

**ORDINANCE REVIEW COMMITTEE
MEETING MINUTES
Mayfield Village
February 10, 2009**

The Ordinance Review Committee met in regular session on Tuesday, Feb 10, 2009 at 5:00 p.m. at the Mayfield Village Civic Center, Loft Conference Room. Bill Marquardt presided.

Roll Call: Mr. Bill Marquardt
Mr. Wes Marrotte
Mr. Jerry Catalano
Mr. Ron Dinardo
Mr. John Marrelli

Also Present: Fire Chief Mr. Dave Mohr
Police Chief Mr. Pat Dearden
Assistant Law Director Ms. Diane Calta (arrived 5:15 pm)
Fire Lieutenant Mr. Michael Girbino
Secretary Ms. Deborah Garbo

CONSIDERATION OF MEETING MINUTES: **January 13, 2009**

There being no additions, deletions or corrections, the meeting minutes of Jan 13, 2009 stand as written.

ROLL CALL

Ayes: All **Motion Carried**
Nays: None **Minutes Approved**

PROPOSALS

- 1. Section 745.99; Penalty**
Chapter 745; Street Sales
- 2. Bicycle Operations on Public Streets**
Revise to meet State Law
- 3. Part Fifteen; Fire Prevention Code**
Create Fee Schedule for Title 15; Fees
- 4. Part Seven; Business Regulation Code**
Create Fee Schedule for Title 7; Fees, Bond & Ins Schedule
- 5. Finance Dept**
173.02, 173.04, 173.10; Related to Admissions Tax
171.04; Related to Lodging
Per Acting Finance Director David Miller:
No changes recommended on Admissions Tax or Lodging. Remove from agenda.

OPEN PORTION

**Section 745.99; Penalty
Chapter 745; Street Sales**

Mr. Marquardt called the meeting to order. We haven't voted on this yet.

Chief Dearden said the penalty phase that was in there was reflected back to the Mayor's Court days. This brings it up to Municipal Court standards at the discretion of the Judge based on a level of a misdemeanor.

DECISION

Mr. Marrelli, seconded by Mr. Catalano made a motion to amend Chapter 745 at Section 745.99.

Mr. Marquardt asked, any discussion? There was none.

ROLL CALL

Ayes: Mr. Marquardt, Mr. Marrotte, Mr. Catalano, Mr. Dinardo, Mr. Marrelli

Nays: None

Motion Carried

Recommendation to Council

Bicycle Operations on Public Streets

Revise to meet State Law

Chief Dearden said the State Code was changed back in June of "08". Not that there were a lot of substantive changes, but there was a couple of areas that specifically related to Mayfield Village and the operation of vehicles as we had previously listed that required them to use bike paths if they were there. The State Law prohibits us from restricting them from use of the street. They could be on the street or the path. While Diane was updating that portion, she just went through the rest of the State Code and updated ours relative to equipment and some operational issues.

Mr. Marquardt said I noticed under **Exhibit A (2)**; the red rear reflector shall be visible from "**all distances from 100 feet to 600 feet**" doesn't make sense. Is that supposed to say from "**all directions**"?

Chief Dearden can't imagine it would be required to be visible from all directions. I imagine that it has to be required to be visible from at least at a min 600 feet away. I'm sure Diane is just mirroring the State Code.

Mr. Marquardt said it doesn't make sense the way it's written.

DECISION

Mr. Catalano, seconded by Mr. Marrotte made a motion to revise Bicycle Operations on Public Streets to meet State Code as noted:

- **Law Dept to review/correct language In Exhibit A (2)**

Mr. Marquardt asked, any discussion?

Mr. Marrotte said some of these are rather subjective, i.e. (j) no person shall operate a bicycle, tricycle or unicycle at a speed greater than is reasonable and proper.

Mr. Marrotte said another thing, this doesn't address the fact a 10 year old kid could be riding a bicycle on SOM in the middle of traffic, relative to age.

Chief Dearden said it's not relative to age but we still have and the State still reflects bikes have to be ridden as close as possible to the right hand curb.

Mr. Marrotte is talking about whether or not the individual riding the bicycle is really competent to be out there.

Chief Dearden states it does not address age.

