

# The City Record

*Official Publication of the Council of the City of Cleveland*

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**February 16, 2024**

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*Published weekly by the City Clerk, Clerk of Council  
under authority of the Charter of the City of Cleveland*

The City Record is available online at [www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

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# Official Proceedings City Council

Cleveland, Ohio  
Monday, February 12, 2024

The meeting of the Council was called to order at 7:00 p.m. with the President of Council, Blaine A. Griffin, in the Chair.

Council Members present: Kevin L. Bishop, Kevin Conwell, Deborah A. Gray, Blaine A. Griffin, Anthony T. Hairston, Kris Harsh, Stephanie D. Howse-Jones, Joseph T. Jones, Brian Kazy, Danny Kelly, Rebecca Maurer, Kerry McCormack, Michael D. Polensek, Jasmin Santana, Charles Slife, Jenny Spencer, Richard A. Starr.

Also present were: Mayor Bibb; Chiefs Epstein, Griffin, Pomerantz, Teeuwen; Directors Cole, Crowe, DeRosa, Francis, Hernandez, Keane, Margolius, McNair, McNamara, O’Keeffe, Pan Huang, Shute-Woodson.

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection, and the Pledge of Allegiance.

## MOTION

On the motion of Council Member Jones, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Polensek.

## Communications

**File No. 187-2024**

From Denise VanLeer, Executive Director, Fairfax Renaissance Development Corporation. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Innovation Square Phase 2 at 2287 East 103rd Street (Ward 6), Cleveland, Ohio. Received.

**File No. 210-2024**

Oath of Office for Kevin W. Kincaid, Commander of the Bureau of Special Services, Division of Police, Department of Public Safety, City of Cleveland. Received.

**File No. 211-2024**

Oath of Office for Ralph A. Valentino, Commander of the 4th District, Division of Police, Department of Public Safety, City of Cleveland. Received.

**File No. 212-2024**

Oath of Office for Eugenia Cash-Kirkland, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**File No. 213-2024**

Oath of Office for Taneisha Fair, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**File No. 214-2024**

Oath of Office for Kathryn M. Hall, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**File No. 215-2024**

Oath of Office for Stephanie Howse-Jones, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**File No. 216-2024**

Oath of Office for Shameka Jones Taylor, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**File No. 217-2024**

Oath of Office for Anastasia Sakairoun, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**File No. 218-2024**

Oath of Office for Dameyonna Willis, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**File No. 219-2024**

Oath of Office for Lita-Marie Wills, Member of Cleveland Commission on Black Women and Girls, City of Cleveland. Received.

**From Ohio Division of Liquor Control:****File No. 207-2024**

#6472992. New License Application, D3A. Nuevo Events LLC, 850 Euclid Avenue (Ward 3). Received.

**File No. 208-2024**

#41553610005. Transfer of Ownership Application, D5. Rincon Enterprises, Inc., 7403 Denison Avenue (Ward 14). Received.

**File No. 209-2024**

#22896720005. Transfer of License Application, D5 D6. Driftwood Retail LLC, 1111 Fairfield Avenue (Ward 3). Received.

## Ordinances and Resolutions

### Ceremonial Resolutions

Ceremonial resolutions are used by Council to recognize dignitaries and community members, and their accomplishments.

#### Resolutions of Condolence

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

|       |                   |                      |
|-------|-------------------|----------------------|
| Gray  | Res. No. 199-2024 | Cordell Solomon      |
| Gray  | Res. No. 200-2024 | Wanda Elaine Peoples |
| Jones | Res. No. 201-2024 | Jesse Reese, Jr.     |

#### Resolutions of Congratulations

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

|         |                   |                 |
|---------|-------------------|-----------------|
| Gray    | Res. No. 202-2024 | Annie Banks     |
| Gray    | Res. No. 203-2024 | Beatrice Sealey |
| Slife   | Res. No. 204-2024 | Angela Sanchez  |
| Griffin | Res. No. 205-2024 | Ronda Curtis    |

#### Resolutions of Recognition

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

|      |                   |                      |
|------|-------------------|----------------------|
| Gray | Res. No. 206-2024 | Marion Anita Gardner |
|------|-------------------|----------------------|

## Ordinances and Resolutions

### First Reading Emergency Ordinances Referred

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

These ordinances were read for the first time on Monday, February 12, 2024, and referred to the appropriate City departments and Council Committees for review.

#### Click on an ordinance below to read it:

[Ord. No. 188-2024](#)

[Ord. No. 192-2024](#)

[Ord. No. 189-2024](#)

[Ord. No. 195-2024](#)

[Ord. No. 190-2024](#)

[Ord. No. 196-2024](#)

[Ord. No. 191-2024](#)

[Ord. No. 197-2024](#)

**Ordinance No. 188-2024**

**By Council Members:** McCormack and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with M-B Companies, Inc. for various proprietary services of labor, equipment, parts, supplies and materials needed for maintenance, repair, enhancement, replacement, installation, testing, audits, and training for vehicles and equipment provided by M-B Companies, Inc., for the Department of Port Control, for a period not to exceed one year, with four one-year options to renew, exercisable by the Director of Port Control.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That this Council determines that the within commodities and services are non-competitive and cannot be secured from any source other than M-B Companies, Inc. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts with M-B Companies, Inc., on the basis of their proposal dated January 25, 2024, for the requirements for a period not to exceed one year, with four one-year options to renew, exercisable by the Director of Port Control, of the necessary items of various proprietary services of labor, equipment, parts, supplies and materials needed for maintenance, repair, enhancement, replacement, installation, testing, audits, and training for vehicles and equipment provided by M-B Companies, Inc., to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Port Control.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 3001, RL 2024-8)

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.**



**Ordinance No. 189-2024**

**By Council Members:** Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Community Development to forgive up to \$10,000 in loan balances in Afford-A-Home loans for eligible participants, and when applicable, to release the mortgages and cancel the promissory notes.**

**WHEREAS**, the City's Afford-A-Home Loan Program ("AAH") was established to help income-eligible buyers purchase fully rehabilitated homes; and

**WHEREAS**, currently there are approximately 351 open loans under AAH, with the majority of those loans having a balance at or below \$10,000; and

**WHEREAS**, the City desires to forgive up to \$10,000 on an AAH loan if the borrower meets certain criteria, which includes that the borrower or descendent still occupies the home and that the home is not in foreclosure, and can also provide proof of legal ownership, proof of occupancy, and proof that the property taxes are current; and

**WHEREAS**, loan forgiveness under the AAH will make a meaningful impact by removing a debt obligation for borrowers in good standing, and by fostering generational wealth for low to moderate income households; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Community Development is authorized to forgive up to \$10,000 on AAH balances for eligible borrowers. Borrowers are determined eligible for up to \$10,000 in loan forgiveness under this ordinance if the borrower or descendent still occupies the home and that the home is not in foreclosure, and can also provide proof of legal ownership, proof of occupancy, and proof that the property taxes are current, and when applicable, to release the mortgages and cancel the promissory notes.

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Community Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 190-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts without competitive bidding with Custom Truck One Source, L.P., for the purchase of two grapple trucks, for the Division of Waste Collection and Disposal, Department of Public Works.**

**WHEREAS**, under Contract No. CT-7015-PS2020-193, the Director of Public Works entered into a lease with an option to purchase a series of grapple trucks from Custom Truck One Source, L.P. (“Custom Truck”) pursuant to Cleveland City Council Ordinance No. 470-2020, passed June 3, 2020; and

**WHEREAS**, the City desires to accept buyout offers for two of the leased grapple trucks from Custom Truck and needs additional legislative authority due to the expiration of the lease prior to Custom Truck submitting any offer to exercise the purchase options; and

**WHEREAS**, if the City is unable to purchase these leased grapple trucks from Custom Truck, the lead time for the purchase of new trucks would be approximately two (2) years and at a purchase price substantially greater than Custom Truck’s buyout offers; and

**WHEREAS**, the grapple trucks are critical to continuing waste pick-up, especially the removal of illegally dumped waste in vacant lots throughout the City, and are used daily for this purpose; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Custom Truck. Therefore, the Director of Public Works is authorized to make one or more written contracts with Custom Truck for the purchase of two (2) grapple trucks, to be purchased by the Commissioner of Purchases and Supplies, on a unit basis for the Division of Waste Collection and Disposal, Department of Public Works.

**Section 2.** That the contract or contracts authorized shall not exceed \$180,000 and shall be paid from Fund Nos. 20 SF 716, 70 SF 300, and any funds approved by the Director of Finance. (RQS 7015, RLA 2024-25)

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 191-2024****By Council Members:** Griffin

**An emergency ordinance authorizing the Clerk of Council to enter into a subscription agreement with LexisNexis to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Clerk of Council is authorized to enter into a subscription agreement with LexisNexis to obtain online access to computer assisted legal and other research databases, materials and services required for the work of Cleveland City Council.

**Section 2.** That the term of the subscription agreement shall not exceed three (3) years beginning on April 1, 2024, and ending March 31, 2026, and shall be in the amount of \$303 per month for the first year, \$319 per month for the second year, and \$335 per month for the third year. The agreement shall be certified for an amount not to exceed \$11,484.00 to be paid from fund numbers 01-001-0101-01 6320-630 and/or from the fund or funds which are appropriated for the payment of such agreements.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Finance; and Law; Committees on Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 192-2024**

**By Council Members:** Kazy and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Utilities to enter into one or more requirement contracts for the purchase of various sized PVC and FRE ductline materials, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years of the necessary items of various sized PVC and FRE duct line materials, including, but not limited to, conduit, fittings, elbows, spacers, expanders, reducers, adhesives and related materials necessary to construct electrical duct lines, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 2004, RL 2024-1)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Public Utilities; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 195-2024**

**By Council Members:** Conwell and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Health to enter into an agreement or memorandum of understanding to provide essential services for individuals and families with addiction issues, and to services to prevent youth from engaging in drug experimentation; and to accept payments for services provided.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Public Health is authorized to enter into an agreement or memorandum of understanding, as appropriate, with the Cuyahoga County Board of Health to provide essential services for individuals and families with addiction issues, and services to prevent youth from engaging in drug experimentation, for a period of up to three years.

**Section 2.** That the City shall be paid an annual amount of \$25,600 per year, for a total payment amount of \$76,800.00. Payments collected under this ordinance shall be deposited in a fund approved by the Director of Finance.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Public Health; Finance; and Law; Committees on Health, Human Services and the Arts; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 196-2024**

**By Council Members:** Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Finance to enter into various written standard purchase and requirement contracts to provide building construction materials, equipment, supplies, and services, including labor, for the various divisions of City government, for a period of one year, with two one-year options to renew for an additional year, exercisable by the Director of Finance.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Finance is authorized to make one or more written standard purchase and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one year, with two one-year options to renew for an additional year, exercisable by the Director of Finance, of the necessary items of building construction materials and equipment, including but not limited to, bricks, dry wall, lumber, paint, hand-held tools and accessories, heavy duty equipment, elevators, escalators, landscaping, lumber, overhead doors, paint, plumbing, ready-mix concrete, roofing, speed walks, various hardware items, various sized steel plates, and other related equipment, labor, supplies, and services, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 2.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 3.** That the costs of the standard and requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contracts, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 1505, RL 2024-7)

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the



Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Finance; and Law; Committee on Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 197-2024**

**By Council Members:** Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Finance to enter into various written standard purchase and requirement contracts needed for unarmed, uniformed security guard services and for equipment, supplies, and services, needed for citywide electronic protection of physical facilities, including installation, training, labor, and materials, if necessary, for the various divisions of City government, for a period of one year, with two one-year options to renew, exercisable by the Director of Finance.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Finance is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for a period of one year, with two one-year options to renew, exercisable by the Director of Finance, needed for unarmed, uniformed security guard services and for equipment, supplies, and services, needed for citywide electronic protection of physical facilities, including installation, training, labor, and materials, if necessary, for the various divisions of City government, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 2.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 3.** That the costs of the standard and requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 1505, RL 2024-6)

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the

Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Finance; and Law; Committee on Finance, Diversity, Equity and Inclusion.**

## **Ordinances and Resolutions**

### **First Reading Emergency Ordinances Read in Full and Passed**

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

These ordinances were read for the first time on Monday, February 12, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

**Click on an ordinance below to read it:**

[Ord. No. 193-2024](#)

[Ord. No. 198-2024](#)

[Ord. No. 220-2024](#)

**Ordinance No. 193-2024****By Council Members:** Griffin (by departmental request)

**An emergency ordinance to amend Section 8 of Ordinance No. 194-2021, passed March 29, 2021, as amended, relating to salaries for various classifications.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 8 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1073-2021, passed November 29, 2021, Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 697-2023, passed June 5, 2023, Ordinance No. 901-2023, passed August 16, 2023, Ordinance No. 1143-2023, passed October 2, 2023, Ordinance No. 1390-2023, passed December 4, 2023, and Ordinance No. 32-24, passed January, 8, 2024, is amended to read as follows:

