Director and City Staff reviewed Section 1141.01 and advised that revisions to Section 1141.01 were not needed. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
1156.03(k)	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise	Law Director and Interim City Manager to review Section 1156.03(c)(k) to determine if any changes

Site Development Regulations		<input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	or updates are needed (see minutes). Law Director and City Staff reviewed Section 1156.03(k) and advised that revisions to Section 1156.03(k) were not needed. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
1160.06 Groundwater Protection Standards	06/16/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director and Interim City Manager to review Section 1160.06 to determine if any changes or updates are needed (see minutes). Law Director and City Staff reviewed Section 1160.06 and advised that revisions to Section 1160.06 were not needed. Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b>
Prior To 1172	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and Interim City Manager to review text prior to Chapter 1172 to determine if any changes or updates are needed regarding types of utilities and to determine why this section does not have any numerical designation (see minutes). ORC recommended making proposed changes to the placement/codification of these standards in the City Code at the 8/18/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b>
1172.01 Principal Permitted Uses	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	ORC recommended a change to Section 1172.01 to correct a typographical error from "complimentary" to "complementary". ORC recommended correcting this typographical error at the 7/21/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b>
1175.02 Permitted Uses	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	ORC recommended a change to Section 1175.02 to correct a typographical error from "principle" to "principal". ORC recommended correcting this typographical error at the 7/21/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b>
1181.12 Outdoor Retail Sales And Displays	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	Law Director and Interim City Manager to review Section 1181.12(b)(5) and Section 1181.12(b)(8) to determine if any changes or updates are needed (see minutes). City Staff concurred with proposed changes to Section 1181.12(b)(5) and Section 1181.12(b)(7) and recommended leaving Section 1181.12(b)(8) unchanged. ORC recommended a change to Section 1181.12(b)(7) to correct wording from "consume" to "utilize". ORC recommended making proposed changes to Section 1181.12(b)(5) and Section 1181.12(b)(7) at the 8/18/21 ORC meeting. Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b>
1181.20(a) Building Materials For Dwellings/ 1181.24(b)(1)(A)	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review <input checked="" type="checkbox"/> No Further Action Needed	Law Director and Interim City Manager to review Section 1181.20(a) and Section 1181.24(b)(1)(A) to answer questions posed by the ORC (see minutes). City Staff recommended addressing this Section 1181.20 through the Planning Commission and the City Council to expedite action. ORC concurred with this recommendation at the 8/18/21 ORC meeting. Status: <b>PLANNING COMMISSION AND CITY COUNCIL TO ADDRESS ISSUE/NO FURTHER ACTION</b>

Commercial Building Design Standards			<b>NEEDED ON THIS ITEM</b>
1185.02 Off-Street Parking Standards	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and Interim City Manager to review Section 1185.02 to answer questions posed by the ORC (see minutes). ORC requested that City Staff review Section 1185.02 again due to confusion over this item (see minutes) at the 8/18/21 ORC meeting. Law Director and Interim City Manager reviewed Section 1185.02 again and the Interim City Manager gave a recommended definition for "hard surface". ORC recommended making proposed changes to Section 1185.02 at the 9/15/21 ORC meeting and requested that City Staff review the City Code to ensure consistency in the definition.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b></p>
1189.09(1) Signs For Property Offered For Sale Or Rent	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and Interim City Manager to review Section 1189.09(1) to answer questions posed by the ORC (see minutes). ORC requested that City Staff review Section 1189.09(1) again due to confusion over this item (see minutes) at the 8/18/21 ORC meeting. The ORC reviewed Section 1189.01(1) again at the 9/15/21 ORC meeting and expressed dissatisfaction with the response from City Staff and Law Director. ORC requested that City Staff and Law Director review Section 1189.09(1) again (see minutes). City Staff and Law Director reviewed Section 1189.09(1) again and recommended no changes. ORC concurred with this recommendation at the 10/20/21 ORC meeting.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1193 Trailers, Trucks, Recreational Vehicles, Boats, Farm Or Construction Equipment	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review  <input checked="" type="checkbox"/> No Further Action Needed	<p>Clerk of Council to discuss Chapter 1193 with Mayor to consider it as an agenda item for Council Work Session (see minutes). ORC to highlight Chapter 1193 as a recommendation for ORC final report. ORC recommended referring Chapter 1193 and this issue to the City Council to address at the 8/18/21 ORC meeting.</p> <p>Status: <b>CITY COUNCIL TO ADDRESS ISSUE/NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>
1194.09 Expiration And Renewal Of Permit	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review  <input checked="" type="checkbox"/> No Further Action Needed	<p>Law Director and Interim City Manager to review Section 1194.09 to determine if any changes or updates are needed (see minutes). Law Director and City Staff reviewed Section 1194.09 and advised that revisions to Section 1194.09 were not needed.</p> <p>Status: <b>NO FURTHER ACTION NEEDED ON THIS ITEM</b></p>

<p>1199.07 Basis For Establishing The Areas Of Special Flood Hazard</p>	<p>07/21/21</p>	<p><input type="checkbox"/> Repeal   <input type="checkbox"/> Rescind   <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add   <input type="checkbox"/> Needs Law Director Review</p>	<p>Law Director and Interim City Manager to review Section 1199.07 to determine if any changes or updates are needed (see minutes). Law Director and City Staff reviewed Section 1199.07 and recommended removing references to Greene County. ORC recommended making proposed changes to Section 1199.07 at the 8/18/21 ORC meeting. <b>Status: INCORPORATING INTO REVISIONS LEGISLATION FOR PART ELEVEN</b></p>
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**CITY OF HUBER HEIGHTS  
ORDINANCE REVIEW COMMISSION  
PART THIRTEEN – BUILDING CODE - WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
1313.05 Maintenance Of Accessory Structures	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and Interim City Manager to review Section 1313.05 to determine if any changes or updates are needed (see minutes). Reference back to similar discussion in Part Eleven for consistency purposes (see minutes). ORC recommends that if the terms are interchangeable, then this issue should be clarified in the definition sections in Part Eleven and Part Thirteen. ORC recommends that this issue be reviewed again by the Law Director and the Interim City Manager (see minutes). Law Director and Interim City Manager proposed only using the term “accessory structure” in the City Code and removing references to other terms. ORC approved the suggested revisions to Section 1313.05 as a recommendation for update by the ORC at the 9/15/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART THIRTEEN</b></p>
1313.06 Right Of Entry	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review Section 1313.06 to determine if any changes or updates are needed (see minutes). The Law Director concurs with changing “enter such property” to “enter upon such property” in Section 1313.06. ORC approved the suggested revision to Section 1313.06 as a recommendation for update by the ORC at the 8/18/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART THIRTEEN</b></p>
1313.09 Hearings	07/21/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director to review Section 1313.09 to determine if any changes or updates are needed (see minutes). The Law Director proposed revisions to Section 1313.06 (see minutes). ORC approved the suggested revision to Section 1313.09 as a recommendation for update by the ORC at the 8/18/21 meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART THIRTEEN</b></p>



**CITY OF HUBER HEIGHTS**  
**ORDINANCE REVIEW COMMISSION**  
**PART FIFTEEN – FIRE PREVENTION CODE - WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
1517.06 Notice Of Violation	08/18/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and Fire Chief to review Section 1517.06 to determine if any changes or updates are needed (see minutes). Law Director and Fire Chief reviewed Section 1517.06 and determined no changes were needed. ORC concerned about who gets cited if a violation is not corrected and requested that the Law Director and Fire Chief review Section 1517.06 again (see minutes). Law Director and Fire Chief reviewed Section 1517.06 again and determined no changes were needed. Jim Ellis recommended revising Section 1517.06 to read, "The written notice of violation of the Ohio Fire Code shall be served on the owner or the owner's duly authorized agent and on the occupant or other person responsible for the conditions under violation." ORC recommended the proposed revisions at the 10/20/21 ORC meeting.</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIFTEEN</b></p>
1517.08 Stop Work And Remedial Orders	08/18/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and Fire Chief to review Section 1517.08 to determine if any changes or updates are needed (see minutes). Law Director and Fire Chief reviewed Section 1517.08 and determined no changes were needed. ORC concerned about who gets cited if a violation is not corrected and requested that the Law Director and Fire Chief review Section 1517.08 again (see minutes). Law Director and Fire Chief reviewed Section 1517.08 again and determined no changes were needed. Jim Ellis recommended revising Section 1517.08 to read, "The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's duly authorized agent, or to the person doing the work and to the occupant or other person responsible for the conditions under violation." ORC recommended the proposed revisions at the 10/20/21 ORC meeting</p> <p>Status: <b>INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIFTEEN</b></p>
1517.09 Right Of Appeal	08/18/21	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs Law Director Review	<p>Law Director and Fire Chief to review Section 1517.09 to determine if any changes or updates are needed (see minutes). Law Director and Fire Chief reviewed Section 1517.09 and concurred with recommendations for changes to Section 1517.09. ORC recommended the proposed revisions at the 9/15/21 ORC meeting.</p>

			Status: INCORPORATING INTO REVISIONS LEGISLATION FOR PART FIFTEEN
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## Rodgers, Anthony

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**From:** jellis@bpress.com  
**Sent:** Tuesday, October 19, 2021 12:50 PM  
**To:** Rodgers, Anthony; 'Brian Kitchen'; 'Jerry Wamsley'; 'Jonathan Fannin'; 'Joseph Hendrix'; Otto, Glenn; Webb, Don  
**Cc:** Powell, Karen  
**Subject:** RE: ORC Review Worksheets

**CAUTION EXTERNAL EMAIL:** This message originated from a non Huber Heights email server. DO NOT CLICK ANY LINKS or OPEN ANY ATTACHMENTS unless you have contacted the sender to verify its legitimacy or confirmed you were expecting it. Contact the IT Department if you need assistance.

I have reviewed Chief Knisely's response to my concerns regarding Sections 1517.06 and 1517.08 and am willing to defer to his judgment concur with how the City deals with situations before a formal "Citation" is issued. My problem stems from the fact that an owner may not be notified when the informal actions are not successful and a formal notice/citation must be issued and the impact that might result upon the owner's property.

Section 1517.02 makes the "owner" responsible for the safe and proper maintenance of the owner's building, structure and premises at all times.

Section 1517.04 makes the "occupant" responsible for abatement of such hazardous conditions.

Section 1517.03 provides that any building found by the Chief to be an "unsafe building or structure" and if not remedied, the Fire Chief make take all appropriate action deemed necessary to secure the abatement "by repair and rehabilitation or by demolition".

Section 1517.06 provides that the Fire Chief has the authority to issue a notice of violation identifying the problem and setting forth what needs to be done to abate the problem and the time within which the abatement must occur. However, that notice does not have to be served upon the owner. It can be served on the owner, his duly authorized agent **or** on the occupant or other person responsible for the condition that is deemed to be in violation.