ROLL CALL

Ayes: Mr. Marquardt, Mr. Marrotte, Mr. Catalano, Mr. Dinardo, Mr. Marrelli

Nays: None

Motion Carried

Recommendation to Council

Part Fifteen; Fire Prevention Code
Create Fee Schedule for Title 15; Fees
&
Part Seven; Business Regulation Code
Create Fee Schedule for Title 7; Fees, Bond & Ins Sch

Mr. Marrelli said for every Chapter we're taking the fees out of the individual paragraphs and putting them into a schedule in the back. The whole concept behind this upgrading of the Code Book is so that when it comes time for fees to be changed, you don't have to go fishing through every page of the book to find them. Right now we're pulling them out of the text and putting them into a schedule. As you read the sentence where it used to say; "Permit fee of _____ "; It'll say "Permit fee as specified" and it'll give the number.

Mr. Marquardt said when you have \$5 fees, it's probably time to change.

DECISION

**Instruct Law Director to create Chapter for Fee Schedule; Part 15 & Part 7.
Agenda item for March 10th meeting.**

Finance Dept

173.02, 173.04, 173.10; **Related to Admissions Tax**

171.04; **Related to Lodging**

Per Acting Finance Director David Miller:

No changes recommended on Admissions Tax or Lodging.

Mr. Marrelli said our Interim Finance Director doesn't want any change on this.

Mr. Dinardo asked, is that set by the State or locally?

Mr. Marrelli said locally.

Question is; what do we charge? What do we charge for the new Hilton Garden?

Mr. Dinardo said the communities I stay in range from 11% to 15%.

DECISION

Mr. Marquardt suggests John find out what the fees are in the code section from David Miller and review at our March 10th meeting.

Diane Calta arrives @ 5:15 p.m.

Mr. Marrelli recaps meeting for Diane.

OLD BUSINESS

- **Meeting start time**

Mr. Marquardt asked if any other business.

Mr. Dinardo said I'd like to recommend we move these meetings from 5:00 to 6:00.

Consensus

Bill: Doesn't matter

Wes: Doesn't matter

Jerry: 5:00

Ron: 6:00

John: 5:00

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Meetings stay @ 5:00.

Ron Dinardo no longer able to serve on Ordinance Review Committee.

- **Fire Prevention Code**

Lt. Girbino discusses some language in the code with Diane. I have a suggestion about adding something in the code. I did a rough draft if you could take a look at it. It's a section of the code that deals with **floor proximity, exit signage**. It's language that exists in other codes. It's valuable sometimes. We've used it at Progressive. As we clean up our code, you might want to add that. I think it's beneficial at times. It's out of the Life Safety Code.

Mr. Marrelli said I don't know if you even have to write that into a code. I think the way the Building Code reads is that it has to be visible.

Lt. Girbino said for new construction, but the Fire Code for existing, this would be for existing buildings. The language would read in cases where there was an obstruction due to permanent fixtures.

Mr. Marrelli said because the retroactive stuff, once it's built, you can't make them change nothing.

Mr. Catalano asked about rehabbing.

Mr. Marrelli said that's different. If there's an alteration or an expansion, then you can make things retroactive. To just enact something and say "Today we're going to have signs on the floor as well as on the ceiling". You can't go in and say "Everybody start putting them on the floor".

Lt. Girbino said that would not be the intent. The intent would be if you have a business occupant that changes the building, i.e. puts in partitions that are blocking the signs and there's no real way because of the fixtures and the partitions to get around putting them up on the ceiling, then they can put them down low. John said then that's an either/or, high or low. Lt. Girbino said it would be both. Whatever was there they would leave. They would just have to enhance it so you can identify the exit.

DECISION

- 1. Review Fire Prevention Code; Part 15; Exit Signage at our March 10th meeting.**
- 2. Lt. Girbino to upgrade fees in Part 15 for Committee review March 10th.**

ADJOURNMENT

There being no further business, Mr. Catalano, seconded by Mr. Marrotte made a motion to adjourn the meeting.

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ROLL CALL

Ayes: All

Nays: None

Motion Carried

Meeting adjourned at 5:25 p.m.

Respectfully Submitted,

Deborah Garbo

Executive Assistant

Building Department