Section 8. International Local 100, AFSCME Ohio Council 8 AFL-CIO. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

|    | <b>Classification</b>                | <b>Minimum</b> | <b>Maximum</b> |
|----|--------------------------------------|----------------|----------------|
| 1  | Accountant I                         | 16.69          | 24.99          |
| 2  | Accountant II                        | 17.27          | 27.44          |
| 3  | Accountant III                       | 17.96          | 30.44          |
| 4  | Accountant Clerk I                   | 15.33          | 20.26          |
| 5  | Accountant Clerk II                  | 15.33          | 22.88          |
| 6  | Activities Therapist                 | 15.33          | 19.25          |
| 7  | Air Pollution Inspector              | 17.05          | 25.87          |
| 8  | Reserved                             |                |                |
| 9  | Airport Operations Agent             | 24.97          | 31.45          |
| 10 | Apprentice Water Distribution Worker | 15.33          | 17.68          |
| 11 | Airport Terminal Operations Agent    | 16.24          | 23.34          |
| 12 | Apprentice Sewer Service Worker      | 15.33          | 19.24          |
| 13 | Architect                            | 15.33          | 37.78          |
| 14 | ARFF Paramedic                       | 21.22          | 36.25          |
| 15 | Associate Engineer                   | 24.04          | 50.95          |

|      |  |       |       |
|------|--|-------|-------|
| 16   | Assistant Plan Examiner                          | 18.87 | 28.85 |
| 17   | Assistant Residential Plan Examiner              | 15.33 | 28.85 |
| 18   | Associate Programmer                             | 15.33 | 29.38 |
| 19   | Bill Collector                                   | 15.61 | 21.00 |
| 20   | Billing Clerk                                    | 15.61 | 20.16 |
| 21   | Building Inspector I                             | 28.52 | 32.41 |
| 22   | Building Inspector II                            | 30.10 | 34.30 |
| 23   | Building Inspector III                           | 31.67 | 36.07 |
| 24   | Building Inspector IV                            | 33.29 | 37.88 |
| 25   | Caseworker I                                     | 15.61 | 22.80 |
| 26   | Caseworker II                                    | 16.27 | 24.99 |
| 27   | Cashier/Starter                                  | 15.33 | 25.00 |
| 28   | Chemist  | 21.44 | 37.48 |
| 29   | Chief Miscellaneous Investigator                 | 15.33 | 28.85 |
| 30   | Citizens Information Representative              | 15.33 | 23.87 |
| 30a. | Citizens Support Specialist                      | 17.27 | 26.03 |
| 31   | Claims Examiner                                  | 15.33 | 34.62 |
| 32   | Clinical Laboratory Assistant                    | 17.98 | 23.87 |
| 33   | Clinical Laboratory Technician I                 | 15.33 | 27.44 |
| 34   | Clinical Laboratory Technician II                | 19.56 | 29.38 |
| 35   | Community Development Planner                    | 24.52 | 28.28 |
| 36   | Community Health Aide                            | 16.25 | 20.26 |
| 37   | Community Relations Representative I             | 15.33 | 23.87 |
| 38   | Community Relations Representative II            | 15.33 | 28.85 |
| 39   | Community Relations Representative III           | 15.33 | 35.70 |
| 40   | Computer Monitor Assistant                       | 15.33 | 17.34 |
| 41   | Computer Operator                                | 15.33 | 28.85 |
| 42   | Construction Technician                          | 15.33 | 28.85 |
| 43   | Consumer Protection Specialist                   | 15.33 | 22.81 |
| 44   | Contract and Monitoring Specialist               | 15.33 | 30.53 |
| 45   | Cook   | 15.98 | 19.73 |
| 46   | Copy Center Operator                             | 15.33 | 23.19 |
| 47   | Customer Account Associate, Billing Services     | 16.65 | 23.09 |
| 48   | Customer Account Associate, Credit & Collections | 16.65 | 23.09 |
| 49   | Customer Service Representative, Call Center     | 15.92 | 22.80 |
| 50   | Customer Service Representative                  | 15.61 | 21.86 |

|    |  |       |                        |
|----|--|-------|------------------------|
| 51 | Customer Support Associate of Billing Services                   | 15.33 | 22.80                  |
| 52 | Customer Support Associate of Call Center                        | 15.33 | 22.80                  |
| 53 | Customer Support Associate of CPP Meter Service Center           | 15.92 | 22.80                  |
| 54 | Customer Support Associate of Credit and Collections             | 15.33 | 22.80                  |
| 55 | Customer Support Associate of Meter Operations                   | 15.92 | 22.80                  |
| 56 | Customer Support Associate of Water distribution and Maintenance | 15.92 | 22.80                  |
| 57 | Customer Support Associate of Water Pollution Control            | 15.92 | 22.80                  |
| 58 | Data Control Clerk   | 15.33 | <del>21.01</del> 21.45 |
| 59 | Data Conversion Operator   | 15.61 | 19.04                  |
| 60 | Development Officer  | 15.33 | 33.88                  |
| 61 | Disease Intervention Specialist I                                | 17.83 | 29.07                  |
| 62 | Disease Intervention Specialist II                               | 19.81 | 32.21                  |
| 63 | Disease Surveillance Specialist                                  | 15.33 | 39.39                  |
| 64 | Drug and Alcohol Counselor                                       | 15.33 | 18.59                  |
| 65 | Elevator Inspector   | 29.18 | 36.41                  |
| 66 | Engineer   | 22.78 | 43.05                  |
| 67 | Environmental Compliance Specialist I                            | 15.33 | 28.75                  |
| 68 | Environmental Compliance Specialist II                           | 16.35 | 33.85                  |
| 69 | Environmental Compliance Specialist III                          | 17.90 | 35.54                  |
| 70 | Environmental Compliance Specialist IV                           | 26.44 | 34.67                  |
| 71 | Environmental Compliance Specialist V                            | 28.85 | 36.68                  |
| 72 | Environmental Enforcement Specialist I                           | 15.33 | 29.92                  |
| 73 | Environmental Enforcement Specialist II                          | 16.35 | 31.43                  |
| 74 | Environmental Enforcement Specialist III                         | 17.90 | 32.99                  |
| 75 | Environmental Monitoring Specialist I                            | 15.33 | 29.65                  |
| 76 | Environmental Monitoring Specialist II                           | 15.33 | 31.12                  |
| 77 | Environmental Monitoring Specialist III                          | 15.74 | 32.67                  |
| 78 | Environmental Technician   | 17.96 | 22.82                  |
| 79 | Financial Analyst  | 15.33 | 27.44                  |
| 80 | Financial Counselor  | 15.33 | 28.85                  |
| 81 | First Press Operator   | 15.33 | 27.55                  |
| 82 | Fuel System Technician   | 19.68 | 25.48                  |
| 83 | General Storekeeper  | 22.33 | 30.89                  |
| 84 | Geriatric Outreach Worker  | 15.61 | 22.54                  |

|     |  |              |              |
|-----|--|--------------|--------------|
| 85  | Hazardous Material Specialist            | 21.63        | 41.21        |
| 86  | Head Cook                                | 15.33        | 22.27        |
| 87  | Head Storekeeper                         | 20.72        | 28.52        |
| 88  | Heating Inspector                        | 20.00        | 27.88        |
| 89  | Help Desk Analyst                        | 15.33        | 31.95        |
| 90  | Home Maintenance Aide                    | 15.61        | 21.66        |
| 91  | House Connection Inspector               | 17.85        | 24.05        |
| 92  | Income Tax Analyst                       | 15.92        | 23.33        |
| 93  | Information Control Analyst              | 15.33        | 26.16        |
| 94  | Inspector of Permits and Sales           | 22.70        | 28.04        |
| 95  | Inspector of Weight and Measures         | 15.61        | 22.85        |
| 96  | Instrumentation Technician I             | 23.72        | 26.91        |
| 97  | Instrumentation Technician II            | 26.47        | 29.57        |
| 98  | Instrument Repair Worker                 | 15.33        | 26.46        |
| 99  | Intake Specialist                        | 15.33        | 26.55        |
| 100 | Interim Building Inspector               | 22.71        | 28.29        |
| 101 | Interim Mechanical Inspector             | 19.00        | 25.19        |
| 102 | Interim Residential Building Inspector   | 18.82        | 21.16        |
| 103 | Interim Residential Plan Examiner        | 24.21        | 26.85        |
| 104 | Junior Cashier                           | 15.61        | 21.00        |
| 105 | Junior Clerk                             | 16.40        | 19.04        |
| 106 | Junior Draftsman                         | 15.61        | 21.46        |
| 107 | Lab Coordinator                          | 16.82        | 33.25        |
| 108 | Laboratory Assistant                     | 15.33        | 24.62        |
| 109 | Landscape Designer                       | 15.33        | 35.70        |
| 110 | Life Guard                               | 15.33        | 20.00        |
| 111 | Life Guard Captain                       | 15.33        | 24.76        |
| 112 | Mechanical Inspector I                   | 28.52        | 32.41        |
| 113 | Mechanical Inspector II                  | 30.01        | 34.29        |
| 114 | <u>Mechanical Inspector III</u>          | <u>31.67</u> | <u>36.06</u> |
| 115 | Mechanical Inspector IV                  | 33.29        | 37.89        |
| 116 | Medical Billing Reimbursement Specialist | 18.73        | 25.99        |
| 117 | Medical Coder and Billing Analyst        | 18.27        | 25.36        |
| 118 | Messenger                                | 15.61        | 18.85        |
| 119 | Meter Reader                             | 18.02        | 23.02        |
| 120 | Meter Technician                         | 19.93        | 25.02        |



|     |   |       |       |
|-----|---|-------|-------|
| 121 | Meter Technician II                             | 24.46 | 25.58 |
| 122 | Miscellaneous Investigator                      | 17.81 | 23.05 |
| 123 | Monitoring, Auditing and Evaluation Coordinator | 15.33 | 27.83 |
| 124 | Network Analyst I                               | 15.33 | 43.66 |
| 125 | Office Machine Operator                         | 15.61 | 18.34 |
| 126 | On The Job Training Specialist                  | 15.33 | 26.93 |
| 127 | Parking Attendant                               | 16.01 | 20.13 |
| 128 | Parking Meter Collector                         | 16.01 | 20.13 |
| 129 | Parking Meter Service Worker                    | 19.13 | 21.26 |
| 130 | Permit Processing Specialist                    | 15.33 | 16.97 |
| 131 | Pharmacist                                      | 15.33 | 39.89 |
| 132 | Photographer                                    | 15.33 | 27.44 |
| 133 | Photographic Laboratory Technician              | 15.33 | 23.87 |
| 134 | Physical Director I                             | 16.54 | 17.99 |
| 135 | Physical Director II                            | 18.04 | 20.37 |
| 136 | Plan Examiner                                   | 27.19 | 32.60 |
| 137 | Play Director                                   | 15.33 | 17.30 |
| 138 | Police Radio Technician                         | 23.02 | 25.97 |
| 139 | Pressman  | 15.33 | 26.94 |
| 140 | Preventive Health Counselor                     | 15.33 | 27.88 |
| 141 | Preventive Health Educator                      | 15.33 | 18.74 |
| 142 | Principal Cashier                               | 17.01 | 29.38 |
| 143 | Principal Clerk                                 | 17.27 | 29.84 |
| 144 | Print Shop Helper                               | 15.61 | 18.50 |
| 145 | Private Secretary                               | 19.49 | 26.22 |
| 146 | Program Analyst                                 | 16.64 | 38.04 |
| 147 | Programmer                                      | 15.33 | 33.89 |
| 148 | Programmer Analyst                              | 15.33 | 38.04 |
| 149 | Property Clerk                                  | 15.33 | 42.10 |
| 150 | Property Maintenance Inspector I                | 15.33 | 22.55 |
| 151 | Property Maintenance Inspector II               | 15.33 | 25.07 |
| 152 | Psychiatric Social Worker                       | 15.33 | 27.33 |
| 153 | Public Health Nursing Aide                      | 15.33 | 17.64 |
| 154 | Public Health Sanitarian I                      | 17.96 | 23.34 |
| 155 | Public Health Sanitarian II                     | 20.17 | 29.21 |
| 156 | Public Health Sanitarian III                    | 27.50 | 30.64 |

|     |   |       |       |
|-----|---|-------|-------|
| 157 | Public Health Sanitarian IV               | 29.30 | 37.67 |
| 158 | Public Information Officer                | 15.33 | 28.85 |
| 159 | Quality Assurance Analyst                 | 15.33 | 33.88 |
| 160 | Quality Control Coordinator               | 16.82 | 33.27 |
| 161 | Radio Dispatcher                          | 23.87 | 25.97 |
| 162 | Radio Dispatcher –Water                   | 23.87 | 25.97 |
| 163 | Radio Dispatcher – WPC                    | 23.87 | 25.97 |
| 164 | Radio Technician                          | 23.03 | 26.73 |
| 165 | Receptionist                              | 15.61 | 17.94 |
| 166 | Recreation Aide                           | 15.33 | 16.97 |
| 167 | Recreation Instructor                     | 15.33 | 20.26 |
| 168 | Recreation Instructor I                   | 15.33 | 21.59 |
| 169 | Recreation Instructor II                  | 17.51 | 19.80 |
| 170 | Recreation Instructor III                 | 15.33 | 23.71 |
| 171 | Redevelopment Advisor                     | 15.33 | 30.44 |
| 172 | Redevelopment Coordinator                 | 15.33 | 33.12 |
| 173 | Refrigerator Inspector                    | 20.04 | 27.88 |
| 174 | Registered Animal Health Technician       | 15.33 | 20.26 |
| 175 | Rehabilitation Inspector                  | 20.52 | 33.86 |
| 176 | Residential Building Inspector            | 20.64 | 28.94 |
| 177 | Residential Plan Examiner                 | 22.71 | 32.60 |
| 178 | Sanitarian Aide                           | 16.33 | 19.64 |
| 179 | Second Press Operator                     | 15.33 | 24.62 |
| 180 | Secretary                                 | 15.61 | 21.88 |
| 181 | Secretary to Director of Consumer Affairs | 15.33 | 35.70 |
| 182 | Senior Assistant City Planner             | 15.33 | 30.44 |
| 183 | Senior Assistant Designer                 | 15.33 | 30.44 |
| 184 | Senior Assistant Mechanical Engineer      | 15.33 | 30.44 |
| 185 | Senior Cashier                            | 15.61 | 24.99 |
| 186 | Senior Chemist                            | 20.44 | 32.84 |
| 187 | Senior Clerk                              | 15.61 | 33.89 |
| 188 | Senior Computer Operator                  | 15.33 | 33.89 |
| 189 | Senior Contract and Monitoring Specialist | 15.33 | 35.92 |
| 190 | Senior Data Conversion Operator           | 15.92 | 23.50 |
| 191 | Senior Development Officer                | 15.33 | 44.47 |
| 192 | Senior Draftsman                          | 15.61 | 24.53 |

|     |                                     |       |       |
|-----|-------------------------------------|-------|-------|
| 193 | Senior Laboratory Technician        | 15.33 | 22.31 |
| 194 | Senior Information Control Analyst  | 25.00 | 32.16 |
| 195 | Senior Landscape Architect          | 15.33 | 37.81 |
| 196 | Sewer Service Worker                | 21.07 | 24.55 |
| 197 | Site Inspector                      | 15.33 | 28.91 |
| 198 | Social Worker for Homeless          | 15.33 | 28.37 |
| 199 | Starter (Golf)                      | 15.33 | 16.97 |
| 200 | Stenographer I                      | 15.61 | 18.37 |
| 201 | Stenographer II                     | 15.61 | 20.53 |
| 202 | Stenographer III                    | 15.33 | 22.81 |
| 203 | Stock Clerk                         | 15.61 | 22.55 |
| 204 | Storekeeper                         | 19.33 | 25.69 |
| 205 | Surveyor                            | 19.23 | 55.50 |
| 206 | Tax Auditor I                       | 17.85 | 25.16 |
| 207 | Tax Auditor II                      | 19.11 | 27.69 |
| 208 | Technical Specialist                | 15.33 | 28.85 |
| 209 | Technical Specifications Writer     | 15.33 | 30.45 |
| 210 | Telecommunications Analyst I        | 15.33 | 52.52 |
| 211 | Telephone Supervisor                | 15.33 | 21.87 |
| 212 | Traffic Sign and Marking Technician | 19.23 | 23.81 |
| 213 | Trainee Building Inspector          | 21.79 | 24.66 |
| 214 | Trainee Residential Plan Examiner   | 21.82 | 24.22 |
| 215 | Typist                              | 15.61 | 19.04 |
| 216 | Utility Adjuster                    | 15.62 | 20.53 |
| 217 | Water Hydraulic Repair Worker       | 23.36 | 26.26 |
| 218 | Water Meter Repair Worker           | 21.07 | 23.84 |
| 219 | Water Pipe Repair Worker            | 19.07 | 26.27 |
| 220 | Water Service Investigator          | 21.92 | 24.55 |
| 221 | Water Service Worker                | 15.33 | 20.37 |
| 222 | Water System Construction Inspector | 22.00 | 29.82 |