Similarly, Section 1517.08 allows a Stop Work and Remedial Order to be served upon the same individuals.

Based on the above Ordinances, it would be for a situation to arise where the Notice gets served on the occupant, e.g. a tenant (and not the owner, or the owner's duly authorized agent); the tenant does nothing about the condition and the Fire Chief takes action to abate the condition (which under 1517.04 could mean demolition). All this without the owner being notified. In addition, I would assume that any cost incurred by the City in completing the abatement, removal or demolition would be assessed against the property and by doing so would become the owner's responsibility.

Finally, 1517.99 sets forth the penalties under this Chapter. Under that Ordinance "whoever" violates any provision is guilty and can be fined. Because under 1517.02, the owner is ultimately responsible for the safe condition of the property, the owner could be subject to the penalty.

While I would hope that such a drastic situation would not occur, the structure of the above Ordinances would seem to allow it. The problem could be fixed by simply requiring that the Fire Chief serve the Notice of Violation in 1517.06 and the Stop Work and Remedial Orders in 1517.08 upon the owner or his duly authorized agent **and** the occupant or other person responsible for the condition under the violation.

I am respectfully requesting that the Commission consider making the above changes as a recommendation.

Jim Ellis

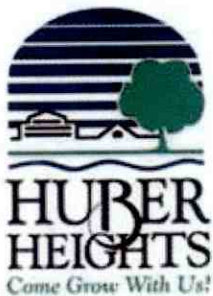
---

**From:** Rodgers, Anthony <ARodgers@hhoh.org>  
**Sent:** Wednesday, October 13, 2021 10:32 AM  
**To:** Brian Kitchen <briankitchen2002@yahoo.com>; Jerry Wamsley <jerry@jerrywamsley.com>; Jim Ellis <jellis@bpress.com>; Jonathan Fannin <jonjonnyony@aol.com>; Joseph Hendrix <hendrixjoseph@aol.com>; Otto, Glenn <GOTTO@hhoh.org>; Webb, Don <DEWebb@hhoh.org>  
**Cc:** Powell, Karen <KPowell@hhoh.org>  
**Subject:** FW: ORC Review Worksheets

Good morning,

I am attaching the Fire Chief's response to the outstanding items in the Fire Prevention Code. FYI, for review and discussion at next meeting. Thanks and see you all next week!

Tony



**Mr. Anthony C. Rodgers, MPA**

*Clerk of Council  
Master Municipal Clerk (MMC)*

City of Huber Heights  
6131 Taylorsville Road  
Huber Heights, Ohio 45424

Phone: (937) 237-5832

Fax: (937) 233-1272

Email: [arodgers@hhoh.org](mailto:arodgers@hhoh.org)

---

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---

**From:** Knisley, Keith <[KKnisley@hhoh.org](mailto:KKnisley@hhoh.org)>  
**Sent:** Wednesday, October 13, 2021 9:52 AM  
**To:** Rodgers, Anthony <[ARodgers@hhoh.org](mailto:ARodgers@hhoh.org)>; Gerald McDonald <[GMcDonald@pselaw.com](mailto:GMcDonald@pselaw.com)>; Falkowski, Scott <[SFalkowski@hhoh.org](mailto:SFalkowski@hhoh.org)>; Bergman, Russ <[RBergman@hhoh.org](mailto:RBergman@hhoh.org)>  
**Cc:** Powell, Karen <[KPowell@hhoh.org](mailto:KPowell@hhoh.org)>  
**Subject:** RE: ORC Review Worksheets

All,

Please take a minute to review my comments. I am not trying to be hard set on any language, although we are operating in a spirit that I believe fulfills the committee's desires and our code language mirrors the State and has worked for the over the last 30 years.

Thanks,

Keith

**Keith Knisley**

*Fire Chief*

*City of Huber Heights Fire Division*

937-237-6059 (Direct)

937-233-1564 (Fire Administration)

[kknisley@hhoh.org](mailto:kknisley@hhoh.org)

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---

**From:** Rodgers, Anthony [ARodgers@hhoh.org](mailto:ARodgers@hhoh.org)

**Sent:** Friday, October 8, 2021 12:34 PM

**To:** Gerald McDonald [GMcDonald@pselaw.com](mailto:GMcDonald@pselaw.com); Falkowski, Scott [SFalkowski@hhoh.org](mailto:SFalkowski@hhoh.org); Bergman, Russ [RBergman@hhoh.org](mailto:RBergman@hhoh.org); Knisley, Keith [KKnisley@hhoh.org](mailto:KKnisley@hhoh.org)

**Cc:** Powell, Karen [KPowell@hhoh.org](mailto:KPowell@hhoh.org)

**Subject:** ORC Review Worksheets

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- Section 1189.09(1) – Signs For Property Offered For Sale Or Rent
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- Section 1517.08 – Stop Work And Remedial Orders

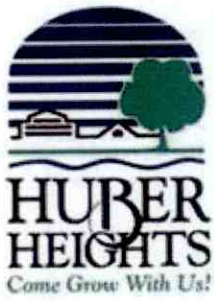
I have attached a link to the September 15, 2021 ORC meeting minutes for reference:

[https://public.destinyhosted.com/huberdocs/2021/PR/20210915\\_4161/4159\\_Ordinance%20Review%20Commission%20Minutes%20-%20091521.pdf](https://public.destinyhosted.com/huberdocs/2021/PR/20210915_4161/4159_Ordinance%20Review%20Commission%20Minutes%20-%20091521.pdf)

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Let me know if any questions. Thanks,

Tony



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# Huber Heights Fire Division

10/13/2021

To the Members of the Ordinance Review Committee,

After reviewing the video, your primary concern appears to be the idea that a building owner may be cited for violations that she has no idea of. I can assure you that no non-emergent condition or distinct hazard has ever been identified and cited without first giving at least verbal warning to the responsible party.

While the idea of responsible party may seem openly vague, our inspectors make every attempt to identify who the responsible party is. Many times, the responsible party may be the on-duty manager who receives the reports. Sometimes the issue at hand may be so large that we immediately reach out to the owner of the property.

I will start by providing you two small examples of how we have handled two separate conditions, ranging from minor to severe.

The first scenario involved a tattoo shop that had opened at Marian Meadows Shopping Center. The inspector noticed that the occupant had installed a wooden loft in the middle of his shop. This condition created a hazard for firefighting personnel and understanding that no drawings or approvals had been sought the situation created a risk to every patron in the occupancy. Our inspector first notified the occupant that the loft could not be utilized, then the inspector returned to speak to the building owner. Our discussion with the owner led to the structure being removed and we provided a path to any further alterations. In this scenario, no citations were issued. We stopped the hazard, identified who the responsible party was and made notification.

The second scenario involves a store where the owner of the building and the owner of the store are two separate entities. Our inspector identifies storage that reduces the allowed limits of the egress path. This scenario was created by an employee who didn't properly move the stock to the designated area in a timely manner. In this case the manager was notified, and the situation was corrected again without a citation. This is the most frequent type of violations that we see. The violation doesn't involve any actions taken by the owner of the building and can easily be corrected.

During the enforcement process, as described in my previous examples, our personnel work to identify who is responsible for the issue at hand. If a building has a tenant / occupant who creates numerous violations or attempts to alter the building, we routinely reach out to the owners of the building during the enforcement process as a courtesy or to help stop the violations. No one receives a citation without first being informed and given an attempt to rectify the situation unless the issue is urgent or declared to be a distinct hazard.

As stated previously, our language closely mirrors the language in the Ohio Administrative Code and the Ohio Fire Code. Often, the issues that we identify are simple housekeeping issues, while other issues involve structural items within a building. Our inspector's first step to any issue is not the issuance of a citation, but to inform the person responsible of the hazard and the need to correct the issue. Our inspectors are empowered to notify the responsible parties as to the violation and begin work to come up with a plan to mitigate the hazard.

There also may be a time where immediate enforcement is needed, such as times where a distinct hazard is identified, like a locked egress door in a place of public assembly. In the case of a distinct hazard, we would take immediate action and would need the flexibility to contact the closest responsible party, like a manager of a business. During this

time the citation may indeed be issued to the manager, and the owner may not receive notice until the employee informs them the business was ordered to be closed.

Language that mandates the contact of both the building owner and the occupant to serve a violation may slow the enforcement process and create extra work that for our limited inspection staff. At times buildings are not locally owned and the location of the owner is not easily accessible.

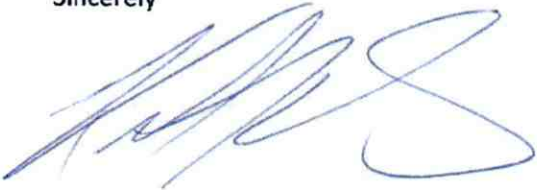
In recent history I can only think of one time when the Fire Division had to request the Police Division to issue a citation to a business occupant/owner who failed to replace an egress sign several times during a couple of months. We do at least 700 initial maintenance inspections each year, and while we find many violations, we seldom have the need to issue a citation.

The spirit of our enforcement process is and has been for many years to let the building owner know when the occupant has created a significant violation. It is important to note that there are many times where the occupant may not necessarily be liable for Fire Code violations as issues could be created by the negligence of the building owner.

If the ultimate desire is to ensure our current spirit and process of enforcement is codified, I would simply ask for some suggestive language and not modal verbs that leave little discretion to our personnel.

I appreciate your efforts in reviewing the City Ordinances especially as it pertains to the Fire Prevention Code.

Sincerely

A handwritten signature in blue ink, appearing to read 'K. Knisley', with a large, stylized flourish at the end.

Keith Knisley

Fire Chief

City of Huber Heights Division of Fire



## Rodgers, Anthony

---

**From:** McDonald, Gerald <GMcDonald@pselaw.com>  
**Sent:** Tuesday, October 19, 2021 3:07 PM  
**To:** Rodgers, Anthony  
**Subject:** RE: ORC Review Worksheets

**CAUTION EXTERNAL EMAIL:** This message originated from a non Huber Heights email server. DO NOT CLICK ANY LINKS or OPEN ANY ATTACHMENTS unless you have contacted the sender to verify its legitimacy or confirmed you were expecting it. Contact the IT Department if you need assistance.

Tony, time is something I simply have not had much of lately. My apologies for the last minute response (again) on the ORC items.

Properly amending the sign code will take time. I am not disputing that 1189.09(1) needs a review, I am just not sure how to change it. I have no problem with the ORC making a recommendation that 1189.09(1) be reviewed by the planning commission for elimination or clarification.

As to 1517.06 and 1517.08, while I appreciate Mr. Ellis' comments, I know for a fact that if a situation gets to the point where extreme action will be taken (demo) the owner will be notified regardless of what the ordinance provides. I agree with the Chief that violations need to be addressed quickly, and citing the person standing in front of you gets things done a lot quicker than notifying an owner in another State. I respectfully defer to Chief Knisley's comments on the fire code provisions.

---

**From:** Rodgers, Anthony <ARodgers@hhoh.org>  
**Sent:** Friday, October 8, 2021 12:34 PM  
**To:** McDonald, Gerald <GMcDonald@pselaw.com>; Falkowski, Scott <SFalkowski@hhoh.org>; Bergman, Russ <RBergman@hhoh.org>; Knisley, Keith <KKnisley@hhoh.org>  
**Cc:** Powell, Karen <KPowell@hhoh.org>  
**Subject:** ORC Review Worksheets

---

**\*\*\* NOTE: This email originated from a source OUTSIDE of Pickrel, Schaeffer & Ebeling Co.**

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Good afternoon,

I have attached the updated outstanding worksheets for the Ordinance Review Commission listing items for follow up. This will be the final round for addressing and finalizing these items. These worksheets have items for follow up by the individuals in this email (see attached). These include any new items and the older unresolved or returned items. The remaining items are:

- Section 509.08 – Disturbing The Peace
- Section 1189.09(1) – Signs For Property Offered For Sale Or Rent
- Section 1517.06 – Notice Of Violation
- Section 1517.08 – Stop Work And Remedial Orders

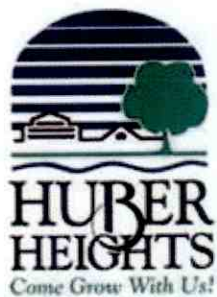
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Let me know if any questions. Thanks,

Tony



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## Rodgers, Anthony

---

**From:** Falkowski, Scott  
**Sent:** Wednesday, October 20, 2021 9:08 AM  
**To:** Rodgers, Anthony; Gerald McDonald; Bergman, Russ; Knisley, Keith  
**Cc:** Powell, Karen  
**Subject:** RE: ORC Review Worksheets

My opinion on this item is to not change the code. I feel that we should be supportive of the business of filling rental vacancies and the idea of the look or appearance should be addressed in number 2, "Be maintained in good repair and appearance by the owner at all times"

### **1189.09 Signs for property offered for sale or rent.**

The City recognizes that from time to time certain parcels of land may be offered for sale or rent and to restrict the ability of the owner to advertise the sale or rental of such parcel on that parcel may present a hardship on the owner of the parcel. As such, in addition to any other sign permitted by this chapter, a parcel that is being offered for sale or rent may have an additional sign provided such sign shall:

- (1) Be allowed only during the period beginning that the parcel is for sale or rent and ending upon the sale or rental of the parcel. Such sign to be removed within 14 days after such sale or rental;
- (2) Be maintained in good repair and appearance by the owner at all times;
- (3) Such signs shall not exceed nine square feet per face in any Residential District, 24 square feet per face in Business or Office Districts, or 32 square feet per face in any Industrial District; Such signs must be setback a minimum of two feet from the existing recorded public right-of-way;
- (4) For property in proximity to Interstate 70 and State Route 4/235 as described in Section 1189.10. If such sign is installed within 200 feet of the right-of-way of Interstate 70 or State Route 4/235, the following regulations shall apply to that sign:
  - A. The sign shall not exceed 100 square feet in total sign area.
  - B. Such sign shall not exceed 25 feet in height above the natural ground elevation. However, where the natural ground elevation of the base of the sign is lower than the pavement surface of Interstate 70 or State Route 4/235 at the point where the travel lanes pass nearest the base of the sign, the height of the sign shall be measured from the elevation of such pavement surface.
  - C. Such signs shall be set back a minimum distance of 15 feet from the right-of-way and a minimum distance equal to the actual height of the sign from any property zoned for residential use. If the ground sign is installed more than 200 feet from the right-of-way, the regulations stated in this chapter shall apply.

(Ord. 2013-O-2016, Passed 1-28-13; Ord. No. 2019-O-2398 , § 1, 10-14-19)

Thanks,

Scott P. Falkowski, P.E.  
Interim City Manager  
City of Huber Heights  
6131 Taylorsville Road  
Huber Heights, OH 45424  
Office: 937.233.1423  
Fax: 937.237.5800

Email: [sfalkowski@hhoh.org](mailto:sfalkowski@hhoh.org)

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**Sent:** Friday, October 8, 2021 12:34 PM  
**To:** Gerald McDonald <GMcDonald@pselaw.com>; Falkowski, Scott <SFalkowski@hhoh.org>; Bergman, Russ <RBergman@hhoh.org>; Knisley, Keith <KKnisley@hhoh.org>  
**Cc:** Powell, Karen <KPowell@hhoh.org>  
**Subject:** ORC Review Worksheets

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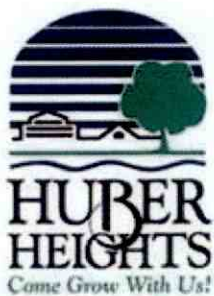
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Tony



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Phone: (937) 237-5832

Fax: (937) 233-1272

Email: [arodgers@hhoh.org](mailto:arodgers@hhoh.org)

AI-7872

New Business B.

**Ordinance Review Commission**

**Meeting Date:** 10/20/2021

Ordinance Review Commission Final Report/Presentation

**Submitted By:** Anthony Rodgers

**Department:** City Council

---

**Subject**

Ordinance Review Commission Final Report/Presentation

**Purpose and Background**

The Ordinance Review Commission will work on the final report detailing the work and recommendations from the 2020-2021 Ordinance Review Commission and the presentation of the final report to the City Council. The final report and the presentation of the final report to the City Council of the 2010-2011 Ordinance Review Commission have been included in the meeting packet as a reference (see attached).

---

**Fiscal Impact**

<b>Source of Funds</b>	<b>Cost</b>	<b>Recurring Cost (Yes/No)</b>
N/A	N/A	N/A

---

**Attachments**

2010-2011 ORC Final Report  
2010-2011 ORC Final Presentation

---

**City of Huber Heights  
Ordinance Review Commission Final Report  
November 14, 2011**

**Ordinance Review Commission City Charter Requirements:**

Requirements in the Huber Heights City Charter, Section 5.08(D), to establish an Ordinance Review Commission states that:

*Within two (2) years after the adoption of this charter, and at least every ten (10) years thereafter, the Council shall appoint an Ordinance Review Commission of not less than seven (7) electors of the City. It shall be the duty of the Commission to review the City Code, if one exists, and other ordinances or resolutions of the City, and to make recommendations to the Council for the elimination or revision of provisions of the City code and other ordinances and resolutions which may, in the opinion of the Commission, have outlived their usefulness or practicality. The Commission shall submit its report to Council within one (1) year after its appointment. The Council may take any action, in its discretion, as it deems warranted with respect to the recommendations of the Commission.*

**Ordinance Review Commission Membership and Process:**

A Huber Heights Ordinance Review Commission was established by the Huber Heights City Council in October, 2010, consisting of Ints Kaleps, Chair; Glenn Otto, Vice Chair; Anita Brock; Selena Crace; Jim Ellis; Linda Sommerville; and Tyler Starline, and held its first meeting November 18, 2010. The Ordinance Review Commission held monthly open public meetings from November, 2010 through October, 2011 and detailed minutes of these meetings were maintained by the Clerk of Council. The work of the previous 1999-2000 Ordinance Review Commission's work was reviewed and discussed. The Ordinance Review Commission began a systematic review of the Huber Height codified ordinances by section from the beginning of the Huber Heights City Code. An approach was adopted in which all members of the Ordinance Review Commission would review the same sections of the Huber Heights codified ordinances between meetings. Appropriate City Staff, responsible for oversight of the relevant sections of the City Code, were also asked to provide review comments, input and recommendations. At the subsequent meetings, the comments, input and recommendations from the Ordinance Review Commission members and City Staff were discussed and decisions made on which items to submit for consideration for review and/or action by the City Council. All sections of the Huber Heights City Code were reviewed and the recommendations for Council consideration were passed along regularly to the City Council during the course of the Ordinance Review Commission's work.

Additionally, a 483 page summarized listing of all the City of Huber Heights Resolutions was reviewed by assigned sections. After discussion by the Ordinance Review Commission members, it was agreed that there was no merit for a further detailed review of the Resolutions. The Resolutions are often time-specific or temporary in nature and not a part of a permanent City Code as are the City of Huber Heights Ordinances

### **Ordinance Review Commission Recommendations:**

The number of recommendations identified by the Ordinance Review Commission for City Council consideration for each Part of the City Code was as follows:

➤ Part One – Administrative Code	50
➤ Part Three – Traffic Code	3
➤ Part Five – General Offense Code	8
➤ Part Seven – Business Regulation Code	0
➤ Part Nine – Streets and Public Services Code	26
➤ Part Eleven – Planning and Zoning Code	30
➤ Part Thirteen – Building Code	9
➤ Part Fifteen – Fire Prevention Code	12

A detailed listing of all of these Ordinance Review Commission recommendations, actions taken, and current status is attached to this report in *Appendix A*.

Since these recommendations were submitted for City Council consideration as they were generated during the monthly meetings of the Ordinance Review Commission, the Huber Heights City Council has adopted 21 City Ordinances during 2011 covering many of these recommendations. A detailed legislative summary outlining the City Ordinances adopted based on these recommendations is attached to this report in *Appendix B*.

### **Ordinance Review Commission General Comments:**

There were three processes that were identified which contributed significantly to the success of this Ordinance Review Commission. The first was to ask all of the Ordinance Review Commission members and City Staff to review the same Parts of the City Code simultaneously. This allowed the sharing of various views on the same material at the same time. The second was the submission of Ordinance Review Commission's recommendations to the City Council as soon as they were generated. This allowed City Council to gradually digest the recommendations and act on them at a considered and thoughtful pace. The third was the active participation by the City Staff. The suggestions and input of the City Staff were highly insightful and knowledgeable. From the working experience of the City Staff, they were able to identify what did not work, what was not relevant and what should be added or modified in the current Huber Heights codified ordinances.

### **Ordinance Review Commission Acknowledgements:**

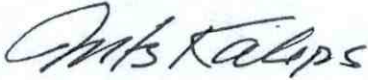
The Ordinance Review Commission wishes to acknowledge the contributions of specific City Staff and City Boards and Commissions. Among those are:

Gerald McDonald – Pickrel, Schaeffer & Ebeling – Assistant City Attorney  
Jim Borland – Acting City Manager and Public Safety Director  
Anthony Rodgers – Clerk of Council  
Bonnie Reser – Assistant Clerk of Council  
Jonathan Mendel – Planning and Zoning Director  
Russ Bergman – City Engineer

Don Jones – Finance Director  
Chief Rob Schommer – Police Division  
Chief Mark Ashworth – Fire Division  
Jason Eckert – Fire Marshal  
Emily Christian – Community Services and Special Projects Manager  
Katie Knisley – Human Resources Manager  
Ronni Showalter – Tax Administrator  
Anthony Pagan – GIS Specialist  
Pam Whited, United Water – Project Manager/Operations Manager  
Huber Heights Planning Commission  
Huber Heights Parks and Recreation Board  
Huber Heights Arts and Beautification Commission

Particular acknowledgements go to: Anthony Rodgers, Clerk of Council, whose superb organizational skills kept work on track. Jim Borland, Acting City Manager and Public Safety Director, who attended all the meetings, gave guidance, and filtered the relevant from the irrelevant. Jim Ellis, current and previous Ordinance Review Commission member, who gave valuable insights on how to proceed during deliberations.