**Section 2.** That existing Section 8 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1073-2021, passed November 29, 2021, Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 697-2023, passed June 5, 2023, Ordinance No. 901-2023, passed August 16, 2023, Ordinance No. 1143-2023, passed October 2, 2023, Ordinance No. 1390-2023, passed December 4, 2023, and Ordinance No. 32-24, passed January, 8, 2024, is repealed.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read second time.**

**Read third time in full. Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

**Ordinance No. 198-2024****By Council Members:** Maurer

**An emergency ordinance amending Section 1 of Ordinance No. 553-2023, passed July 12, 2023, as amended by Ordinance 121-2024, passed January 29, 2024, authorizing the Director of Community Development to enter into an agreement with Slavic Village Development to conduct a Home Repair Grant Program.**

**WHEREAS**, on July 12, 2023, Cleveland City Council passed Ordinance No. 553-2023, authorizing the Director of Community Development to enter into an agreement with Slavic Village Development for a Home Repair Grant Program; and

**WHEREAS**, on January 29, 2024, Cleveland City Council passed Ordinance No. 121-2024 amending the Ordinance; and

**WHEREAS**, further amendment is needed to authorize the program as conducted; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 1 of Ordinance No. 553-2023, passed July 12, 2023, as amended by Ordinance No. 121-2024, passed January 29, 2024, is amended to read as follows:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Slavic Village Development who will be acting as an agent for the City of Cleveland for the Home Repair Grant Program for the public purpose of providing home repair assistance to senior citizens and disabled residents in the City of Cleveland through the use of Ward 12 Casino Revenue Funds. The Housing Advisory Board reviewed this project on April 26, 2023, and is the date of support was effective May 10, 2023.

**Section 2.** That existing Section 1 of Ordinance No. 553-2023, passed July 12, 2023, as amended by Ordinance No. 121-2024, passed January 29, 2024, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read second time.**

**Read third time in full. Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

**Ordinance No. 220-2024**

**By Council Members:** Gray and Starr

**An emergency ordinance to amend Section 2 of Ordinance 1262-2023, passed October 30, 2023, relating to the agreement with Burten Bell Carr Development Corporation for the 2023 Food Card Distribution Program.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 2 of Ordinance No. 1262-2023, passed October 30, 2023, is amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$70,750.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Wards:

| <u>Ward</u> | <u>Amount</u> | <u>Project Number</u> |
|-------------|---------------|-----------------------|
| Ward 6 4    | \$33,250.00   | G23632                |
| Ward 5      | \$37,500.00   | G23632                |

**Section 2.** That the existing Section 2 of Ordinance 1262-2023, passed October 30, 2023, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read second time.**

**Read third time in full. Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**



## **Ordinances and Resolutions**

### **First Reading Emergency Resolutions Read in Full and Adopted**

A resolution is an informal enactment stating a decision or expressing the opinion of Council regarding a particular item of business, an event, issue or person.

Resolutions are effective 30 days after adoption. Emergency resolutions take effect immediately upon the Mayor's signature or 10 days after adoption.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

These resolutions were read for the first time on Monday, February 12, 2024, the rules were suspended, and the legislation was adopted by an affirmative two-thirds vote of all members elected to Council.

**Click on a resolution below to read it:**

Res. No. 194-2024

**Resolution No. 194-2024****By Council Members:** Starr**An emergency resolution objecting to the transfer of stock of a D5J and D6 Liquor Permit to 921 Huron Road, 1st floor, basement, mezzanine and patio.**

**WHEREAS**, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a D5J and D6 Liquor Permit at 921 Tavern, LLC, 921 Huron Road, 1st floor, basement, mezzanine and patio, Cleveland, Ohio 44115, Permit No. 6417545; and

**WHEREAS**, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

**WHEREAS**, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

**WHEREAS**, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

**WHEREAS**, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Division of Liquor Control are prevented reasonable access to the establishment; and

**WHEREAS**, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

**WHEREAS**, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

**WHEREAS**, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Council does hereby record its objection to a transfer of stock of a D5J and D6 Liquor Permit at 921 Tavern, LLC, 921 Huron Road, 1st floor, basement, mezzanine and patio, Cleveland, Ohio 44115, Permit No. 6417545, and requests the

Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council has returned to the Ohio Division of Liquor Control the *Notice to Legislative Authority* with respect to this stock permit and has requested that a hearing on the advisability of issuing the permit be held in Cleveland, Cuyahoga County.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read second time.**

**Read third time in full. Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

## Ordinances and Resolutions

### Second Reading Emergency Ordinances Passed

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading. If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

After departmental review, the ordinance is returned to Council for consideration in a public hearing before the appropriate Council Committee(s). Council Members and City departments can recommend changes, or amendments, to the legislation during the hearing process. After the review is complete and any amendments have been made, the legislation is read a second time at a Council meeting. A second reading allows Council Members and the public to hear what changes have been made to the law. Amendments cannot be made after the second reading of the legislation.

These ordinances were read for the second time on Monday, February 12, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

#### Click on an ordinance below to read it:

[Ord. No. 1270-2022](#)

[Ord. No. 28-2024](#)

[Ord. No. 1368-2023](#)

[Ord. No. 30-2024](#)

[Ord. No. 1384-2023](#)

[Ord. No. 74-2024](#)

[Ord. No. 1385-2023](#)

[Ord. No. 82-2024](#)

[Ord. No. 1388-2023](#)

[Ord. No. 103-2024](#)

**Ordinance No. 1270-2022**

**By Council Member:** McCormack, Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with CCA CBD Cleveland, LLC, and/or its designee, to assist with the financing of the City Club Apartments Project to be located at 776 Euclid Avenue; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. Strike the second whereas clause in its entirety and insert: “WHEREAS, under Ordinance No. 1264-2022, passed January 23, 2023, the City entered into chain of title of the real property by conveyance deeds: from Redeveloper to City recorded December 28, 2023, DEQC 202312280162; and, from City to Redeveloper recorded December 28, 2023, DEQC 202312280163 (the “Real Property”), thus establishing 2023 as the base year for determining the increment or appreciated value after completion of the improvement, pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and”.
2. In Section 2, line 1, after “That” strike “one” and insert “the City having entered into title in 2023, that year is established as the base year for determining the increment or appreciated value after completion of the improvements. One”.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committee on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

**Ordinance No. 1368-2023**

**By Council Members:** Starr, Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with International Food Solutions, and/or its designee, to provide for tax abatement for certain real property improvements to the existing Goodwill building located at 2295 East 55th Street as an incentive to locate its food manufacturing and processing facility in Cleveland Area Enterprise Zone; and authorizing the Directors of Economic Development and Finance to enter into a Job Creation Income Tax Credit Incentive Program agreement to facilitate the purpose and provisions of this ordinance.**

Approved by the Directors of Economic Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 16. Nays 1.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: Kazy.**

**Absent: None.**

**Ordinance No. 1384-2023**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Directors of Public Works and Finance to contract with one or more temporary employment agencies to provide professional services to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program and for various departments of the City, for a period up to one year.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 3, line 2, after “01-7012-6380” insert “and other funds approved by the Director of Finance.”.

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 16. Nays 1.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: Maurer.**

**Absent: None.**



**Ordinance No. 1385-2023**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to assess, recommend, and/or procure property insurance for the City of Cleveland-owned stadium located at 100 Alfred Lerner Way, and other related services; for a period up to two years.**

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

**Ordinance No. 1388-2023**

**By Council Members:** McCormack, Bishop, Hairston and Griffin (by departmental request)

**An emergency ordinance to vacate a portion of the Detroit Superior Viaduct.**

Approved by the Directors of Capital Projects; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

**Ordinance No. 28-2024**

**By Council Members:** Polensek, Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Community Development to accept the donation of real property located at 15610 Waterloo Road from Northeast Shores Development Corporation, or its designee, to be used for public parking.**

Approved by the Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

**Ordinance No. 30-2024**

**By Council Members:** Spencer, Bishop and Griffin (by departmental request)

**An emergency ordinance to change the name of the “Lake Park” to “Lake Pool Park.”**

Approved by the Directors of Public Works; City Planning Commission; Finance; and Law; Committees on Municipal Service and Properties; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

**Ordinance No. 74-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to enter into a license agreement with Key Bank National Association to use and occupy City-owned property located within Cleveland City Hall for the installation and maintenance of a Key Bank automated teller machine terminal located in Room 122, Vital Statistics for the use and convenience of the general public, for a period of two years with one additional one-year option to renew, exercisable by the Director of Public Works.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, strike lines 9, 10, and 11 in their entirety and insert “public, for a period of one year.”.
2. Strike Section 2 in its entirety and insert “Section 2. That the term of the license agreement shall be for one year.”.

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 14. Nays 3.**

**Voting Yea: Bishop, Conwell, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer.**

**Voting Nay: Gray, Howse-Jones, Starr.**

**Absent: None.**

**Ordinance No. 82-2024**

**By Council Members:** Santana and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Finance, on behalf of the Office of Prevention, Intervention, and Opportunity, to employ one or more professional consultants to design and implement a Summer 2024 Youth and Young Adult Employment program, not to exceed a total term of eighteen months, with one or more options to renew, for an additional total term not to exceed eighteen months, exercisable by the Director of Finance.**

Approved by the Directors of Human Resources; Finance; and Law; Committees on Workforce Education Training and Youth Development; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 16. Nays 1.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: Kazy.**

**Absent: None.**

**Ordinance No. 103-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Directors of Public Works and Finance to enter into one or more concession agreements for the operation of soft drink, candy, snack, and other vending machines throughout various parks and various City-owned and City-leased buildings, for a period not to exceed two years, with a one-year option to renew, exercisable by the Directors; and to extend the existing concession agreements for a period up to six months or until such earlier time as new concession agreements are entered into under this ordinance.**

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance Diversity Equity and Inclusion.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

## **Ordinances and Resolutions**

### **Second Reading Ordinances Passed**

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Typically, legislation cannot be passed until it has been read on three separate days. However, this requirement is dispensed with a two-thirds vote by the Council, placing the legislation "under suspension." Once under suspension, the legislation can be passed after the second reading.

These ordinances were read for the second time on Monday, February 12, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

**Click on an ordinance below to read it:**

Ord. No. 34-2024



**Ordinance No. 34-2024**

**By Council Members:** Spencer

**An emergency ordinance establishing a zero (0) foot Mapped Building Setback on the western side of West 65th Street and establishing a three (3) foot Mapped Building Setback on the south side of Father Caruso Drive north of Breakwater Avenue (Map Change 2672).**

Approved by the Directors of City Planning Commission; and Law; Committee on Development Planning and Sustainability.

**Motion by Council Member Jones to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 17. Nays 0.**

**Read third time in full.**

**Passed. Yeas 17. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.**

**Voting Nay: None.**

**Absent: None.**

# **Official Proceedings Adjournment City Council**

Cleveland, Ohio  
Monday, February 12, 2024

The Council Meeting adjourned at 7:56 p.m. to meet at the call of the chair. The next scheduled Council Meeting is on Monday, February 26, 2024, at 7:00 p.m. in the Council Chamber.



*Patricia J. Britt*  
*City Clerk, Clerk of Council*

## **Council Committee Meetings**

**Monday, February 12, 2024**

**9:30 a.m.**

### **Municipal Services and Properties Committee**

Present: Bishop, Chair; Starr, Vice Chair, Hairston, Jones, Kazy, Kelly, Maurer

**2:00 p.m.**

### **Finance, Diversity, Equity and Inclusion Committee**

Present: Griffin, Chair; McCormack, Vice Chair, Bishop, Conwell, Hairston, Kazy, Polensek, Spencer

**Wednesday, February 14, 2024**

**9:30 a.m.**

### **Transportation and Mobility Committee**

Present: McCormack, Chair; Slife, Vice Chair, Bishop, Gray, Kazy, Santana

*Authorized Absence: Maurer*

## Board of Control

**Wednesday, February 7, 2024**

The meeting of the Board of Control convened in the Mayor's office on Wednesday, February 7, 2024, at 3:00 p.m. with Mayor Justin Bibb presiding.

**Members Present:** Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

**Absent:** Director Abonamah

**Others Present:** Michael Curry, Assistant Director  
Office of Equal Opportunity

Tiffany White Johnson, Commissioner  
Division of Purchases & Supplies

Larry Jones, II, Assistant Commissioner  
Division of ITS

Jessica Trivisonno, Senior Strategist  
Mayor's Office, West Side Market

Vishnu Ganglani, Assistant Director of Law  
Law Department

Patricia McGinty Aston, Assistant Director of Law  
Law Department

Tomasz Kacki, Paralegal  
Law Department

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:07 p.m.

Jeffrey B. Marks  
Secretary – Board of Control

**Resolution No. 58-24**

Adopted 2/07/24

By Director Abonamah

**WHEREAS**, under the authority of Ordinance No. 219-2021, passed by the Cleveland City Council on April 5, 2021, and Board of Control Resolution No. 33-22, adopted on February 2, 2022, the City through the Director of Finance entered into City Contract No. CT 6001 PS2022\*0093 with Paladin Protective Systems, Inc. for video surveillance maintenance and support which included but was not limited to cameras, network recorders, storage, wired, wireless infrastructure, network troubleshooting, programming, server support and maintenance patches to maintain the Safe Smart CLE Citywide Video Surveillance Program; and

**WHEREAS**, under the authority of Section 181.102 of the Codified Ordinances of the City of Cleveland, Ohio, 1976 (C.O.), the City intends to enter into an agreement with Paladin Protective Systems, Inc. to obtain professional services, maintenance and technical support services necessary to maintain software for the Safe Smart CLE Citywide Video Surveillance Program on an as-needed basis for an amount not to exceed \$350,000.00 for one year with three one-year options to renew; now, therefore,

**BE IT RESOLVED**, by the Board of Control of the City of Cleveland that under division (e) of C.O. Section 181.102, the compensation to be paid for software licenses, maintenance and technical support services to be performed under the above-mentioned prospective agreement with Paladin Protective Systems, Inc. is fixed at an amount not to exceed \$350,000.00 for a term of one-year, with three one-year options to renew with compensation based upon Paladin Protective Systems, Inc.'s January 3, 2024 Quotation, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 59-24**

Adopted 2/07/24

By Director Williams

**WHEREAS**, Section 131.21, division (c), of the Codified Ordinances of Cleveland, Ohio, 1976 (C.O.) authorizes the Director of Public Works to rent spaces or parts of spaces at the West Side Market for terms less than one (1) year for the amounts established from time to time by the Board of Control; and

**WHEREAS**, AlmondBetter LLC, a domestic limited liability company, doing business as Almond Better ("Tenant") desires to rent Stand A-12 in the West Side Market Hall for the purposes of vending specialty dips and spreads made from almonds for a term starting February 1, 2024, through February 29, 2024, and the City is willing to rent Stand A-12 to Tenant for that term; and

**WHEREAS**, all existing West Side Market leases converted to a month-to-month term, under Article IV. B. of the Rental Agreement on August 31, 2023; and

**WHEREAS**, the Board of Control has not previously established a rent amount for that space for a term of less than one (1) year; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND**, that under the authority of C.O. Section 131.21, division (c), the monthly base rent for rental of Stand A-12 in the West Side Market Hall to Tenant is established as the amount calculated by the fee formula set forth in C.O. Section 131.21, division (a)(I), which results in a rent amount of \$682.56 per month.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 60-24**

Adopted 2/07/24

By Director Williams

**WHEREAS**, Section 131.21, division (c), of the Codified Ordinances of Cleveland, Ohio, 1976 (C.O.) authorizes the Director of Public Works to rent spaces or parts of spaces at the West Side Market for terms less than one (1) year for the amounts established from time to time by the Board of Control; and

**WHEREAS**, KATE'S FISH, INC., a domestic corporation, doing business as Kate's Fish ("Tenant") desires to rent Stand G-12 in the West Side Market Hall for the purposes of vending fresh fish for a, and the City is willing to rent Stand G-12 to Tenant for that term; and

**WHEREAS**, all existing West Side Market leases converted to a month-to-month term, under Article IV. B. of the Rental Agreement on August 31, 2023; and

**WHEREAS**, the Board of Control has not previously established a rent amount for that space for a term of less than one (1) year; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND**, that under the authority of C.O. Section 131.21, division (c), the monthly base rent for rental of Stand G-12 in the West Side Market Hall to Tenant for the one-month term from February 1, 2024 through February 29, 2024 is established as the amount calculated by the fee formula set forth in C.O. Section 131.21, division (a)(1), which results in a rent amount of \$835.64 per month.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 61-24**

Adopted 2/07/24

By Director Hernandez

**PROFESSIONAL SERVICE CONTRACT**

**WHEREAS**, Ordinance No. 135-2023, passed by the Council of the City of Cleveland on March 20, 2023 and amended Ordinance No. 397-2023 passed by the Council of the City of Cleveland on May 8 2023, authorizes the Director to employ one or more consultants in order to perform the professional services necessary to support the Bank On CLE program whose mission is to better support the unbanked and underbanked members of our community by helping to create pathways toward greater financial stability for Clevelanders, particularly people of color; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND**, that under the authority of Ordinance No. 135-2023, passed by the Council of the City of Cleveland on March 20, 2023 and amended Ordinance No. 397-2023 passed by the Council of the City of Cleveland on May 8 2023, Canvaas Consulting, LLC is selected on nomination of the Director of Community Development from a list of qualified consultants available for employment as determined after a full and complete canvass by the Director as the consultant to perform the professional services necessary to carry out marketing communications and research and reporting, for the Department of Community Development.

**BE IT FURTHER RESOLVED** that the Director of Community Development is authorized to enter into a contract with Canvaas Consulting, LLC, based upon its received September 29, 2023 proposal, which contract shall be prepared by the Director of Law, shall provide for performing the above-mentioned professional services as described in its proposal, for an amount not to exceed \$50,000, and shall contain such additional terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah



**Resolution No. 62-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, Board of Control Resolution No. 612-23, adopted November 15th, 2023, authorized the sale and development of Permanent Parcel No. 109-11-114 to Sharonda Bailey Bush for a side yard expansion, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

**WHEREAS**, Resolution No. 612-23 authorizing sale of Permanent Parcel No. 109-11-114 to Sharonda Bailey Bush incorrectly stated the parcel's address; now, therefore,

**BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND** that Resolution No. 612-23 adopted by this Board November 15th, 2023, authorizing the sale and development of Permanent Parcel No. 109-11-114 to Sharonda Bailey Bush for side yard expansion, is amended by substituting "located at 10303 Hampden Avenue", for "located at 10309 Hampden Avenue" where appearing in the resolution.

**BE IT FURTHER RESOLVED** that all other provisions of Resolution No. 612-23 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 63-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, Board of Control Resolution No. 36-24, adopted January 17, 2024, authorized the sale and development of Permanent Parcel No. 112-19-063 to Rebuild Cleveland Inc. for new housing development, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

**WHEREAS**, Resolution No. 36-24 authorizing sale of Permanent Parcel No. 112-19-063 stated the purchaser's name as Rebuild Cleveland Inc.; now, therefore,

**BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND** that Resolution No. 36-24, adopted by this Board January 17, 2024, authorizing the sale and development of Permanent Parcel No. 112-19-063 to Rebuild Cleveland Inc., is amended by substituting "Rebuild Cleveland LLC" for "Rebuild Cleveland Inc." where appearing in the resolution.

**BE IT FURTHER RESOLVED** that all other provisions of Resolution No. 36-24 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 64-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel Nos. 121-16-047, 121-16-091 and 121-17-050 located on East 97th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, B.R. Knez Construction, LLC has proposed to the City to purchase and develop the parcels for new housing construction; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with B.R. Knez Construction, LLC for the sale and development of Permanent Parcel Nos. 121-16-047, 121-16-091 and 121-17-050 located on East 97th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$3,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 65-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 119-06-080 located at 1868 East 89th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Care Circle, LLC. has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Care Circle, LLC., for the sale and development of Permanent Parcel No. 119-06-080 located at 1868 East 89th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 66-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel Nos. 019-18-063, 019-18-066, 019-18-067, 019-18-068 and 019-18-079 located on Matherson Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Greater Cleveland Habitat for Humanity, Inc. has proposed to the City to purchase and develop the parcels for single family new construction; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 11 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Greater Cleveland Habitat for Humanity, Inc., for the sale and development of Permanent Parcel Nos. 019-18-063, 019-18-066, 019-18-067, 019-18-068 and 019-18-079, located on Matherson Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$1,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 67-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel Nos. 006-03-125, 006-03-126, 006-03-127 and 006-03-128 on West 83rd Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Greater Cleveland Habitat for Humanity, Inc. has proposed to the City to purchase and develop the parcels for single family new construction; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 15 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Greater Cleveland Habitat for Humanity, Inc. for the sale and development of Permanent Parcel Nos. 006-03-125, 006-03-126, 006-03-127 and 006-03-128 on West 83rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$800.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 68-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 014-07-025 located at 4229 Clybourne Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Krystina Muzic has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 15 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Krystina Muzic for the sale and development of Permanent Parcel No. 014-07-025 located at 4229 Clybourne Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah



**Resolution No. 69-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 104-11-074 located at 5342 Standard Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Northern Ohio Recovery Association has proposed to the City to purchase and develop the parcel for new other residential construction; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 10 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Northern Ohio Recovery Association, for the sale and development of Permanent Parcel No. 104-11-074 located at 5342 Standard Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 70-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 120-02-084 located on Churchill Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Lawrence E. Payten, Jr. and Felicia A. Payten has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 9 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lawrence E. Payten, Jr. and Felicia A. Payten, for the sale and development of Permanent Parcel No. 120-02-084 located on Churchill Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 71-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 016-13-150 located at 3254 West 44th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Carolyn Townsend has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 3 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Carolyn Townsend for the sale and development of Permanent Parcel No. 016-13-150 located at 3254 West 44th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 72-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 016-06-095 located at 3332 West 6151 Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Edit A. Zelkind has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 3 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Edit A. Zelkind, for the sale and development of Permanent Parcel No. 016-06-095 located at 3332 West 61st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

**Resolution No. 73-24**

Adopted 2/07/24

By Director Hernandez

**WHEREAS**, Board of Control Resolution No. 91-23, adopted March 1st, 2023, authorized the sale and development of Permanent Parcel No. 104-16-088 to Thomas T. Miller for a side yard expansion, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

**WHEREAS**, in Resolution No. 91-23 the name of the prospective purchaser of Permanent Parcel No. 104-16-088 located at 17108 Elda mere was incomplete; now, therefore,

**BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND** that Resolution No. 91-23, adopted March 151, 2023, authorizing the sale and development of Permanent Parcel No. 104-16-088 to Thomas T. Miller for a side yard expansion, is amended by substituting "Thomas T. Miller Sr." for "Thomas T. Miller" where appearing in the resolution.

**BE IT FURTHER RESOLVED** that all other provisions of Resolution No. 91-23 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Bibb, Acting Director Curtis, Directors Keane, Francis, Acting Director Laird, Director Margolius, Acting Director Dye, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

## Board of Control

**Wednesday, February 14, 2024**

The meeting of the Board of Control convened in the Mayor's office on Wednesday, February 14, 2024, at 3:00 p.m. with Mayor Justin Bibb presiding.

**Members Present:** Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

**Absent:** Director Abonamah, Cole

**Others Present:** Jevrose Bourdeau Small, Assistant Director  
Economic Development

Michael Curry, Assistant Director  
Office of Equal Opportunity

Steven Decker, Commissioner  
Division of Purchases & Supplies

Susanne DeGennaro, Commissioner  
Real Estate

James DeRosa, Director  
Mayor's Office of Capital Projects

Vishnu Ganglani, Assistant Director of Law  
Law Department

Patricia McGinty Aston, Assistant Director of Law  
Law Department

Tomasz Kacki, Paralegal  
Law Department

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:10 p.m.

Jeffrey B. Marks  
Secretary – Board of Control

**Resolution No. 74-24**

Adopted 2/14/24

By Director Keane

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND** that the bid of

Redcon, LLC.

for the purchase of Fence Installation, Maintenance and/or Repair, for the Department of Public Utilities, for a period of two years, starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on January 4, 2024, under the authority of Ordinance No. 4 71-2023, passed May 22, 2023, which on the basis of the estimated quantity would amount to \$635,721.00 (2%, 10 days) is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a **REQUIREMENT** contract for the goods and/or services, necessary for the specified items.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

**BE IT FURTHER RESOLVED** by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Redcon LLC for the contract authorized is approved:

| <b><u>Subcontractor</u></b> | <b><u>Work</u></b>   | <b><u>Percentage</u></b> |
|-----------------------------|--|--------------------------|
| Petty Group, LLC (CSB)      | \$254,288.40   | 40%                      |
| Yeas:                       | Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole |                          |
| Nays:                       | None   |                          |
| Absent:                     | Director Abonamah, Director Cole   |                          |

**Resolution No. 75-24**

Adopted 2/14/24

By Director Keane

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

The Great Lakes Towing Company dba Plotz Machine

for an estimated quantity of the purchase of labor and materials to refurbish and repair water pumps including controls and appurtenances re-bid, Groups 1- 6, all items, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on January 17, 2024, under the authority of Ordinance No. 472-2023, passed May 15, 2023, which on the basis of the estimated quantity would amount to \$688,750.00 (2%, 10 Days/Net 30 Days) is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a **REQUIREMENT** contract for the goods and/or services, necessary for the specified items.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole



**Resolution No. 76-24**

Adopted 2/14/24

By Director Keane

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

Preventive Power and Maintenance, Inc.,

for an estimated quantity of labor and materials to clean insulators, bushings, and lightning arrestors, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on November 30, 2023, under the authority of Ordinance No. 433-2023, passed May 22, 2023, which on the basis of the estimated quantity would amount to \$1,195,000.00, is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a **REQUIREMENT** contract for the goods and/or services, necessary for the specified items.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish the remainder of the requirement for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent delivery orders separately certified against the contract.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 77-24**

Adopted 2/14/24

By Director Francis

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that the bid of Anthony Allega Cement Contractor, Inc., for the public improvement of constructing improvements to the North Coast Harbor, base bid, plus the 10% contingency, for the Department of Port Control, received on January 10, 2024, under the authority of Ordinance No. 488-2023, passed by the Council of the City of Cleveland on May 22, 2023, for a unit price for the improvement, in the aggregate amount of \$4,536,270.45, plus the 10% contingency in the amount of \$453,627.05, for a total of \$4,989,897.50, is affirmed and approved as the lowest responsible bid, and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

**BE IT FURTHER RESOLVED** by the Board of Control of the City of Cleveland that employment of the following subcontractor by Anthony Allega Cement Contractor, Inc. is approved:

| <b><u>Subcontractor</u></b> | <b><u>Percentage</u></b>   | <b><u>Amount</u></b> |
|-----------------------------|--|----------------------|
| Lakeland Electric           | 30.3% CSB  | \$1,513,694.00       |
| Yeas:                       | Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole |                      |
| Nays:                       | None   |                      |
| Absent:                     | Director Abonamah, Director Cole   |                      |

**Resolution No. 78-24**

Adopted 2/14/24

By Director DeRosa

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

Northern Ohio Trenching Service, Inc.

the public improvement of the Central Recreation Center Park Renovation, Base Bid Items 1-56 and Contingency for the Division of Architecture and Site Development, Office of Capital Projects, received on January 5, 2024, under the authority of Ordinance No. 661-2023, passed July 12, 2023, for a unit price for the improvement in the aggregate amount of \$1,174,976.25 is affirmed and approved as the lowest responsible bid, and the Director of Capital Projects is requested to enter into contract with the bidder.