Respectfully submitted,



Ints Kaleps  
Ordinance Review Commission Chair



**CITY OF HUBER HEIGHTS  
ORDINANCE REVIEW COMMISSION  
APPENDIX A - LEGISLATION WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
101.02 General Definitions	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>City Attorney needs to review general definitions (with assistance of Tyler Starline) to ensure they are current with Ohio Revised Code. 101.02(e) needs Greene County added. 101.02(k) needs "limited liability corporation partnership" added. 101.02(t) needs definition updated. City Attorney updated definitions as legally appropriate. Administration Committee reviewed on May 18, 2011 and recommended approval of changes. The City Council adopted the changes on May 23, 2011.</p> <p>Status: <b>COMPLETED</b></p>
101.05(c) Construction of Section References	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Needs statement added that if the Ohio Revised Code changes, the Huber Heights codified ordinances will be updated to reflect these changes. Consult with Walter Drane on this process. Clerk of Council consulted with Walter Drane and City Attorney on this issue. Walter Drane automatically makes these updates each time codified ordinances are updated. No statement is needed and no other changes are needed.</p> <p>Status: <b>COMPLETED</b></p>
101.99 General Penalty	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Needs to be reviewed by City Council through committee. Council should consider changing dollar amount of fine or removing the dollar amount and making it a minor misdemeanor. Administration Committee reviewed on March 23, 2011 and recommended making it a minor misdemeanor with no dollar amount of fine indicated. Administration Committee reviewed again on May 18, 2011 and recommended approval of changes. The City Council adopted the changes on May 23, 2011.</p> <p>Status: <b>COMPLETED</b></p>
103.04 Park Names	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Needs to include all of the names of the City Parks or it should be removed from the Huber Heights codified ordinances. Public Works reviewed on March 24, 2011 and recommended including the names and descriptions of all City parks. The Community Services and Special Projects Manager compiled a complete list of City parks names and descriptions. The list of parks will be moved to Section 943.04. The list was reviewed and approved by the Public Works Committee on April 6, 2011. Public Works Committee reviewed again on May 4, 2011 and recommended approval of changes. The City Council adopted the changes on May 9, 2011.</p>

			Status: <b>COMPLETED</b>
105 Wards	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Entire chapter needs to be rewritten and revised after receipt of 2010 Census data. All of the current information in this section should also be verified for accuracy to ensure it is consistent with current ward boundaries. All descriptions should be by property description and not by ordinance numbers. The City has received the 2010 US Census data and this data has been superimposed on ward map with ward population totals. Administration Committee reviewed on October 17, 2011 and November 9, 2011 and approved new ward map reflecting 2010 US Census data. The City Council is scheduled to adopt the changes on November 28, 2011 or December 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>
109 State of Emergency	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Entire chapter should be reviewed to ensure that it is consistent with NIMS protocols. Needs to be reviewed by City Council through committee. Public Services and Safety Committee reviewed with Fire Chief and Police Chief on April 4, 2011 and recommended no changes. Public Services and Safety Committee reviewed with Fire Chief and Police Chief and stated that no changes are needed at this time.</p> <p>Status: <b>COMPLETED</b></p>
109.02 Municipal Officers – State of Emergency	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>109.02(b) should include "or his designee". The Fire Chief should be listed in rank order before the Police Chief. Should consider adding the Vice Mayor and the Public Safety Director. Public Services and Safety Committee reviewed on April 4, 2011 and recommended approval of changes – order should be: Mayor, City Manager or designee, Fire Chief, then Police Chief. Administration Committee reviewed again on May 18, 2011 and recommended approval of changes. The City Council adopted the changes on May 23, 2011.</p> <p>Status: <b>COMPLETED</b></p>
121.01(b) Payment of Expenses	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Entire section needs to be rewritten and revised to be consistent with City's travel policy. Change local travel to 50 mile radius. Needs clarification on whether Council is covered by travel policy or will abide by travel policy. City Manager and Finance Director to review travel policy outside of Ordinance Review Commission process for any needed changes. No further action is needed at this time.</p> <p>Status: <b>COMPLETED</b></p>
125 Clerk of Council	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Entire chapter needs to be rewritten and revised to reflect current status and add Assistant Clerk of Council. Clerk of Council will rewrite. Administration Committee reviewed on March 23, 2011 and recommended adoption of chapter rewritten by Clerk of Council. The City Council adopted the</p>

			changes on April 11, 2011. Status: <b>COMPLETED</b>
Title Five – All Chapters Administrative	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Entire section needs to be rewritten and revised to reflect current status. All boards and commissions need to be reflected in Huber Heights codified ordinances. All departments and divisions need to be consistent with current Table of Organization. Human Resources Manager will rewrite. Administration Committee reviewed on August 3, 2011 and recommended approval of changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
131.01 Fees – City Recreation	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Remove last sentence in section. Public Works Committee reviewed on March 24, 2011 and recommended removal of last sentence in section. City Attorney determined entire section should be removed. Public Works Committee reviewed again on May 4, 2011 and recommended approval of changes. The City Council adopted the changes on May 9, 2011. Status: <b>COMPLETED</b>
131.02(b) Excess City Realty	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee. Administration Committee reviewed on March 23, 2011 and recommended removing time period and requiring City Council approval for all leases of City property. Administration Committee reviewed again on May 18, 2011 and recommended approval of changes. The City Council adopted the changes on May 23, 2011. Status: <b>COMPLETED</b>
131.04 Hiring Temporary Replacements	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Interim City Manager and Human Resources will rewrite. Needs to be reviewed by City Council through committee. Administration Committee reviewed on March 23, 2011 and recommended rewritten section presented by Interim City Manager. Administration Committee reviewed again on May 18, 2011 and recommended approval of changes. The City Council adopted the changes on May 23, 2011. Status: <b>COMPLETED</b>
131.07 Limited Jurisdiction Law Enforcement Officers	1/3/11	<input checked="" type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee. Review to consider repeal. 131.07(c) – remove words “to arrest for minor misdemeanors and”. This was reviewed by Public Works Committee during review of zoning codes. Public Works Committee recommended that section be retained with the removal of the words as proposed in 131.07(c). Administration Committee reviewed on September 19, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>

137.02(b) Storage Fees	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	City Manager to review with Police Chief on practice and report back to ORC on any needed changes. Police Chief presented changes and reviewed by Public Services and Safety Committee on March 2, 2011, April 4, 2011, May 2, 2011, and June 6, 2011 and recommended approval of changes. The City Council adopted the changes on June 13, 2011. Status: <b>COMPLETED</b>
137.03(d) Fire Division - Assistants	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Attorney. The City Attorney has recommended that no further action be taken on this section at this time. Status: <b>COMPLETED</b>
137.04 Information Reward Program	1/3/11	<input checked="" type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee and determine if still needed. City Manager to review with Police Chief on practice and report back to ORC on any needed changes. Review to consider repeal. Interim City Manager and Police Chief reviewed practice and stated that it needs to remain in codified ordinances and no changes are needed at this time. Status: <b>COMPLETED</b>
137.06(c) Police Division - Assistants	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Attorney. Delete "and Deputy Police Chief". The City Attorney has recommended that no further action be taken on this section at this time. Status: <b>COMPLETED</b>
138.01 Division of Building - Creation	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Human Resources Manager to add Division of Building to the Table of Organization. Needs to be reviewed by City Council through committee and determine if work could be done in-house. The Human Resources Manager added the Division of Building to the Table of Organization which was reviewed by Administration Committee on June 8, 2011 and adopted by the City Council on June 13, 2011. There are no plans currently to do this work in-house. Status: <b>COMPLETED</b>
139.01 Bridge Inspection	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	City Manager to review with City Engineer on practice and report back to ORC on any needed changes. Who should be designated? Administration Committee reviewed on August 3, 2011 and recommended approval of changes designating City Engineer. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
139.03 Parks and Recreation	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Change "Superintendent of Public Works" to "Community Services and Special Projects Manager". Administration Committee reviewed on August 3, 2011 and recommended approval of changes designating City Engineer. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>

139.05 Planning and Development	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs updated to reflect changes to Department of Planning and Zoning. Or, should Economic Development be added again? Needs to be consistent with Table of Organization. Administration Committee reviewed on August 3, 2011 and recommended approval of changes designating both new departments. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
140 Human Resources	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Change from department to division and remove specific titles due to frequency of changes. Administration Committee reviewed on August 3, 2011 and recommended approval of changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
141.02 Equal Opportunity	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	City Manager to review with Human Resources to ensure consistency with personnel manual and report on any needed changes. Administration Committee reviewed on August 3, 2011 and recommended approval of changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
141.03 Waiver of Civil Service Law	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Attorney. The City Attorney has recommended that no further action be taken on this section at this time. Status: <b>COMPLETED</b>
141.04 Sanctions – Political Activities	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Attorney. Are Council employees or officers? The City Attorney says that Councilmembers are considered as officers of the City. Can this be revised or is it state law? Need review of permissible and prohibited activities and penalties. Also, should City Attorney make the determination in 141.04(d)? Administration Committee reviewed on September 19, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
141.05 Employee Suggestion Committee	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs rescinded and removed from Huber Heights codified ordinances. Administration Committee reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. The City Council adopted the changes on April 25, 2011. Status: <b>COMPLETED</b>
141.06 Compensation for Outstanding Performance	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs rewritten to limit to Employee of the Quarter or needs to be rescinded and removed from Huber Heights codified ordinances. Human Resources Manager will rewrite, if needed. Should be consistent with personnel manual. Administration Committee reviewed on August 3, 2011 and recommended approval of change to rescind the section. The City Council adopted the changes on August 8, 2011.

			Status: <b>COMPLETED</b>
141.09 Personnel Rules and Regulations	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Attorney. List of exempt/non-exempt employees needs to be verified. Should be consistent with personnel manual. The City Attorney has recommended that no further action be taken on this section at this time. Status: <b>COMPLETED</b>
145.04 Thoroughfare Plan	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed and updated by City Engineer. Needs to be reviewed by City Council through committee. Public Works Committee reviewed on August 3, 2011 and recommended approval of change to rescind the section. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
153 Board of Sewer Charges	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs rescinded and removed from Huber Heights codified ordinances. Administration Committee reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. The City Council adopted the changes on April 25, 2011. Status: <b>COMPLETED</b>
155 Records Commission	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Clerk of Council will rewrite. Clerk of Council chairs Public Records Commission. Should be consistent with current Ohio public records laws. Needs to be reviewed by City Attorney. Administration Committee reviewed on March 23, 2011 and recommended adoption of chapter rewritten by Clerk of Council. The City Council adopted the changes on April 11, 2011. Status: <b>COMPLETED</b>
157 Youth Commission	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee. Needs possibly rescinded and removed from Huber Heights codified ordinances. Administration Committee reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. Status: <b>COMPLETED</b> Give information to Parks and Recreation Board for consideration of some consolidation of duties.
158 Investment Board	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Attorney, Finance Director, and bond counsel. Needs possibly rescinded and removed from Huber Heights codified ordinances. Finance Director says that bond counsel approved rescinding and removal. Administration Committee reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. The City Council adopted the changes on April 25, 2011. Status: <b>COMPLETED</b>
160 Disaster	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by Fire Chief and to see if needed any longer with NIMS protocols. Needs possibly rescinded and removed from Huber Heights codified ordinances. Administration Committee

Services Commission			reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. The City Council adopted the changes on April 25, 2011. Status: <b>COMPLETED</b>
161 Beautification Commission	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee. Needs possibly rescinded and removed from Huber Heights codified ordinances. Administration Committee reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. The City Council adopted the changes on April 25, 2011. The Arts Commission agreed to incorporate the duties of the Beautification Commission and change their name to the Arts and Beautification Commission. Public Works Committee reviewed on June 8, 2011 and recommended approval of changes. The City Council adopted the changes on June 13, 2011. Status: <b>COMPLETED</b>
162 Litter Control Board	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee. Needs rescinded and removed from Huber Heights codified ordinances if not required by Ohio Revised Code. Needs to be reviewed by City Attorney. Administration Committee reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. The City Council adopted the changes on April 25, 2011. Status: <b>COMPLETED</b>
164 Senior Advisory Board	1/3/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee. Needs rescinded and removed from Huber Heights codified ordinances. Administration Committee reviewed on March 23, 2011 and recommended that this be rescinded and removed from codified ordinances. The City Council adopted the changes on April 25, 2011. Status: <b>COMPLETED</b>
169 Urban Renewal	1/3/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Is this the appropriate section for this to be located in Huber Heights codified ordinances? Check with Walter Drane. City Attorney says there are new procedures for urban renewal that need to be updated. Administration Committee reviewed on September 19, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>

**CITY OF HUBER HEIGHTS**  
**ORDINANCE REVIEW COMMISSION**  
**LEGISLATION WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
171.02(c) Bidding and Purchasing	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be changed from \$15,000 to \$25,000. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Finance Director presented changes to Administration Committee on February 24, 2011. Committee approved changes. Finance Director and City Attorney prepared legislation for approval. City Council approved changes at March 14, 2011 City Council Meeting. Status: <b>COMPLETED</b>
171.02(d) Bidding and Purchasing	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be changed from \$15,000 to \$25,000. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Finance Director presented changes to Administration Committee on February 24, 2011. Committee approved changes. Finance Director and City Attorney prepared legislation for approval. City Council approved changes at March 14, 2011 City Council Meeting. Status: <b>COMPLETED</b>
171.03(a)(1) Bidding and Purchasing	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be changed from \$15,000 to \$25,000. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Finance Director presented changes to Administration Committee on February 24, 2011. Committee approved changes. Finance Director and City Attorney prepared legislation for approval. City Council approved changes at March 14, 2011 City Council Meeting. Status: <b>COMPLETED</b>
171.05(f) Bidding and Purchasing	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be changed from \$500 to \$1,000. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. City Council needs to decide whether they want quarterly report specified in this section or whether this requirement should be removed. Finance Director presented changes to Administration Committee on February 24, 2011. City Council wants to keep quarterly report. Committee approved changes. Finance Director and City Attorney prepared legislation for approval. City Council approved changes at March 14, 2011 City Council Meeting. Status: <b>COMPLETED</b> Finance Director to distribute quarterly reports through City Manager



			beginning with first quarter of 2011.
171.09 Bidding and Purchasing	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Attorney needs to review and determine if list of cooperative purchasers should be updated or replaced with a generic descriptive list instead. Needs to be reviewed by City Council through committee. Finance Director presented changes to Administration Committee on February 24, 2011. Committee approved changes. Finance Director and City Attorney prepared legislation for approval. City Council approved changes at March 14, 2011 City Council Meeting. Status: <b>COMPLETED</b>
179 Funds	2/7/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Entire chapter needs to be reviewed to determine if all appropriate funds are listed. Needs to be reviewed by City Attorney and Finance Director. Any funds that are no longer needed should be rescinded and any new funds added. Administration Committee reviewed on September 19, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011 Status: <b>COMPLETED</b>
Title Nine – All Chapters Taxation	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Entire section needs to be rewritten and revised to reflect current status and termination from RITA with suggested changes from Tax Administrator and Finance Director. Tax Administrator, Finance Director, and City Attorney will rewrite. Needs to be reviewed by City Council through committee. Note: The Ordinance Review Commission did not review this area feeling it did not have the expertise to do so. Administration Committee reviewed on September 6, 2011 and recommended approval of the changes. Finance Director and City Attorney prepared legislation for approval. City Council approved changes at September 12, 2011 City Council Meeting. Status: <b>COMPLETED</b>
191.24(c) Board of Tax Appeals	2/7/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be rescinded or rewritten to be consistent with other City boards and commissions. Should be volunteer position with no compensation. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Administration Committee reviewed on September 19, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011 Status: <b>COMPLETED</b>
193.03 Transient Guest Tax	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	City Manager will verify with Finance Director and Tax Administrator that this process is being properly adhered to with all hotels and motels in the City. Report to City Council and the Ordinance Review Commission on compliance with this requirement. Verified with Finance Director that this process is being properly adhered to and the City and local hotels are in full compliance with the ordinances in this matter.

			Status: <b>COMPLETED</b>
195 Motor Vehicle Tax	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Consider rate increase on motor vehicle license tax in Miami County. Finance Director to prepare a proposal. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Administration Committee reviewed on September 6, 2011 and recommended approval of the changes as part of the 2012 budget planning process. The City Council plans to adopt the changes through legislation on November 14, 2011.</p> <p>Status: <b>COMPLETED</b></p>
199 County Court	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Change the name of Montgomery County Court to current name. Administration Committee reviewed on May 18, 2011 and recommended approval of changes. The City Council adopted the changes on May 23, 2011.</p> <p>Status: <b>COMPLETED</b></p>

**CITY OF HUBER HEIGHTS**  
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Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
351.04 Handicap Parking	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Needs to be updated to allow for lesser penalty for violators who fail to display handicap placard but have handicap placard. Police Chief to rewrite. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Police Chief presented changes to Public Services and Safety Committee on March 2, 2011, April 4, 2011, May 2, 2011, and June 6, 2011. Committee approved changes. The City Council approved the changes at the June 13, 2011 City Council Meeting.</p> <p>Status: <b>COMPLETED</b></p>
351.22 Snow Emergency Routes	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Needs to be updated. Public Works Manager and Public Works Supervisor to rewrite. Needs to be reviewed by City Council through committee. Reviewed by Public Works Staff and City Engineer. Interim City Manager presented changes to Public Services and Safety Committee on March 2, 2011. Committee approved changes. The City Council approved the changes at the April 11, 2011 City Council Meeting.</p> <p>Status: <b>COMPLETED</b></p>
N/A Loud Noise Citations	2/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Needs to be updated to allow for traffic citation to be issued for noise/loud music from a vehicle. Currently, Police Division can only issue a criminal citation per Section 509.10 in the General Offense Code. Police Chief to rewrite. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Police Chief presented changes to Public Services and Safety Committee on March 2, 2011. Committee approved changes. The City Council approved the changes at the April 25, 2011 City Council Meeting.</p> <p>Status: <b>COMPLETED</b></p>

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Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
505.08 Nuisance Conditions	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be amended to remove the language "or fowl". Needs to be reviewed by City Attorney. Public Works Committee reviewed on April 6, 2011 and July 19, 2011 and approved changes. The City Council adopted the changes on July 25, 2011. Status: <b>COMPLETED</b>
Chapter 505 Animals and Fowl	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Chapter title needs to be amended from "Animals and Fowl" to "Animals". Needs to be reviewed by City Attorney. Public Works Committee reviewed on April 6, 2011 and July 19, 2011 and approved changes. The City Council adopted the changes on July 25, 2011. Status: <b>COMPLETED</b>
521.02 Venting of Heaters and Burners	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by Fire Chief and Fire Division for any needed changes. Fire Chief recommended deleting this section from Part 5 and adding a revised section to Part 15. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on July 25, 2011. Status: <b>COMPLETED</b>
521.08 Garbage and Trash	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee and by City Attorney if changes are adopted related to City trash hauling. Otherwise, no action is needed. Status: <b>COMPLETED</b> No action needed unless changes are adopted by City Council related to City trash hauling.
521.081 Garbage and Trash	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee and by City Attorney if changes are adopted related to City trash hauling. Otherwise, no action is needed. Status: <b>COMPLETED</b> No action needed unless changes are adopted by City Council related to City trash hauling.
521.081(d) Service of Notice	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee and by City Attorney. Steps in service of notice need to be reconsidered and revised. Planning and Zoning Staff to rewrite. The language "Any police officer or" needs to be removed from 521.081(d)(4). Public Works Committee reviewed on April 6, 2011 and July 19, 2011 and approved changes. City Attorney advised that the service of

			notice requirements should remain and no changes are needed at this time. Change only needed to 521.081(d)(4). The City Council adopted the changes on July 25, 2011. Status: <b>COMPLETED</b>
521.10(c) Duty to Cut Weeds	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Definition of "weeds" needs to be reconsidered and rewritten. Needs to be reviewed by City Council through committee and by City Attorney. Planning and Zoning Staff to rewrite as needed. Public Works Committee reviewed on April 6, 2011 and July 19, 2011 and approved changes. The City Council adopted the changes on July 25, 2011. Status: <b>COMPLETED</b>
521.10(d) Duty to Cut Weeds	3/7/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by City Council through committee and by City Attorney. Needs to be determined whether publication requirement is legally necessary or can be eliminated. Planning and Zoning Staff to rewrite as needed. Public Works Committee reviewed on April 6, 2011 and approved changes. City Attorney advised that requirement should remain and no changes are needed to this section at this time. Status: <b>COMPLETED</b>

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Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
Part Seven Business Regulation Code	N/A	N/A	N/A