**BE IT FURTHER RESOLVED**, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Northern Ohio Trenching Services, Inc. is hereby approved:

| <b><u>Subcontractor</u></b>          | <b><u>CSB/MBE/FBE</u></b>  | <b><u>Amount</u></b> | <b><u>Percentage</u></b> |
|--------------------------------------|--|----------------------|--------------------------|
| Commerce Plumbing Co.                | CSB/LPE  | \$19,000.00          | 1.6%                     |
| D. E. Williams                       | LPE  | \$46,000.00          | 3.9%                     |
| Down to Earth Landscaping            | CSB/FBE/LPE  | \$76,800.00          | 6.5%                     |
| Krusoe Sign Co.                      | CSB/LPE  | \$5,725.00           | 0.5%                     |
| Cook Paving & Construction Co., Inc. | CSB/MBE/FBE/LPE  | \$160,000.00         | 13.6%                    |
| DWA Recreation                       | N/A  | \$251,086.14         | 21.4%                    |
| Snider Recreation, Inc.              | CSB/LPE  | \$7,000.00           | 0.6%                     |
| Great Northern Fence                 | N/A  | \$46,380.00          | 3.9%                     |
| Yeas:                                | Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole |                      |                          |
| Nays:                                | None   |                      |                          |
| Absent:                              | Director Abonamah, Director Cole   |                      |                          |

**Resolution No. 79-24**

Adopted 2/14/24

By Director Williams

**WHEREAS**, by Resolution No. 250-12, adopted on June 6, 2012, under the authority of Section 131.15(f) of the Codified Ordinances of Cleveland, Ohio 1976, this Board of Control established the rental rates for the Cleveland Public Auditorium, its various rooms, halls, and portions thereof; and

**WHEREAS**, the Junior Achievement of Greater Cleveland, Inc., wishes to use the Public Hall, the Grand Reception Hall and meeting rooms of the Cleveland Public Auditorium March 5, 2024 - March 6, 2024, for a Junior Achievement student symposium; and

**WHEREAS**, the City is willing to allow the Junior Achievement of Greater Cleveland to use the Public Hall, the Grand Reception Hall and meeting rooms in the Cleveland Public Auditorium on March 5, 2024 - March 6, 2024 without charge for rental; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND**, that notwithstanding and as an exception to the Public Auditorium rental rates established by Board of Control Resolution No. 250-12, adopted on June 6, 2012, Junior Achievement of Greater Cleveland, Inc., may use the Public Hall, the Grand Reception Hall and meeting rooms of the Cleveland Public Auditorium on March 5, 2024 - March 6, 2024, without a rental charge, for a Junior Achievement student symposium.

**BE IT FURTHER RESOLVED**, that the City shall charge Junior Achievement of Greater Cleveland the actual costs, at the prevailing rates, of any labor, materials and equipment supplied for the event.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 80-24**

Adopted 2/14/24

By Director Williams

**WHEREAS**, Ordinance No. 1386-2023, passed by the Council of the City of Cleveland January 22, 2024, authorizes the Mayor and the Commissioner of Purchases and Supplies, by and at the direction of the City Board of Control, to sell a portion of City-owned property located in Lake Park and known as Permanent Parcel No. 001-08-015, found and determined to be not needed for City public use and more fully described in Cleveland City Council File No. 1386-2023-A, to Paisano Properties, Inc. ("Paisano") at the appraised price of \$7,250.00, which amount has been determined to be fair market value; now, therefore,

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1386-2023, passed by the Cleveland City Council January 22, 2024, the Mayor and the Commissioner of Purchases and Supplies are directed to convey a fee simple interest in the portion of aforementioned City-owned property, Permanent Parcel No 001-08-015, located in Lake Park and more fully described in Council File No. 1386-2023-A, to Paisano at the price of \$7,250.00.

**BE IT FURTHER RESOLVED** that the Mayor and the Commissioner of Purchases and Supplies are requested to execute and deliver the official deed of the City of Cleveland conveying the aforementioned City-owned property in fee simple, which deed shall contain such additional terms and provisions as the Director of Law shall determine necessary to protect and benefit the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 81-24**

Adopted 2/14/24

By Director Williams

**WHEREAS**, Ordinance No. 304-2022, passed June 6, 2022 by the Council of the City of Cleveland, authorizes the Mayor and Commissioner of Purchases and Supplies to purchase properties from various owners on the block where Clark Recreation Center is located and bounded by Train Avenue, Clark Avenue and West 56th Street and which are needed for developing a new City park located near Clark Recreation Center ("Target Area") at a price not to exceed fair market value as determined by the Board of Control; and

**WHEREAS**, the City needs a portion of 5612 Clark Avenue (Permanent Parcel No. 006-16-009) for the new City park and intends to acquire it from Urban Bridges, a corporation for non-profit, at the appraised value of \$16,000; now, therefore,

**BE IT RESOLVED** by the Board of Control of the City of Cleveland under Ordinance No. 304-2022, passed June 6, 2022, that the consideration of \$16,000 for purchase of a portion of Permanent Parcel No. 006-16-009 from Urban Bridges is determined not to exceed fair market value.

**BE IT FURTHER RESOLVED** that the Director of Public Works is requested to execute all documents necessary to acquire the property.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 82-24**

Adopted 2/14/24

By Director Williams

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

American National Fleet Service, Inc. dba American Fleet Services

for an estimated quantity of auto-truck wheel alignments and general repair re-bid, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the later of the date of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services, with two one-year renewal options, received on January 4, 2024, under the authority of Section No. 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$182,575.00 (5% Net 31), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a **REQUIREMENT** contract for the goods and/or services specified.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

**BE IT FURTHER RESOLVED** by the Board of Control that the employment of the following subcontractors by American National Fleet Service, Inc. dba American Fleet Services are approved:

| <b><u>Subcontractor</u></b>                      | <b><u>Percentage</u></b> | <b><u>Amount</u></b> |
|--|--------------------------|----------------------|
| C- Auto Glass (CSB/FBE/LPE)                      | 10%                      | \$18,250.00          |
| Han's Truck & Trailer Repair, Inc. (CSB/FBE/LPE) | 10%                      | \$18,250.00          |

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 83-24**

Adopted 2/14/24

By Director Williams

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

Kufner Towing Inc.

for an estimated quantity of various towing and winching services, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the later of the date of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services, with two one-year renewal options, received on January 17, 2024, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$191,725.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a **REQUIREMENT** contract for the goods and/or services specified.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole



**Resolution No. 84-24**

Adopted 2/14/24

By Director Williams

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

Ennis-Flint, Inc.

for an estimated quantity of lane marking paints and related equipment re-bid, all items, for the Division of Traffic Engineering, Department of Public Works, for the period of one year, beginning with the date of execution of a contract, with a one-year renewal option, received on January 17, 2024, under the authority of Section No. 181.101, of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$349,100.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a **REQUIREMENT** contract for the goods and/or services specified.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 85-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 137-09-027 located at 3700 East 124th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to lease Land Reutilization Program parcels;

**WHEREAS**, Don Gaddis has proposed to the City to lease and develop the parcel as a Learning Garden; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 4 has either approved the proposed lease or has not disapproved or requested a hold of the proposed lease within 45 days of notification of it;
2. The proposed lessee of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute a lease for a term of three (3) years, for and on behalf of the City of Cleveland, with Don Gaddis, for the lease and development of Permanent Parcel No. 137-09-027 located at 3700 East 124th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the lease of the parcel shall be \$3.00.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 86-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 016-11-056 located at 3140 West 50th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Blue Streak Investment Group, LLC has proposed to the City to purchase and develop the parcel as open space; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 3 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Blue Streak Investment Group, LLC for the sale and development of Permanent Parcel No. 016-11-056 located at 3140 West 50th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$3,500.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 87-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 016-13-007 located 3245 West 50th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Luz Esther Bonilla has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Luz Esther Bonilla, for the sale and development of Permanent Parcel No. 016-13-007 located 3245 West 50th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 88-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 015-06-011 located at 3393 West 44th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Roderico Castillo has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Roderico Castillo, for the sale and development of Permanent Parcel No. 015-06-011 located at 3393 West 44th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 89-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 106-19-004 located at 7913 Wade Park Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Rasheeda D. Ervin has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Rasheeda D. Ervin, for the sale and development of Permanent Parcel No 106-19-004 located at 7913 Wade Park Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 90-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No(s), 119-14-011; 119-14-012; 119-14-013; 119-14-014 at 2041 East 79th Street, 2045 East 79th Street, 2049 East 79th Street, and 2055 East 79th Street respectively; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, The Mark Kalina Jr. Foundation has proposed to the City to purchase and develop the parcel for 20 new ADA-complaint transitional housing units; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with The Mark Kalina Jr. Foundation, for the sale and development of Permanent Parcel No(s), 119-14-011; 119-14-012; 119-14-013; 119-14-014 at 2041 East 79th Street, 2045 East 79th Street, 2049 East 79th Street, and 2055 East 79th Street respectively, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$800.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole



**Resolution No. 91-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 119-30-076 located at 2327 East 85th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, Paul A. Kenney has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Paul A. Kenney for the sale and development of Permanent Parcel No. 119-30-076 located at 2327 East 85th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Resolution No. 92-24**

Adopted 2/14/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 135-10-097 located at 3523 East 108th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

**WHEREAS**, S.M.F. LEGACY INDUSTRIES, INCORPORATED has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with S.M.F. LEGACY INDUSTRIES, INCORPORATED, for the sale and development of Permanent Parcel No. 135-10-097 located at 3523 East 108th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Director Griffin, Director Keane, Acting Directors Kramer, Laird, Directors Margolius, Howard, Hernandez, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah, Director Cole

**Civil Service**  
**CITY OF CLEVELAND**  
**CIVIL SERVICE COMMISSION**  
**ANNOUNCEMENTS – 2023**

**Filing begins February 16, 2023, unless otherwise noted.**

**Click on a listing below to read it:**

| <b>Bulletin No.</b> | <b>Exam Method</b> | <b>Classifications</b>                   | <b>Exam Type</b> | <b>Examiner</b> | <b>Close Date</b> |
|---------------------|--------------------|--|------------------|-----------------|-------------------|
| 19                  | WR                 | Animal Control Officer                   | OPEN             | LS              | 3/14/2024         |
| 20                  | EE                 | Emergency Medical Technician – Paramedic | NC               | DE              | 3/14/2024         |
| 21                  | EE                 | Real Estate Maintenance Worker           | OPEN             | DE              | 3/14/2024         |
| 22                  | EE                 | Paver                                    | OPEN             | TJT             | 3/14/2024         |

## Civil Service

CIVIL SERVICE COMMISSION ANNOUNCEMENT #CS2024-019  
APPROVED C.S.C. MINUTES 2/9/2024

### **ANIMAL CONTROL OFFICER (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio, of an open competitive examination for the above classification.

### **FILING OF APPLICATION:**

Application must be made electronically through the City of Cleveland's web site:  
[www.governmentjobs.com/careers/cleveland](http://www.governmentjobs.com/careers/cleveland)

No other form or method of application will be accepted.  
Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, FEBRUARY 16, 2024, UNTIL 11:59 PM. ON THURSDAY, MARCH 15, 2024. NOTE: APPLICATIONS Will NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MARCH 15, 2024.

**SALARY:** The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$19.87 - \$24.00 per hour.

### **EXAMINATION INFORMATION**

WRITTEN EVALUATION: Applicants will be notified of the time, date, and place of the examination via email.

### **DUTIES**

Under general supervision, performs work of routine difficulty enforcing animal control ordinances and regulations. Patrols assigned areas within the City to detect and prevent violations of animal control ordinances and regulations; responds to incidents including stray animals, animal bites, noise complaints, and animal cruelty. Chases, apprehends, impounds, and transports domestic, exotic, and wild animals that are stray, injured, and diseased. Uses snares, catch poles, and traps to capture and impound animals. Places animals in animal service vehicle, Transports captured animals to the City's animal shelter. Investigates incidents Involving animal cruelty, animal bites, and animal nuisances reported by members of the public. Interviews complainants, victims, and witnesses in order to collect information on possible violations of animal control laws, ordinances, and regulations. Identifies, collects, and preserves evidence pertaining to investigations of animal cruelty. Identifies the owners of animals that are the subject of an investigation. Gives verbal and written warnings as well as citations to animal owners and animal handlers who have violated ordinances and regulations related to animal control. Prepares incident reports and completes all forms pertaining to animal control

activities. Assists Cleveland Safety Forces and other city departments by handling animals that are present at crime scenes. Assists bailiffs by handling animals present during evictions.

Testifies in court and at hearings on the enforcement of animal control citations and other matters relating to animal control. Performs kennel duties as required by handling, feeding, cleaning, and providing care to animals; maintains the sanitary conditions of kennels. Handles domestic, exotic, and wild animals that are stray, injured, and diseased. Performs euthanasia procedures on injured, sick, dangerous, or unwanted animals by means of lethal injection (when certified). Operates a two-way portable radio, an animal control service vehicle, catch poles, traps, needles, syringes, computers and other various pieces of office equipment Provides customer service to residents and customers that enter the kennel. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

### **MINIMUM QUALIFICATIONS**

A High School Diploma or GED is required. The equivalent of one year of full-time experience in the animal handling/sheltering/care field is required. Must obtain certification as a Euthanasia Technician within one year of the date of employment. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 50 pounds. Must be computer proficient and have the ability to learn RMS system and Divisional computer programs.

**NOTE:** Minimum qualifications must be met as of the last day of the filing period unless otherwise stated.

### **RESIDENCY CREDIT**

In accordance with the Ordinances of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland for at least one year at the time of filing a Civil Service application, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her passing score. (NOTE: Not all Examinations consider residency credit in the scoring process) To substantiate a claim for residency points, Applicants must UPLOAD LEGIBLE COPIES of the following:

- A signed and notarized Residency Affidavit available on the City's website here: <https://www.clevelandohio.gov/sites/clevelandohio/files/AffidavitOfResidency0321.pdf>

### **VETERANS' PREFERENCE**

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a

DD Form 214, must be presented to the Commission at the time of filing application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination; or ten (10) points are added to their raw score on the examination if applicant's supporting documentation indicates more than fifteen percent (15%) service-connected disability.