**CITY OF HUBER HEIGHTS  
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Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
903.04/903.05 Permit Applications/Obligations of Permittee	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to add "or any other legal entity recognized under the laws of the state of Ohio" to both sections to be inclusive of all legal entities. Needs to be reviewed by City Attorney. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
903.05(c) Obligations of Permittee	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to add a provision to section to allow for extension of surety bond beyond one year period if issues still exist; consider holding surety bond for minimum of one year and until issues that still exist are resolved. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
903.99/911.99/915.99/ 929.99 Penalty	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to list offense without specifying the fines and penalties. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
907.01 Structures and Objects in Right of Way	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Council needs to make policy decisions related to enforcement on these issues. Possibly include in proposed Planning and Zoning standard operating procedures. Needs to be reviewed by Planning and Zoning Director, City Attorney, and by City Council through committee. City Attorney reviewed and Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. It should also be addressed through the Planning and Zoning standard operating procedures. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>

907.99 Penalty	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Need to list penalty as minor misdemeanor and list offense without specifying the fines and penalties. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting.</p> <p>Status: <b>COMPLETED</b></p>
911.01 Definitions	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Need to move this definitions section to the beginning of Title One – Street and Sidewalk Areas. Ensure consistency and all definitions for terms in 903.02(a), 903.02(b), and 903.02 (c). Also, move definitions for “sidewalk” and “street” in 101.02 to Part 9. Needs to be reviewed by City Engineer and City Attorney. City Attorney said that no changes should be made to this section and the definitions should remain as they currently are.</p> <p>Status: <b>COMPLETED</b></p>
911.02(a) Duty to Repair Curbs and Sidewalks	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>City Council needs to make policy decisions related to enforcement on these issues or consider removing requirements to keep free of snow and ice. Needs to be reviewed by Planning and Zoning Director, City Attorney, and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting.</p> <p>Status: <b>COMPLETED</b></p>
915.03(j)(1) Driveway Design	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Change grade of slope for driveways to 10%. Needs to be reviewed by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting.</p> <p>Status: <b>COMPLETED</b></p>
915.06 Policies and Regulations	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Add ten (10) day deadlines to steps in appeal processes. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting.</p> <p>Status: <b>COMPLETED</b></p>
919.01(b) Street Lighting Procedure	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>City Engineer to rewrite section for greater clarity. Needs to be reviewed by City Engineer, City Attorney. City Attorney, City Engineer, and Finance Department reviewed further and determined that no changes were needed to this section at this time.</p> <p>Status: <b>COMPLETED</b></p>



919 Street Lighting Assessment	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The entire section needs revised to change functions of the Clerk of Council to Finance Director. This should also be done for other assessments sections. Needs to be reviewed by City Attorney and by City Council through committee. After review by City Attorney and Clerk of Council, it was decided that no changes need to be made at this time. These functions will remain with the Clerk of Council. Status: <b>COMPLETED</b>
921.02 Utility Structures - Classification	4/4/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The entire section needs to be removed or rescinded. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
922.03(f) Definitions	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The definition for "County" needs to be clarified. Should the definition also include Miami and Greene Counties? Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
923.11(a) Plumbers and Excavators	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The license requirement for Montgomery County needs to be clarified. Should it also include Miami and Greene Counties? Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
929.12(b) Meter Readings; Estimates	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Engineer and United Water to rewrite section to change from "shall" to "may. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
929.14 Bills; Payment	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Engineer and United Water to rewrite section to allow for electronic statements and remove "convenience" wording. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011

			and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
929.17 Adjustments	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Engineer and United Water to rewrite section to add "City Manager or his/her designee". Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
929.19 Water Meters	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Council needs to make policy decisions related to water meters and who bears costs of repairs, particularly in 929.19(c) and 929.19(d). Needs to be reviewed by City Engineer, United Water, City Attorney, and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
934.02/934.03 Water Distribution and Sewer Rates	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Can historical rates listed in code be removed and only leave current rates? Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
934.08 Fees	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Engineer and United Water to propose new fee schedules and revise section with new fee schedules. Needs to be reviewed by Finance Director, City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Administration Committee reviewed on September 19, 2011 and recommended approval of changes to move fees to Part 9 and Part 11 from Part 1. The City Council adopted the changes on September 26, 2011 Status: <b>COMPLETED</b>
934.09 Fees	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	City Engineer says these fees were updated in last two years and current fee schedules are not correct in codified ordinances. Clerk of Council and City Engineer to work to correct with

			Walter Drane codification service. Administration Committee reviewed on September 19, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011 Status: <b>COMPLETED</b>
934.11 Miscellaneous Fees	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	City Engineer and United Water to propose new fee schedules and revise section with new fee schedules. Needs to be reviewed by Finance Director, City Attorney and by City Council through committee. Public Works Committee reviewed on April 20, 2011 and June 22, 2011 and approved changes. The City Council approved the changes at the June 27, 2011 City Council Meeting. Status: <b>COMPLETED</b>
943 City Parks	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	The entire section needs reviewed in further detail in conjunction with the City's parks procedures again at Ordinance Review Commission meeting on May 2, 2011. Community Services and Special Projects Manager to review codified ordinances and City's parks procedures and make recommendations for changes or integration of these two items. Look at moving list of City park names from 103.04 to this section. The Community Services and Special Projects Manager compiled a complete list of City parks names and descriptions. The list of parks will be moved to Section 943.04. The list was reviewed and approved by the Public Works Committee on April 6, 2011. Public Works Committee reviewed again on May 4, 2011 and recommended approval of all changes. The City Council adopted the changes on May 9, 2011. Status: <b>COMPLETED</b>
943.03(b) Hours	4/4/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	The entire section needs to be removed or rescinded. Needs to be reviewed by City Council through committee. Public Works Committee reviewed on May 4, 2011 and recommended approval of changes. The City Council adopted the changes on May 9, 2011. Status: <b>COMPLETED</b>
943.13(b) Erection of Materials	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	Needs to be updated to allow for temporary shelters or tents for specified purpose and special events. Community Services and Special Projects Manager to review codified ordinances and City's parks procedures and make recommendations. Needs to be reviewed by City Council through committee. Public Works Committee reviewed on May 4, 2011 and recommended approval of changes. The City Council adopted the changes on May 9, 2011. Status: <b>COMPLETED</b>

145.03 Fees	4/4/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	City Engineer says the fees listed in this section are more appropriate to locate in the respective Planning and Zoning and Engineering sections of the codified ordinances rather than in this section. Administration Committee reviewed on September 19, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011 Status: <b>COMPLETED</b>
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**CITY OF HUBER HEIGHTS  
ORDINANCE REVIEW COMMISSION  
LEGISLATION WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
1109.12(a) Special Street Types	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Need to remove Trowbridge Way from the list of permanent dead end streets. Needs to be reviewed by City Attorney and City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning and Zoning Director to review all dead end streets and to clarify language in paragraph 2. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>
1109 Tables 1-3	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Where medium density is defined by zoning district, need to change "RPD" to "PR"; where high density is defined by zoning district, change "RPDA" to "PR" and "RPDB" to "PM". Needs to be reviewed by City Attorney and City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>
1117.01 Recording of Plat	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Needs to revise paragraph to state that plat must be recorded at the recorder office of the county within which the subdivision occurs. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>
1123.11	5/2/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise	<p>Need to delete section – apartment house is outdated term. Needs to be reviewed by City</p>

Apartment House		<input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1123.47 Garage	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove "owned or operated by members of families resident upon premises." Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1123.48 Garage, Private	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to change "garage" to "building" in definition. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1125.01 Zoning Officer	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input checked="" type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to add a subsection (e) that would allow the Zoning Officer to make an administrative decision that a proposed use is of sufficiently similar character to uses listed as permitted or special use within a given zoning district. Ordinance Review Commission felt this should be a decision of City Council. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Public Works Committee decided that the Planning and Zoning Director should make administrative decision, rather than a Zoning Officer. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and did not approve the changes. Public Works Committee reviewed again on August 17, 2011 and concurred with the Planning Commission recommendation of no changes. No further action being taken on this item at this time.

			Status: <b>COMPLETED</b>
1125.04 Stop Work Order	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input checked="" type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to add a section 1125.04 to establish explicit "stop work order" ability for the Planning and Zoning Department. Planning and Zoning Director to write section draft. Needs to be reviewed by City Attorney and City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Public Works Committee requested that the penalty for violating stop work order be specified in the section. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1130.03(a) Initiation of Amendments	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input checked="" type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to add subsection (5) to allow City residents, property owners, and business owners to propose zoning code text amendments. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes, but wanted further review by City Attorney. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1135.11 Signs Permitted	5/2/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove the section in its entirety. The section sets different standards for special uses that are different than the sign code. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and did not approve changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
Title 5 – Title Page Zoning Districts	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to add all of the missing Planned Districts to the list of zoning districts. Planning and Zoning Director to write section draft. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works

			Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1141.01 Districts	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to add PEP, EP, and PM to the list of zoning districts. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 8, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1142.01/1142.02 Principal Permitted Uses and Accessory Uses	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove second sentence in beginning paragraph – no need to have Board of Zoning Appeals determine “similar character.” Ordinance Review Commission felt this should be a decision of City Council. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and did not approve the changes. Public Works Committee reviewed again on August 17, 2011 and concurred with the Planning Commission recommendation of no changes. No further action being taken on this item at this time. Status: <b>COMPLETED</b>
1143.01 Principal Permitted Uses	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to incorporate subsection (c) into the first sentence – it is a purpose description, not a use. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Public Works Committee suggested that similar changes and revisions be done in section 1143.02 also with subsections (b) and (c). Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1143.02(b) and (c)	7/6/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The Public Works Committee reviewed on July 6, 2011 and recommended that these sections be removed or moved to and incorporated into the sign code section of the codified ordinances. Planning Commission did a preliminary review on July 26, 2011 and held a



			public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1153.01 Principal Permitted Uses	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove "unless otherwise considered and approved by the Board of Zoning Appeals to be of similar character" – no need to have Board of Zoning Appeals determine "similar character." Ordinance Review Commission felt this should be a decision of City Council. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on June 22, 2011 and July 6, 2011 and approved changes. Public Works Committee suggested that credit unions be added as a permitted use in subsection (c). Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and did not approve the changes on "similar character", but approved the addition of credit unions in subsection (c). Public Works Committee reviewed again on August 17, 2011 and concurred with the Planning Commission recommendations. The City Council adopted the approved changes on September 12, 2011. No further action being taken on this item at this time. Status: <b>COMPLETED</b>
1153.03 Conditions	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove "as determined by the Board of Zoning Appeals" – no need to have Board of Zoning Appeals determine. Ordinance Review Commission felt this should be a decision of City Council. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and did not approve the changes. Public Works Committee reviewed again on August 17, 2011 and concurred with the Planning Commission recommendation of no changes. No further action being taken on this item at this time. Status: <b>COMPLETED</b>
1154.02 Accessory Uses	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove "unless otherwise considered and approved by the Board of Zoning Appeals to be of similar character" – no need to have Board of Zoning Appeals determine "similar character." Ordinance Review Commission felt this should be a decision of City Council. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a