NOTE: Only DD Form 214 (long form) or an official armed service document indicating type of discharge or separation and the dates of active service will be accepted as proof of active service.

***We are an equal opportunity employer. We do not discriminate on the basis of race, color, sex, national origin/ancestry, military status, disability, age and religion.***

## Civil Service

CIVIL SERVICE COMMISSION ANNOUNCEMENT #CS2024-020  
APPROVED C.S.C. MINUTES 2/9/2024

### **EMERGENCY MEDICAL TECHNICIAN - Paramedic (NON-COMPETITIVE)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio, of an open competitive examination for the above classification.

#### **FILING OF APPLICATION:**

Application must be made electronically through the City of Cleveland's web site:  
[www.governmentjobs.com/careers/cleveland](http://www.governmentjobs.com/careers/cleveland)

No other form or method of application will be accepted.  
Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, FEBRUARY 16, 2024, UNTIL 11:59 PM. ON THURSDAY, MARCH 15, 2024. NOTE: APPLICATIONS Will NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MARCH 15, 2024.

**SALARY:** The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$42,082.87 - \$61,395.88 per Year.

#### **EXAMINATION INFORMATION**

EXPERIENCE EVALUATION: Applicants' ELIGIBILITY WILL BE DETERMINED BASED ON Education, Experience, and License found in application.

#### **DUTIES**

Under general supervision, transports sick and injured persons by ambulance to specified locations. Responds to 911 ambulance calls and operates an emergency vehicle in an appropriate and safe manner in accord with the State and Local Laws. Administers pre-hospital care treatment within the limits defined by law within the Division of Emergency Medical Service and the State of Ohio. Completes patient care reports and related documentation thoroughly, complying with all billing requirements as set forth by providers and the City of Cleveland. Conducts equipment and supply inventories on vehicles while also maintaining routine daily vehicle inspection. Follows all policy and procedures according to the City of Cleveland and the Division of Emergency Medical Service. Completes the EMS Cadet Training Academy comprised of an initial 320 hr. (minimum) classroom training and certification classes, 80 hr. (minimum) field training and agility testing, as well as continuing education sessions and meetings. Demonstrates competency in EMT/Paramedic knowledge. Attends and participates in operations and safety training classes when scheduled and demonstrates competence in protocols, skills and the standard of care set forth by the Division of Emergency Medical Service

(demonstration of competence may be determined by exam). Performs other related duties as may be assigned or required to meet emergency situations. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

### **MINIMUM QUALIFICATIONS**

A High School Diploma or GED is required. A valid State of Ohio Driver's License with less than 6 points is required and must be maintained throughout employment. Must be able to lift and carry a minimum of 100 pounds and be able to meet the physical demands of the position. Must have a current State of Ohio Paramedic certification which must be maintained throughout employment.

### **RESIDENCY CREDIT**

In accordance with the Ordinances of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland for at least one year at the time of filing a Civil Service application, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her passing score. (NOTE: Not all Examinations consider residency credit in the scoring process) To substantiate a claim for residency points, Applicants must UPLOAD LEGIBLE COPIES of the following:

- A signed and notarized Residency Affidavit available on the City's website here: <https://www.clevelandohio.gov/sites/clevelandohio/files/AffidavitOfResidency0321.pdf>

### **VETERANS' PREFERENCE**

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission at the time of filing application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination; or ten (10) points are added to their raw score on the examination if applicant's supporting documentation indicates more than fifteen percent (15%) service-connected disability.

NOTE: Only DD Form 214 (long form) or an official armed service document indicating type of discharge or separation and the dates of active service will be accepted as proof of active service.

***We are an equal opportunity employer. We do not discriminate on the basis of race, color, sex, national origin/ancestry, military status, disability, age and religion.***



## Civil Service

CIVIL SERVICE COMMISSION ANNOUNCEMENT #CS2024-022  
APPROVED C.S.C. MINUTES 2/9/2024

### PAVER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio, of an open competitive examination for the above classification.

### FILING OF APPLICATION:

Application must be made electronically through the City of Cleveland's web site:  
[www.governmentjobs.com/careers/cleveland](http://www.governmentjobs.com/careers/cleveland)

No other form or method of application will be accepted.  
Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, FEBRUARY 16, 2024, UNTIL 11:59 PM. ON THURSDAY, MARCH 15, 2024. NOTE: APPLICATIONS Will NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MARCH 15, 2024.

**SALARY:** The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$15.61 - \$23.00 per hour.

### EXAMINATION INFORMATION

PERFORMANCE EXAMINATION: Candidates will be notified of the time, date, and place of the examination. This portion of the test will be worth 30% of the candidate's total score. Applicants will need to bring the following to the exam: Tape measure; Handsaw; Hammer and nails; Bull float; Edger; Jointer; Hand floats; Straight edge.

and

EXPERIENCE EVALUATION: An experience evaluation consists of a quantitative evaluation of an Applicant's academic training and experience pertinent to the classification for which an examination is taken, based on the statement of experience as recorded on the candidate's application and on academic training based on required credentials.

### DUTIES

Under supervision, prepares beds for, and lays various types of brick and stone block pavements. Performs related duties as required. TYPICAL TASKS: Prepares sub-base. Lays brick, stone, and other types of block pavement material. Grades and levels sand for paving bases. Sorts out defective bricks. Supervises the work of pounders and laborers. Supervises tamping of sub-base and paving. Follows all operations and safety

policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

## **MINIMUM QUALIFICATIONS**

A High School Diploma or GED is required. Four years of full-time paid commercial concrete work (roadways or building) is required. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 70 pounds.

## **RESIDENCY CREDIT**

In accordance with the Ordinances of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland for at least one year at the time of filing a Civil Service application, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her passing score. (NOTE: Not all Examinations consider residency credit in the scoring process) To substantiate a claim for residency points, Applicants must UPLOAD LEGIBLE COPIES of the following:

- A signed and notarized Residency Affidavit available on the City's website here: <https://www.clevelandohio.gov/sites/clevelandohio/files/AffidavitOfResidency0321.pdf>

## **VETERANS' PREFERENCE**

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission at the time of filing application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination; or ten (10) points are added to their raw score on the examination if applicant's supporting documentation indicates more than fifteen percent (15%) service-connected disability.

NOTE: Only DD Form 214 (long form) or an official armed service document indicating type of discharge or separation and the dates of active service will be accepted as proof of active service.

***We are an equal opportunity employer. We do not discriminate on the basis of race, color, sex, national origin/ancestry, military status, disability, age and religion.***

## Civil Service

CIVIL SERVICE COMMISSION ANNOUNCEMENT #CS2024-021  
APPROVED C.S.C. MINUTES 2/9/2024

### REAL ESTATE MAINTENANCE WORKER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio, of an open competitive examination for the above classification.

#### FILING OF APPLICATION:

Application must be made electronically through the City of Cleveland's web site:  
[www.governmentjobs.com/careers/cleveland](http://www.governmentjobs.com/careers/cleveland)

No other form or method of application will be accepted.  
Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, FEBRUARY 16, 2024, UNTIL 11:59 PM. ON THURSDAY, MARCH 15, 2024. NOTE: APPLICATIONS Will NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MARCH 15, 2024.

**SALARY:** The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$19.88 - \$24.03 PER HOUR.

#### EXAMINATION INFORMATION

EXPERIENCE EVALUATION: Applicants' ELIGIBILITY WILL BE DETERMINED BASED ON Education, Experience, and License found in application.

#### DUTIES

Maintains properties and structures under the jurisdiction of the City of Cleveland. Supervises the work of students and other seasonal employees in maintaining said properties and structures. TYPICAL TASKS: Performs mechanical and chemical grass and weed cutting/removal. Operates a tractor to complete this task. Removes debris and rubbish and uses vehicles under 26,000 lbs. GVW. Uses hand and power tools. Maintains and repairs structures owned by the City. Supervises seasonal staff as assigned. Moves furniture and equipment. Performs janitorial and ground maintenance services as required. Assists in the distribution and inventory control of supplies, equipment, and tools. Installs equipment and fencing as needed. Performs other duties as assigned.

#### MINIMUM QUALIFICATIONS

High School Diploma or GED required. One year of full time paid experience in the upkeep of green space required. Must possess a knowledge of ground maintenance functions and various ground equipment. Valid State of Ohio Driver's License required.

### **RESIDENCY CREDIT**

In accordance with the Ordinances of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland for at least one year at the time of filing a Civil Service application, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her passing score. (NOTE: Not all Examinations consider residency credit in the scoring process) To substantiate a claim for residency points, Applicants must UPLOAD LEGIBLE COPIES of the following:

- A signed and notarized Residency Affidavit available on the City's website here: <https://www.clevelandohio.gov/sites/clevelandohio/files/AffidavitOfResidency0321.pdf>

### **VETERANS' PREFERENCE**

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission at the time of filing application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination; or ten (10) points are added to their raw score on the examination if applicant's supporting documentation indicates more than fifteen percent (15%) service-connected disability.

NOTE: Only DD Form 214 (long form) or an official armed service document indicating type of discharge or separation and the dates of active service will be accepted as proof of active service.

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# Report of the Board of Zoning Appeals

**Monday, February 12, 2024**

At the meeting of the Board of Zoning Appeals on Monday, February 12, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

**Calendar No. 24-006: 11817 Lorain Avenue**

Variety Properties LLC, owner, proposes to rehabilitate an historic building for use as residential, retail and entertainment in C1 Local Retail District and a Pedestrian Retail Overlay District.

**Calendar No. 24-008: 1500 Franklin Boulevard**

Ohio City Farm proposes to expand existing agricultural use by erecting a new building (Ohio City Farm Market Hall) with business spaces and a commercial kitchen in an E5 Multi-Family Residential District.

**Calendar No. 24-009: 10518 Superior Avenue**

Light Reign Artisan Co. LLC, owner, proposes to establish use as a blown glass art studio in a G2 Local Retail Business District.

**Calendar No. 24-010: 11611 Harborview Drive**

Dale Smith & Barbara Lum, owners, propose to erect an attached garage addition and second-floor living space to existing single-family residence in an AA1 Limited One-Family Residential District.

**Calendar No. 24-031: 9615 Buckeye Road**

Woodhill Homes LLC., owner, proposes to erect a four-story, 64-dwelling-unit apartment building in an E3 Residence-Office District and an Urban Core Overlay District.

The following appeals were **DENIED**: **None**

The following case was **WITHDRAWN**: **None**

The following appeals were **DISMISSED**: **None**

The following cases were **REMANDED**: **None**

The following cases were **POSTPONED**:

**Calendar No. 24-002:** Jennifer Heard  
737 East 93rd Street. March 18, 2024.

**The following cases were heard by the Board of Zoning Appeals on Monday, February 5, 2024, and the decisions were adopted and approved on Monday, February 12, 2024:**

The following appeals were **APPROVED**:

**Calendar No. 23-175: 18809 Maplewood Avenue**

Enterprise Holdings, Lessee, proposes to install a 10-foot-tall fence in a C2 Semi-Industry District on a parcel of land owned by the City of Cleveland.

**Calendar No. 23-226: 16411 Lucille Avenue**

Joseph Rifici proposes to construct an addition and rear yard deck in an A1 One-Family Residential District.

**Calendar No. 24-003: 5817 Detroit Avenue (Granted Conditionally)**

56 Properties, owner, proposes to erect a 1 story open carport attached to existing two-family residence in a C2 Local Retail Business District.

**Calendar No. 24-005: 2530 Superior Avenue**

Turndev, owner, proposes to erect a 27,000 square foot, five-level parking structure for phase 2 of Cleveland Police Headquarters development located in the Central Business District and Semi-Industry District.

# Agenda of the Board of Building Standards and Building Appeals

Wednesday, March 13, 2024 - revised

Board of Building Standards and Building Appeals  
Cleveland City Hall – Room 514 or WebEx at 9:30 a.m.  
[BBSA@clevelandohio.gov](mailto:BBSA@clevelandohio.gov)

Download the WebEx Desktop App or the mobile App from the WebEx website at <https://www.webex.com/downloads.html/>

Instructions to enable a browser plug-in for Chrome or Firefox can be found here: <https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox>

For instructions to join the call you can go to here:  
<https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>

Email [cdavis@clevelandohio.gov](mailto:cdavis@clevelandohio.gov) to receive the calendar invite (This invite is for testament/witness purposes only).

PUBLIC HEARINGS WILL BE STREAMED LIVE ON  
YouTube: [https://www.youtube.com/channel/UCB8qloJrhbm\\_pYIR1OLY68bw/](https://www.youtube.com/channel/UCB8qloJrhbm_pYIR1OLY68bw/)

**NOTE:** This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

## Adjudication Order Building:

Docket A-15-24                      1865 West 22nd Street                      Ward: 3  
(Kerry McCormack)

1865 West 22nd Street LLC, Owner of the R-2 Residential - Permanent Housing (Shared Egress) Structure appeals **ADJUCICATION ORDER B23003286---03,**  
**1.OBC 106.1.1 Information on Construction Documents**  
(a,b,c,d,e,f,g,h,i,j,k,l,m,no,p,q,r,s,t,u,v,w,x,y,z,aa); **2. OBC 406.3.1**  
**Classification;** **3. OBC 905.8 Dry Standpipes;** **4. OBC 1006.2.1 Egress Based**  
**on Occupant Load and Common Path of Egress Travel Distance;** **5. OBC**  
**1010.1.2.1 Direction of Swing;** **6. OBC 1011.6 Stairway Landings;** **7. OBC**  
**1014.6 (a,b,c); Handrail Extensions;** **8. OBC 1014.7 Clearance;** **9. 1030.1**  
**General;** **10. OBC 1104.5 Location;** **11. OBC 1106.1 Required;** **12. OBC 3002.4**  
**Elevator Car to Accommodate Ambulance Stretcher (a);** **13. OBC 3412.6.3**  
**Compartmentation per Table 3412.6.3 Compartmentation Values;** **14. OBC**  
**3412.6.13 (a,i,ii); Maximum exit travel distance, OBC 1016.1 General ,OBC**

**1006.2.1 Egress Based on Occupant Load and Common Path of Egress Travel Distance, 1006.3.1 Egress Based on Occupant Load; 15. OBC 3412.6.14 Elevator Control; 16. OBC 3412.6.17 Automatic Sprinklers; 17. OBC 3412.6.18 Standpipes; 18. OBC 3412.9 Evaluation of Building Safety (a),** dated January 9, 2024, appellant is requesting a variance.