			<p>preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and did not approve the changes. Public Works Committee reviewed again on August 17, 2011 and concurred with the Planning Commission recommendation of no changes. No further action being taken on this item at this time.</p> <p>Status: <b>COMPLETED</b></p>
1155.01 Principal Permitted Uses	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Need to remove uses (b), (e), and (f). Need to remove “when approved by the Board of Zoning Appeals” – no need to have Board of Zoning Appeals determine. Ordinance Review Commission felt this should be a decision of City Council. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and did not approve the changes involving “when approved by Board of Zoning Appeals”, but approved the removal of uses (b), (e), and (f). Public Works Committee reviewed again on August 17, 2011 and concurred with the Planning Commission recommendations. The City Council adopted the approved changes on September 12, 2011. No further action being taken on this item at this time.</p> <p>Status: <b>COMPLETED</b></p>
1155.02 Accessory Uses	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Need to remove “unless otherwise considered and approved by the Board of Zoning Appeals to be of similar character” – no need to have Board of Zoning Appeals determine “similar character.” Ordinance Review Commission felt this should be a decision of City Council. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and did not approve the changes. Public Works Committee reviewed again on August 17, 2011 and concurred with the Planning Commission recommendation of no changes. No further action being taken on this item at this time.</p> <p>Status: <b>COMPLETED</b></p>
1181.04(d) Projections	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Need to change to allow carports closer to side lot lines from current 5 foot minimum to 3 foot minimum and add 16 foot depth to rear lot line from building. Planning and Zoning Director to write section draft. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved</p>

			changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1181.10(a) Carnivals and Festivals	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove "when permitted by Planning Commission." Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Public Works Committee suggested that the language for carnivals, festivals, and circuses be standardized in section. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1181.12 Outdoor Retail Sales and Displays	5/2/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be revised to remove the requirement that the Planning Commission review the sales plan in the PC zoning district. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1181.13 Junk Yards	5/2/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove section in its entirety – it is redundant. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011. Status: <b>COMPLETED</b>
1181.14 Waiver of Setback Violations and Fees	5/2/11	<input type="checkbox"/> Repeal <input checked="" type="checkbox"/> Rescind <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to remove section in its entirety – the purpose of this section no longer should apply since many sheds in existence in 1983 have probably been replaced and registering them for nonconformance is outdated. Needs to be reviewed by City Attorney and by City Council

			<p>through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>
<p>1181.16 Waiver of Maximum Area Requirements For a Category of Wall Signs</p>	<p>5/2/11</p>	<p><input type="checkbox"/> Repeal   <input checked="" type="checkbox"/> Rescind   <input type="checkbox"/> Amend/Revise <input type="checkbox"/> Add   <input checked="" type="checkbox"/> Needs City Attorney Review</p>	<p>Need to remove section in its entirety – the purpose of this section was to allow existing nonconforming signs to be registered by 1992, but since the deadline is long past the section is outdated. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>
<p>1181.19 Agricultural Animals</p>	<p>5/2/11</p>	<p><input type="checkbox"/> Repeal   <input type="checkbox"/> Rescind   <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add   <input checked="" type="checkbox"/> Needs City Attorney Review</p>	<p>Need to add RMV, PR, and PM zoning districts to this section regarding agricultural animals in the City's higher density residential districts. Needs to be reviewed by City Attorney and by City Council through committee. Public Works Committee reviewed on July 6, 2011 and approved changes. Public Works Committee suggested that language include generic reference to any other animals in addition to those listed. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>

**CITY OF HUBER HEIGHTS  
ORDINANCE REVIEW COMMISSION  
LEGISLATION WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
1181.20(c)(2) Building Materials For Dwellings	6/6/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Board of Zoning Appeals raised issues of fairness and cost for existing property owners to comply with requirement when making additions to structures or remodeling versus existing PUD requirements for materials. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and recommended that no action be taken at the current time and that this item be considered as part of the comprehensive review of the planning and zoning code in 2012.</p> <p>Status: <b>COMPLETED</b></p>
1189.07(a)(3)(A)(5) Signs Permitted	6/6/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input type="checkbox"/> Needs City Attorney Review	<p>Needs to list offense without specifying the fines and penalties. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 6, 2011 and approved changes. Planning Commission did a preliminary review on July 26, 2011 and held a public hearing on the changes on August 9, 2011 and approved changes. Public Works Committee reviewed again on August 17, 2011 and approved changes. The City Council adopted the changes on September 12, 2011.</p> <p>Status: <b>COMPLETED</b></p>
1189.07(b)(4) Ground Signs	6/6/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	<p>Board of Zoning Appeals raised issue of whether the required setback was excessive at 15 feet and suggested that the setback should be reduced to 5 feet. Planning and Zoning Director suggested change could be made as part of comprehensive review of sign code over next two years rather than now. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and recommended that no action be taken at the current time and that this item be considered as part of the comprehensive review of the planning and zoning code in 2012.</p> <p>Status: <b>COMPLETED</b></p>

**CITY OF HUBER HEIGHTS  
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LEGISLATION WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
1309.01 Housing Code	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The reference to the Montgomery County Housing Code is outdated since the county has repealed it. Needs to be updated. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
1309.02 Garbage and Refuse Regulations	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The reference to the Montgomery County Garbage and Refuse Regulations may be outdated. Needs to be updated. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
Chapter 1313 Property Maintenance Code	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	References to the "Property Maintenance Board" need to be changed to the "Property Maintenance Review Board" on the Title Page and in Sections 1313.01, 1313.03, 1313.08, and 1313.09. The quorum for meetings should also be defined in the board's rules of procedures. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
1313.04(h)(5) Title; Maintenance Standards	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The reference to "free of all snow, ice" needs to be removed to be consistent with the changes already approved in Part Nine, Section 911.02. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
1313.09 Hearings	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Need to review \$30.00 filing fee for possible increase in fee. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and recommended that this fee be reviewed as part of general review of all Planning

			and Zoning fees by Planning and Zoning Director. No action taken at this time. This fee will be reviewed at a later date as part of general review of all Planning and Zoning fees by Planning and Zoning Director. Status: <b>COMPLETED</b>
1313.09 Hearings	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The terms "appeal" and "review" need to be defined. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and recommended that references to "review" be removed and that the appeal process only remain. After further review by Planning and Zoning Director, it was found that sections 1313.03(b)(1) and 1313.03(b)(2) delineate differences between "appeal" and "review" so no further change is needed. Status: <b>COMPLETED</b>
1313.10 Abatement	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The word "provide" in the first sentence of the section needs to be changed to "provided". Typographical error. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
1313.99 Penalty	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to list offense without specifying the fines and penalties. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>
1321.99 Penalty	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to list offense without specifying the fines and penalties. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Works Committee reviewed on July 19, 2011 and approved changes. The City Council adopted the changes on August 8, 2011. Status: <b>COMPLETED</b>

**CITY OF HUBER HEIGHTS  
ORDINANCE REVIEW COMMISSION  
LEGISLATION WORKSHEET**

Legislation/ Code Section	Date of Review/ Action	Action Taken	Notes
521.02 Heating of Heaters and Burners	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be reviewed by Fire Chief and Fire Division for any needed changes. Fire Chief recommended deleting this section from Part 5 and adding a revised section to Part 15. Public Works Committee reviewed on July 19, 2011 and approved deleting this section from Part 5. The City Council adopted the deletion of this section from Part 5 on July 25, 2011. Fire Marshal and Fire Chief need to write new section addressing this issue in Part 15. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1501 Enforcement	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The section title needs to be modified to "Referenced Codes and Standards." Needs to be rewritten and reorganized to reflect reference to current adopted codes and standards; reflect changes in right of entry; add definitions; move investigation of fires; and remove redundant and conflicting language. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1505 Ohio Fire Code	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	The section title needs to be modified to "Investigation of Fires." Needs to be rewritten to include new language on investigation of fires; and to remove redundant and conflicting language and obsolete sections. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1509	7/12/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise	Needs to be rewritten to include new language on permit procedures and references; and to remove



Permit Procedure	8/1/11	<input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	redundant and conflicting language and obsolete sections. Needs an updated permit fee schedule. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1513 Fire Control Measures	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be rewritten to make various term and grammatical changes. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1517 Dangerous and Hazardous Conditions	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be rewritten to make various term and grammatical changes and to reflect reference to current adopted codes and standards. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1519 Water Distribution	8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs new section written on water mains; areas without water supply system; and valve pits and drainage. The proposed section 1519.01 needs to address existing water mains or replacement of non-conforming existing water mains and "when possible" needs to be defined. The proposed section 1519.02 needs to clarify which code supersedes the other when in conflict. The proposed section 1519.03 needs to define "approved pump". Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1521 Fire Safety Equipment and Facilities	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be rewritten to include new language on structures and alarm systems within strip malls and multi-tenant spaces; new language on excessive nuisance alarms; and to reflect reference to current adopted codes and standards. The proposed section needs to address remodeling of existing spaces greater than 50% of the space. Fire Marshal and Fire Chief need to write new section. Needs

			to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1523 Building Systems and Signage	8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs new section written on building systems and signage in 1523.01 through 1523.05. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1525 General Fire Precautions	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to have section 1525.03 on transferring gasoline removed and the sections renumbered. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
1529 Fireworks	7/12/11 8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Needs to be rewritten as to penalties to reflect reference to current Ohio Revised Code. Fire Marshal and Fire Chief need to write new section. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>
Fire Fee Schedule	8/1/11	<input type="checkbox"/> Repeal <input type="checkbox"/> Rescind <input checked="" type="checkbox"/> Amend/Revise <input type="checkbox"/> Add <input checked="" type="checkbox"/> Needs City Attorney Review	Fire Marshal and Fire Chief need to write and/or revise a fee schedule for all fire-related fees. Needs to be reviewed again by Ordinance Review Commission. Needs to be reviewed by City Council through committee. Needs to be reviewed by City Attorney. Public Services and Safety Committee reviewed on September 13, 2011 and recommended approval of changes. The City Council adopted the changes on September 26, 2011. Status: <b>COMPLETED</b>