**BUILDING:**

**Docket A-196-23                      9212 Madison Avenue #4 AKA 1E            WARD: 15  
(Jenny Spencer)**

**Huriye Tugce Kirca**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-197-23                      9212 Madison Avenue #6 AKA 3E            WARD: 15  
(Jenny Spencer)**

**Serdar Mutlu**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-198-23                      9212 Madison Avenue #1 AKA 1D            WARD: 15  
(Jenny Spencer)**

**Huriye Tugce Kirca**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-199-23                      9212 Madison Avenue #2 AKA 2D            WARD: 15  
(Jenny Spencer)**

**Oztemel LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-200-23                      9212 Madison Avenue #5 AKA 2E            WARD: 15  
(Jenny Spencer)**



**Oztemel LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-201-23                      9212 Madison Avenue #9 AKA 3F                      WARD: 15**  
**(Jenny Spencer)**

**Serdar Mutlu**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-202-23                      9212 Madison Avenue #12 AKA 3C      WARD: 15**  
**(Jenny Spencer)**

**Serdar Mutlu**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-203-23                      9212 Madison Avenue #19 AKA 3A    WARD: 15**  
**(Jenny Spencer)**

**Serdar Mutlu**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 20, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-204-23                      9212 Madison Avenue #16 AKA 3B    WARD: 15**  
**(Jenny Spencer)**

**Serdar Mutlu**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-205-23                      9212 Madison Avenue #17 AKA 1A      WARD: 15**  
**(Jenny Spencer)**

**Sarikurt LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-206-23**                      **9212 Madison Avenue #15 AKA 2B**      **WARD: 15**  
**(Jenny Spencer)**

**Duygu Kizilgunes**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-207-23**                      **9212 Madison Avenue #14 AKA 1B**      **WARD: 15**  
**(Jenny Spencer)**

**Serhat Cetin**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-208-23**                      **9212 Madison Avenue #18 AKA 2A**      **WARD: 15**  
**(Jenny Spencer)**

**Polat Tekay/Sinah Ozcan** Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-209-23**                      **9212 Madison Avenue**                      **WARD: 15**  
**(Jenny Spencer)**

**Coastal Line Homes LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – NO PERMIT**, dated June 20, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-210-23**                      **9212 Madison Avenue #7 AKA 1F**      **WARD: 15**  
**(Jenny Spencer)**

**Sky Rock Investments LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION –**

**INTERIOR/EXTERIOR MAINTENANCE**, dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-211-23                      9212 Madison Avenue EXTERIOR      WARD: 15  
(Jenny Spencer)**

**Coastal Lines Homes LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-212-23                      9212 Madison Avenue #8 AKA 2F      WARD: 15  
(Jenny Spencer)**

**Fatma Meltem Tursucu Kalyon**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-213-23                      9212 Madison Avenue COMMON AREA      WARD: 15  
(Jenny Spencer)**

**Coastal Line Homes LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-214-23                      9212 Madison Avenue #10 AKA 1C      WARD: 15  
(Jenny Spencer)**

**Baris Alican Akca**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-215-23                      9212 Madison Avenue #11 AKA 2C      WARD: 6  
(Blaine A. Griffin)**

**Ulkan Efe Yesil**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.



**Approval of Resolutions****Docket/s:**

|          |                         |
|----------|-------------------------|
| A-250-23 | CSX Transportation INC. |
| A-251-23 | CSX Transportation INC. |
| A-252-23 | CSX Transportation INC. |
| A-253-23 | CSX Transportation INC. |
| A-254-23 | CSX Transportation INC. |
| A-255-23 | CSX Transportation INC. |
| A-256-23 | CSX Transportation INC. |
| A-257-23 | CSX Transportation INC. |
| A-258-23 | CSX Transportation INC. |
| A-259-23 | CSX Transportation INC. |
| A-260-23 | CSX Transportation INC. |
| A-261-23 | CSX Transportation INC. |
| A-262-23 | CSX Transportation INC. |
| A-263-23 | CSX Transportation INC. |
| A-264-23 | CSX Transportation INC. |
| A-265-23 | CSX Transportation INC. |
| A-266-23 | CSX Transportation INC. |
| A-396-23 | 1501 Euclid             |
| A-25-24  | 2501 Portman            |

**Approval of Minutes**

February 28, 2024

**MEMO**

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary  
Board of Building Standards and Building Appeals

Date: February 15, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, March 13, 2024, at approximately 9:30 a.m. via WebEx.

| DOCKET NO. | ADDRESS                  | INSPECTOR/S |
|------------|--------------------------|-------------|
| A-196-23   | 9212 Madison #4 AKA 1E   | R. Derrett  |
| A-197-23   | 9212 Madison #6 AKA 3E   | G. Conwell  |
| A-198-23   | 9212 Madison #1 AKA 1D   | G. Conwell  |
| A-199-23   | 9212 Madison #2 AKA 2D   | R. Derrett  |
| A-200-23   | 9212 Madison #5 AKA 2E   | G. Conwell  |
| A-201-23   | 9212 Madison #9 AKA 3F   | G. Conwell  |
| A-202-23   | 9212 Madison #12 AKA 3C  | R. Derrett  |
| A-203-23   | 9212 Madison #19 AKA 3A  | R. Derrett  |
| A-204-23   | 9212 Madison #16 AKA 3B  | R. Derrett  |
| A-205-23   | 9212 Madison #17 AKA 1A  | R. Derrett  |
| A-206-23   | 9212 Madison #15 AKA 2B  | R. Derrett  |
| A-207-23   | 9212 Madison #14 AKA 1B  | R. Derrett  |
| A-208-23   | 9212 Madison #18 AKA 2A  | G. Conwell  |
| A-209-23   | 9212 Madison             | R. Derrett  |
| A-210-23   | 9212 Madison #7 AKA 1F   | R. Derrett  |
| A-211-23   | 9212 Madison Exterior    | R. Derrett  |
| A-212-23   | 9212 Madison #8 AKA 2F   | R. Derrett  |
| A-213-23   | 9212 Madison Common Area | R. Derrett  |
| A-214-23   | 9212 Madison #10 AKA 1C  | R. Derrett  |
| A-215-23   | 9212 Madison #11 AKA 2C  | R. Derrett  |
| A-15-24    | 1865 West 22             | T. Vanover  |

# Agenda of the Board of Building Standards and Building Appeals

**Wednesday, February 28, 2024 - revised**

Board of Building Standards and Building Appeals  
Cleveland City Hall – Room 514 or WebEx at 9:30 a.m.  
[BBSA@clevelandohio.gov](mailto:BBSA@clevelandohio.gov)

**Download the WebEx Desktop App or the mobile App from the WebEx website at <https://www.webex.com/downloads.html/>**

**Instructions to enable a browser plug-in for Chrome or Firefox can be found here: <https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox>**

**For instructions to join the call you can go to here: <https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>**

**Email [cdavis@clevelandohio.gov](mailto:cdavis@clevelandohio.gov) to receive the calendar invite (This invite is for testament/witness purposes only).**

**PUBLIC HEARINGS WILL BE STREAMED LIVE ON YouTube: [https://www.youtube.com/channel/UCB8qloJrhm\\_pYIR1OLY68bw/](https://www.youtube.com/channel/UCB8qloJrhm_pYIR1OLY68bw/)**

**NOTE:** This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

## **ADJUDICATION ORDER BUILDING:**

**Docket A-396-23                      1501 Euclid Avenue                      WARD: 3  
(Kerry McCormack)**

**PSC Bulkley Building LLC, Owner of the Office Facility; Eight-Story Frame Structure, appeals from ADJUCICATION ORDER B23028186---01, 1. Plans Examine: OBC 106.1.1 Information on Construction Documents a-z, aa-ee. 2. OBC 1014.9 Intermediate Handrails. 3. OBC 3002.4 Elevator Car to Accommodate Ambulance Stretcher, dated November 21, 2023, appellant is requesting a variance.**

## **ADJUDICATION ORDER POOL/SPA:**

**Docket A-25-24                      2501 Portman Avenue                      WARD: 13  
(Kris Harsh)**

**Patrick Cummings**, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Structure, appeals from **ADJUCICATION ORDER B24001319, 1. R106.1.3 Information on Construction Documents... Additional items required 1-7 2. R107.4.1 Adequacy of Construction Documents**, dated February 2, 2023, appellant is requesting a variance.

**BRIDGE:**

**Docket A-250-23**

**86 MLK Blvd Cleveland, OH aka East Boulevard South of Cedar City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure- CODE 4:589 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.’s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-251-23**

**85 E 105 Cleveland, OH aka North of St Clair City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure- CODE 4:588 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.’s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-252-23**

**64 Quincy Cleveland, OH aka East of East 105th St City Bridge**

**WARD:6**  
**(Blaine A. Griffin)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:560 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.’s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-253-23**

**61 Neff Cleveland, OH aka North of St Clair City Bridge**

**WARD: 10**  
**(Anthony T. Hairston)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:555 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated



August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-254-23**

**50 East 140 Cleveland, OH aka At Spinwall South City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:536 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-255-23**

**19 Mayfield Cleveland, OH aka East 117th Street City Bridge**

**WARD: 9**  
**(Kevin Conwell)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:552 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-256-23**

**26 Berea Cleveland, OH aka West 117 St City Bridge**

**WARD: 16**  
**(Brian Kazy)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:503 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-257-23**

**29 Buckeye Cleveland, OH aka At Steinway City Bridge**

**WARD: 6**  
**(Blaine A. Griffin)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:509 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-258-23**

**31 Cedar Cleveland, OH aka At West of Murray Hill City Bridge**

**WARD: 6**  
**(Blaine A. Griffin)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:511 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-259-23**  
**25 Aspinwall Cleveland, OH aka West of East 136 St City Bridge**

**WARD: 8**  
**(Michael D. Polensek)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:502 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-260-23**  
**49 E 140 Cleveland, OH aka At Spinwall North City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:536 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-261-23**  
**96 East 55 Cleveland, OH aka North of St Clair City Bridge**

**WARD: 10**  
**(Anthony T. Hairston)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 6:509 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-262-23**  
**3 Coit Cleveland, OH aka East of East 131 St City Bridge**

**WARD: 8**  
**(Michael D. Polensek.)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:516 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-263-23****4 Euclid Cleveland, OH aka East 18 St City Bridge****WARD 5  
(Richard A. Starr)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:537 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.’s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-264-23****5 Holton Cleveland, OH aka East of East 91 St City Bridge****WARD: 2  
(Kevin L. Bishop)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:543 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.’s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-265-23****62 Nottingham Cleveland, OH aka East 185 St City Bridge****WARD:3  
(Kerry McCormack)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:556 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.’s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Docket A-266-23****82 St Clair Cleveland, OH aka At Woodworth City Bridge****WARD: 9  
(Kevin Conwell)**

**CSX Transportation INC**, Owner of the Railroad Bridge Structure-CODE 4:585 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.’s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

**Approval of Resolutions****Docket/s:**

|          |                        |
|----------|------------------------|
| A-307-23 | Pippa L. Carter        |
| A-362-23 | Carmen Harwell         |
| A-363-23 | Zhenghua Gu            |
| A-364-23 | 2086 W 89 LLC          |
| A-365-23 | C & B Cleve LLC        |
| A-366-23 | Demetrios Frangias     |
| A-368-23 | Kevin Van Gilder Sr.   |
| A-369-23 | Brendan/Tara Lane      |
| A-370-23 | Stay Focused LLC       |
| A-371-23 | Joeeph L. Otonichar    |
| A-372-23 | Boss Ross Realty LLC   |
| A-373-23 | Fralick Properties LLC |
| A-374-23 | Fireside Estates LLC   |
| A-375-23 | Billie Bridges         |
| A-376-23 | Mike Saunders          |
| A-377-23 | Daisy Goddard          |
| A-378-23 | Ron Azzam              |
| A-380-23 | Brady D. Burns         |
| A-381-23 | Releece Rentals        |
| A-383-23 | DFI Properties LLC     |

**Approval of Minutes**

February 14, 2024

**MEMO**

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary  
Board of Building Standards and Building Appeals

Date: February 15, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, February 28, 2024, at approximately 9:30 a.m. via WebEx.

| DOCKET NO. | ADDRESS       | INSPECTOR/S |
|------------|---------------|-------------|
| A-250-23   | 86 MLK        | E. Elmi     |
| A-251-23   | 85 East 105   | E. Elmi     |
| A-252-23   | 64 Quincy     | E. Elmi     |
| A-253-23   | 61 Neff       | E. Elmi     |
| A-254-23   | 50 East 140   | E. Elmi     |
| A-255-23   | 19 Mayfield   | E. Elmi     |
| A-256-23   | 26 Berea      | E. Elmi     |
| A-257-23   | 29 Buckeye    | E. Elmi     |
| A-258-23   | 31 Cedar      | E. Elmi     |
| A-259-23   | 25 Aspinwall  | E. Elmi     |
| A-260-23   | 49 East 140   | E. Elmi     |
| A-261-23   | 96 East 55    | E. Elmi     |
| A-262-23   | 3 Coit        | E. Elmi     |
| A-263-23   | 4 Euclid      | E. Elmi     |
| A-264-23   | 5 Holton      | E. Elmi     |
| A-265-23   | 62 Nottingham | E. Elmi     |
| A-266-23   | 82 St. Clair  | E. Elmi     |
| A-396-23   | 1501 Euclid   | T. Vanover  |
| A-25-24    | 2501 Portman  | T. Vanover  |

## Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on February 5, 2024.