**City Of Huber Heights  
Ordinance Review Commission  
APPENDIX B - Legislative Summary**

Ordinance No.	Ordinance Title	Codified Ordinance Chapter(s) Modified	Date Adopted	Effective Date
<b>Part One – Administrative Code</b>				
2011-O-1869	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, TITLE FIVE ADMINISTRATIVE, CHAPTER 171 BIDDING AND PURCHASING, OF THE HUBER HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.	171	03-14-11	03-14-11
2011-O-1875	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, TITLE THREE LEGISLATIVE, BEING CHAPTER 125 CLERK OF COUNCIL, OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	125	04-11-11	05-11-11
2011-O-1876	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, TITLE FIVE ADMINISTRATIVE, BEING CHAPTER 155 RECORDS COMMISSION, OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	155	04-11-11	05-11-11
2011-O-1879	DISSOLVING CERTAIN OBSOLETE BOARDS, COMMISSIONS AND COMMITTEES AND AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, TITLE THREE LEGISLATIVE, BEING CHAPTERS 153, 157, 158, 159, 160, 161, 162, 164 AND SECTION 141.05 OF THE HUBER HEIGHTS CODIFIED ORDINANCES, TO REMOVE THE REFERENCES TO SUCH OBSOLETE BOARDS, COMMISSIONS AND COMMITTEES FROM THE CODIFIED ORDINANCES.	141, 153, 157, 158, 159, 160, 161, 162, 164	04-25-11	05-25-11
2011-O-1886	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES BEING SECTIONS 101.02(e), (k), and (r); SECTION 101.99; SECTION 109.02; 131.02; 131.04; AND CHAPTER 199.	101, 109, 131, 199	05-23-11	06-22-11
2011-O-1893	EXPANDING THE ROLE OF THE HUBER HEIGHTS ARTS COMMISSION AND AMENDING PART ONE, TITLE ONE, CHAPTER 163 OF THE CODIFIED ORDINANCES OF HUBER HEIGHTS.	163	06-13-11	07-13-11
2011-O-1898	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	134, 136, 137, 139, 140, 141, 147, 149, 154, 156, 157	08-08-11	09-07-11

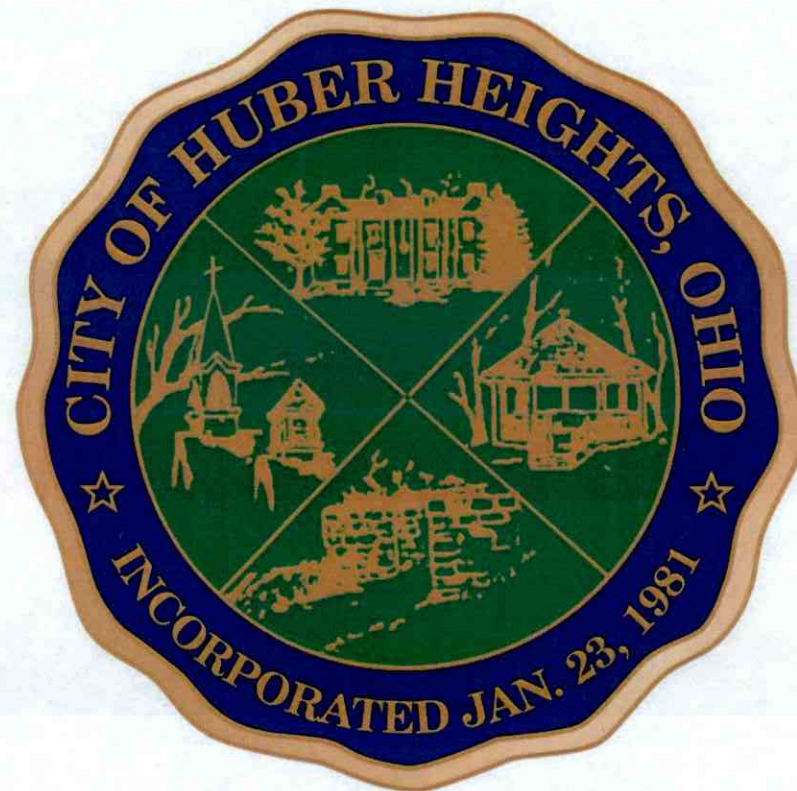
2011-O-1902	AMENDING THE HUBER HEIGHTS THOROUGHFARE PLAN AND AMENDING CHAPTER 145, SECTION 145.04 OF PART ONE, ADMINISTRATIVE CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.	145	08-08-11	08-08-11
2011-O-1908	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, TITLE NINE, "TAXATION" OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	191	09-12-11	10-12-11
2011-O-1911	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES BEING SECTIONS 131.07, 141.04 AND CHAPTER 169.	131, 141, 169	09-26-11	10-26-11
2011-O-1912	AMENDING VARIOUS SECTIONS OF THE HUBER HEIGHTS CODIFIED ORDINANCES DEALING WITH FEE AMOUNTS.	145, 951, 1105, 1117, 1121	09-26-11	10-26-11
2011-O-1913	AMENDING CERTAIN SECTIONS OF PART ONE, ADMINISTRATIVE CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES BEING CHAPTER 179 AND SECTION 191.24.	179, 191	09-26-11	10-26-11
<b>Part Three – Traffic Code</b>				
2011-O-1878	AMENDING CERTAIN SECTIONS OF PART THREE, TRAFFIC CODE, TITLE SEVEN PARKING, CHAPTER 351 PARKING GENERALLY, BEING SECTION 351.22 OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	351	04-11-11	05-11-11
2011-O-1881	AMENDING PART THREE TRAFFIC CODE, TITLE FIVE VEHICLES, SECTION 337 SAFETY AND EQUIPMENT OF THE CODIFIED ORDINANCES OF THE CITY OF HUBER HEIGHTS BY ADDING SECTION 337.37 SOUND AMPLIFICATION DEVICES IN MOTOR VEHICLES.	337	04-25-11	05-25-11
2011-O-1892	AMENDING CERTAIN SECTIONS OF PART THREE, TRAFFIC CODE, TITLE SEVEN PARKING, CHAPTER 351 HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES, OF THE HUBER HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.	351	06-13-11	06-13-11
<b>Part Five – General Offenses Code</b>				
2011-O-1897	AMENDING CERTAIN SECTIONS OF PART FIVE, GENERAL OFFENSES CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	505, 521	07-25-11	08-24-11

Part Seven – Business Regulation Code				
N/A	N/A		N/A	N/A
Part Nine – Streets and Public Services Code				
2011-O-1882	AMENDING PART NINE, STREETS AND PUBLIC SERVICES, TITLE FIVE OTHER PUBLIC SERVICES, BEING CHAPTER 943 CITY PARKS, OF THE HUBER HEIGHTS CODIFIED ORDINANCES AND ALSO DELETING SECTION 103.04 "PARK NAMES" AND SECTION 131.01 "FEES FOR CITY RECREATION SERVICES OR FACILITIES" OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	103, 131, 943	05-09-11	06-08-11
2011-O-1895	AMENDING CERTAIN SECTIONS OF PART NINE, STREETS AND PUBLIC SERVICES CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	903, 907, 911, 915, 916, 919, 921, 923, 929, 934	06-27-11	07-28-11
Part Eleven – Planning and Zoning Code				
2011-O-1910	AMENDING CERTAIN SECTIONS OF PART ELEVEN, PLANNING AND ZONING CODE, OF THE CITY CODE OF HUBER HEIGHTS.	1107, 1109, 1117, 1123, 1125, 1130, 1135, 1141, 1143, 1144, 1153, 1154, 1155, 1181, 1189	09-12-11	10-12-11
Part Thirteen – Building Code				
2011-O-1899	AMENDING CERTAIN SECTIONS OF PART THIRTEEN, BUILDING CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	1309, 1313, 1321	08-08-11	09-07-11
Part Fifteen – Fire Prevention Code				
2011-O-1914	AMENDING CERTAIN SECTIONS OF PART FIFTEEN, "FIRE PREVENTION CODE" OF THE HUBER HEIGHTS CODIFIED ORDINANCES.	1501, 1505, 1509, 1513, 1517, 1521, 1523, 1525, 1529, 1591	09-26-11	10-26-11

# Huber Heights Ordinance Review Commission

## Final Report Presentation

### November 14, 2011



# Why An Ordinance Review Commission?

## **Huber Heights City Charter Section 5.08 (D):**

- *“Within two (2) years after the adoption of this charter, and at least every ten (10) years thereafter, the Council shall appoint an Ordinance Review Commission of not less than seven (7) electors of the City. It shall be the duty of the Commission to review the City Code, if one exists, and other ordinances or resolutions of the City, and to make recommendations to the Council for the elimination or revision of provisions of the City code and other ordinances and resolutions which may, in the opinion of the Commission, have outlived their usefulness or practicality. The Commission shall submit its report to Council within one (1) year after its appointment. The Council may take any action, in its discretion, as it deems warranted with respect to the recommendations of the Commission.”*

# Ordinance Review Commission Activity

- **City Council selected Commission members – November, 2010**
- **Commission held first meeting on November 18, 2010**
- **Reviewed previous Commission procedures and findings**
- **Established review approach**
- **Held monthly meetings**
- **Reviewed Commission member comments**
- **Received City Staff recommendations**
- **Consolidated recommendations**
- **Submitted recommendations to City Council**
- **Reviewed status of submitted recommendations**
- **Commission held final meeting on October 3, 2011**



# Ordinance Review Commission Findings

## Recommendations Per Section of the Huber Heights City Code:

- Part One – Administrative Code 50
- Part Three – Traffic Code 3
- Part Five – General Offense Code 8
- Part Seven – Business Regulation Code 0
- Part Nine – Streets and Public Services Code 26
- Part Eleven – Planning and Zoning Code 30
- Part Thirteen – Building Code 9
- Part Fifteen – Fire Prevention Code 12
  
- Total Recommendations: 138
  
- Twenty-one Ordinances have already been adopted by the City Council as a result of the recommendations submitted by the Commission.

# City Staff Contributors

- **Gerald McDonald – Pickrel, Schaeffer & Ebeling – Assistant City Attorney**
- **Jim Borland – Acting City Manager and Public Safety Director**
- **Anthony Rodgers – Clerk of Council**
- **Bonnie Reser – Assistant Clerk of Council**
- **Jonathan Mendel – Planning and Zoning Director**
- **Russ Bergman – City Engineer**
- **Don Jones – Finance Director**
- **Chief Rob Schommer – Police Division**
- **Chief Mark Ashworth – Fire Division**
- **Jason Eckert – Fire Marshal**
- **Emily Christian – Community Services and Special Projects Manager**
- **Katie Knisley – Human Resources Manager**
- **Ronni Showalter – Tax Administrator**
- **Anthony Pagan – GIS Specialist**
- **Pam Whited, United Water – Project Manager/Operations Manager**
- **Huber Heights Planning Commission**
- **Huber Heights Parks and Recreation Board**
- **Huber Heights Arts and Beautification Commission**

# Special Acknowledgements

- **Anthony Rodgers**
- **Jim Borland**
- **Jim Ellis**

# Ordinance Review Commission Members

- **Ints Kaleps, Chair**
- **Glenn Otto, Vice Chair**
- **Anita Brock**
- **Selena Crace**
- **Jim Ellis**
- **Linda Sommerville**
- **Tyler Starline**