**Click on a piece of legislation below to read it:**

[Ord. No. 1039-2023](#)

[Ord. No. 112-2024](#)

[Ord. No. 1278-2023](#)

[Ord. No. 168-2024](#)

[Ord. No. 37-2024](#)

[Ord. No. 169-2024](#)

[Ord. No. 104-2024](#)

[Ord. No. 170-2024](#)

[Ord. No. 106-2024](#)

[Res. No. 163-2024](#)

[Ord. No. 110-2024](#)

**Ordinance No. 1039-2023**

**By Council Members:** Conwell, Hairston and Griffin (by departmental request)

**An emergency ordinance to amend various Sections of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to the Department of Building and Housing generally; to renumber existing Section 3143.04 to 3143.98; to change the name of Chapter 3143; and to enact new Sections 201.04, 381.14, 3104.01 to 3104.09, 3104.99, 3106.01 to 3106.10, 3106.99, 3143.04, and 3143.05, relating to civil enforcement, vacant property registration, and parking garage inspections.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976,

Section 201.99, as amended by Ordinance No. 486-04, passed October 11, 2004,

Section 203.02, as amended by Ordinance No. 318.06, passed March 20, 2006,

Section 203.03, as amended by Ordinance No. 511-76, passed June 14, 1976,

Section 209.01, as amended by Ordinance No. 1060-2017, passed October 9, 2017,

Section 327.02, as amended by Ordinance No. 1551-50, passed June 25, 1951,

Section 327.04, as amended by Ordinance No. 54-94, passed June 6, 1994,

Section 327.99, as amended by Ordinance No. 1555-13, passed October 17, 2016,

Sections 365.01, 365.02, 365.03, and 365.09, as amended by Ordinance No. 747-2019, passed July 24, 2019,

Section 367.03, as amended by Ordinance No. 1075-09, passed August 5, 2009,

Sections 367.04 and 367.05, as amended by Ordinance No. 612-2022, passed September 26, 2022,

Sections 367.12 and 367.99 as amended by Ordinance No. 747-2019, passed July 24, 2019,

Section 381.04, as amended by Ordinance No. 778-76, passed June 14, 1976,

Section 381.99, as amended by Ordinance No. 1309-05, passed December 5, 2005,

Section 3103.04, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986,

Section 3103.09, as amended by Ordinance No. 612-2022, passed September 26, 2022,

Section 3103.25, as amended by Ordinance No. 2370-01, passed May 13, 2002,

Section 3143.01 and 3143.03, as amended by Ordinance No. 1533-15, passed April 4, 2016, and

Section 601.061, as amended by Ordinance No. 1198-20, passed May 16, 2011,

are amended to read as follows:

Section 201.99 Penalty

(a) Whoever fails to comply with a written order issued under this Health Code is guilty of a misdemeanor of the first degree. Each day of noncompliance shall constitute a separate offense. Whoever violates any provision of this Health Code, where another penalty is not otherwise provided, is guilty of a minor misdemeanor on a first offense and shall be fined not more than one hundred fifty dollars (\$150.00); on a second or subsequent offense, such person is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six (6) months, or both. Each day of a continuing violation or non-compliance constitutes a separate offense.

(b) Whoever violates Sections 203.07, 203.08, 205.02, 209.01, 209.02(a), 211.01 or 211.02 shall be fined not more than one hundred fifty dollars (\$150.00). In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

Section 203.02 Notice to Abate; Exception

(a) Whenever the Commissioner of Environment or any authorized City officer or employee ascertains, either upon information or by observation or inspection, that any condition amounting to a nuisance or defined by law or ordinance as a nuisance exists on any premises, which nuisance affects or endangers the public health, either of them shall, in writing, notify the owner or person in charge of the premises, requiring the abatement or removal of the nuisance within a reasonable time, unless no such owner or person in charge can be found, or unless the circumstances are such, in their opinion, as to require the immediate abatement or removal of the nuisance, without waiting to give notification.



In the case of a vacant lot or a lot on which the main building or structure is vacant, either of which lot contains a nuisance as described in 209.01, the procedures outlined in Chapter 209 may be followed. In case of a nuisance as described in 209.01, the abatement shall last for the remainder of the growing season.

(b) A notice of violation under this Section 203.02 shall be served by one (1) or more of the following methods.

(1) Personal service; The City department issuing the notice may use any method that causes the Notice of Violations to be actually delivered to the responsible party. Actual delivery shall constitute legal service of the Notice of Violations.

(2) Residence service at the owner's address by leaving a copy of the notice of violation with a person of suitable age and discretion then residing therein.

(3) Certified mail to an address where it is reasonably calculated under the circumstances to reach the owner. When determining such an address, the City shall examine:

A. Information the responsible party provided to the City, such as rental registration information or the address used on an appeal or an application; or

B. Information that a City representative, such as an inspector, has discovered during the performance of their duties; or

C. Information from common and readily available sources such as printed or online directories, credit bureaus, county property records, board of election records, motor vehicle records, court records or other state, county, municipal or federal records.

The City is not required to use all of these methods and is not required to use any one of them; the City must use whatever combination of them is reasonably expected to be successful. The address found can be the property or premises which is the subject of the violation.

(4) Regular mail and posting as follows:

A. Regular mail to the owner at an address found under paragraph (3) above, which may be the address of the property that is the subject of the violation; and

B. Regular mail service to the property address that is the subject of the violation notice, if that address is different from the address in A.; and

C. Posting of the notice of violation in a conspicuous location on the building, premises or real estate or appurtenance thereto that is the subject of the violation notice.

(5) Service by publication electronically or once in a newspaper of general circulation in the City.

Section 203.03 Compliance; Abatement by City; Costs a Lien

(a) No person shall fail or refuse to comply with any provision of this Health Code or fail to comply with any lawful order issued under this Health Code.

(b) In addition to any penalty for a violation of this Health Code, the Commissioner or any authorized City officer or employee may, by their authorized representatives, remove, abate, suspend, alter or otherwise improve or purify such nuisance and certify, as allowed by law, the costs and expense thereof to the County Auditor, to be assessed against the property and thereby made a lien upon it and collected as other taxes.

Section 209.01 Nuisance Plants, Refuse, and Surface Water

(a) The following conditions provide harborage and breeding grounds for pests or are otherwise conducive to the creation of human health problems, and are therefore declared to be nuisances which shall be removed or abated from any property on which they are found:

(1) Grass over eight (8) inches in height;

(2) Noxious weeds including Russian, Canadian, common, or musk thistle; shatter cane; Johnsongrass; wild lettuce; wild mustard; wild parsley; wild parsnip; wild carrot; giant hogweed; ragweed; wild plants that can cause skin reaction upon contact or produce or aggravate hay fever, asthma, allergic respiratory reaction, or similar conditions; and all other noxious weeds, including those listed as prohibited noxious weeds in OAC 901:5-37-01, as it may be amended;

(3) Refuse including trash, junk, garbage and food waste, offal, animal wastes, tires, and all other waste materials;

(4) Stagnant surface water.

(b) The owner, operator, or person in possession or control of the property shall remove or otherwise abate any nuisance described in this section.

(c) The Director of Public Health or Commissioner of Environment may post a seventy-two (72) hour notice to abate any nuisance under this section. If the nuisance is not abated within seventy-two (72) hours, the Director of Public Health or

Commissioner of Environment may request that the Department of Public Works immediately abate the nuisance without further notice, and bill the owner for the costs of any abatement.

(d) If the nuisance for which the Director of Public Health or Commissioner of Environment has posted a notice to abate is for the nuisance of high grass, noxious weeds, or related overgrowth or brush, or if notice has been posted for the same under Section 3103.09(b)(3), the Director of Public Health or Commissioner of Environment may cause such nuisance to be abated or removed during the remainder of the growing season without further posting of notice. Such notice may be appealed during the remainder of the growing season under Section 209.06.

(e) Noxious weeds shall be abated by removal, by turning under the soil, by destruction through the use of herbicides, or by any other means approved by the Commissioner of Environment.

#### Section 327.02 Enforcement; Permits and Certificates of Occupancy

(a) This Zoning Code shall be enforced by the Department of Building and Division of Housing under the direction of the Director of Building and Housing. No person shall fail to comply with any provision of this Zoning Code or fail to comply with any lawful order issued under this Zoning Code.

(b) No person shall erect, alter or enlarge any building or structure until a permit for such erection, alteration or enlargement has been issued by the Department of Building and Housing.

(c) No person shall change, substitute or extend the use of any existing building or premises until a certificate of occupancy has been issued. No person shall permit any premises to be occupied for any new, changed, substituted or extended use, until a certificate of occupancy has been issued.

(d) Before any permit or certificate of occupancy is issued, the Director of Building and Housing shall examine or cause to be examined the application therefor, and any plans and plot plan accompanying such application, to ascertain whether the proposed work and use will conform to the provisions of this Zoning Code. No permit or certificate of occupancy shall be issued unless the proposed work and use conform to the provisions of this Zoning Code.

(e) In all instances where yard and open spaces are required by this Zoning Code, a plot plan drawn to scale shall be submitted with the application and shall clearly indicate the proposed yards, the extent of all proposed encroachments beyond required yard lines and the location of and distances to buildings on adjoining premises. The location of front yard lines and side street yard lines shall be checked and approved by the Manager of Engineering and Construction in the Office of Capital Projects before any permit is issued.

(f) Whenever the Director of Building and Housing determines that a use regulated under this Zoning Code is in violation of this Zoning Code, he or she shall notify in writing the person in control of the use. The notice shall order the person in control to cease the use and to take all action necessary to bring the property into compliance with this Zoning Code. The Director shall also notify the owner, if the owner is not the person in control of the use, to take all reasonable action to cause the person in control of the use to cease the use and take all action necessary to bring the property into compliance with this Zoning Code. Reasonable action may include filing an action in an appropriate court.

(g) Notices of Violation issued under this Zoning Code shall be served on responsible parties or owners by one (1) or more of the following methods:

(1) Personal service; The City department issuing the notice may use any method that causes the Notice of Violations to be actually delivered to the responsible party. Actual delivery shall constitute legal service of the Notice of Violations.

(2) Residence service at the owner's address by leaving a copy of the notice of violation with a person of suitable age and discretion then residing therein;

(3) Certified mail to an address where it is reasonably calculated under the circumstances to reach the owner. When determining such an address, the City shall examine:

A. Information the responsible party provided to the City, such as rental registration information or the address used on an appeal or an application; or

B. Information that a City representative, such as an inspector, has discovered during the performance of their duties; or

C. Information from common and readily available sources such as printed or online directories, credit bureaus, county property records, board of election records, motor vehicle records, court records or other state, county, municipal or federal records.

The City is not required to use all of these methods and is not required to use any one of them; the City must use whatever combination of them is reasonably expected to be successful. The address found can be the property or premises which is the subject of the violation.

(4) Regular mail and posting as follows:

A. Regular mail to the owner at an address found under paragraph (3) above, which may be the address of the property that is the subject of the violation; and

B. Regular mail service to the property address that is the subject of the violation notice, if that address is different from the address in A.; and

C. Posting of the notice of violation in a conspicuous location on the building, premises or real estate or appurtenance thereto that is the subject of the violation notice.

(5) Service by publication electronically or once in a newspaper of general circulation in the City.

#### Section 327.04 Cases of Emergency: Immediate Vacation of Premises

Whenever, in the opinion of the Director of Building and Housing, the use or condition of structures or premises constitutes an immediate hazard to human life or health, he or she shall declare a case of emergency and shall make an order to cease use or vacate.

He or she may request the Director of Public Safety to enforce the orders he or she gives that are necessary to cause the use of the structure or premises to be ceased or the structure or premises to be vacated in accordance with the terms of the notice. The Director of Public Safety has the authority to enforce such orders.

#### Section 327.99 Penalty

(a) Except as provided in divisions (c) and (d) below, whoever fails to comply with a lawful order issued under this Zoning Code is guilty of a misdemeanor of the first degree. Each day of noncompliance constitutes a separate offense.

(b) The imposition of any penalty under this division shall not be construed as excusing or permitting the continuance of any violation, and when the violation constitutes a nuisance, any owner of the premises, whether the owner at the time the violation was committed or his or her assignee, shall be deemed guilty of a violation of this Zoning Code each day he or she permits such nuisance to continue unabated after due notice from the Director of Building and Housing of the existence of such nuisance.

(c) Whoever violates any provision of Section 337.16 of this Zoning Code shall, for each and every violation or failure, be fined not less than two hundred fifty dollars (\$250.00), nor more than five hundred dollars (\$500.00) which fine shall not be reduced, waived or suspended. In addition, imprisonment for not less than ten (10) days nor more than ninety (90) days may be imposed. Each day of violation constitutes a separate offense.

(d) Whoever violates Sections 337.23, 337.231, 347.02, 347.10, 347.121, 349.02, 349.04, 349.13, 350.19, 357.13 or, 357.14 or Section 347.08 is guilty of a minor misdemeanor. In addition to any other method of enforcement provided for in this

chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(e) Whoever violates or fails to comply with any provision of Chapter 351 is guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

#### Section 365.01 Definitions

For purposes of this chapter:

(a) "Clearance examination" means an examination, performed by a clearance technician, lead inspector, or lead risk assessor, to determine whether lead hazards in a residential unit have been sufficiently controlled. A clearance examination includes a visual assessment, collection and analysis of environmental samples.

(b) "Clearance technician" means a person, other than a licensed lead inspector or lead risk assessor, who is licensed under RC Chapter 3742 to perform a clearance examination.

(c) "Director" means the Director of Building and Housing.

(d) "Governmental Entity" means the United States, or an agency thereof, the State of Ohio or a political subdivision thereof, or a county land reutilization corporation organized and existing under Chapter 1724 of the Revised Code or its wholly owned subsidiary.

(e) "Lead-based paint" means any paint or other similar surface-coating substance containing lead at or in excess of the level that is hazardous to human health as set forth in Rule 3701-32-19 of the Ohio Administrative Code (OAC) as it may be hereafter amended.

(f) "Lead hazard" means material that is likely to cause lead exposure and endanger an individual's health as set forth in OAC Rule 3701-32-19. Lead hazard includes lead-based paint, lead-contaminated dust, lead-contaminated soil and lead-contaminated water pipes.

(g) "Lead inspector" means any individual licensed under RC Chapter 3742 who conducts a lead inspection, provides professional advice regarding a lead inspection, or prepares a report explaining the results of a lead inspection.

(h) "Lead risk assessment" means an on-site investigation to determine and report the existence, nature, severity, and location of lead hazards in a residential unit including information gathering from the unit, current owner's knowledge regarding the age and painting history of the unit, and occupancy by children under six (6) years of age, visual inspection, limited wipe sampling or other environmental sampling techniques, and any other activity as may be appropriate.

(i) "Lead risk assessor" means a person licensed under RC Chapter 3742 who is responsible for developing a written inspection, risk assessment and analysis plan; conducting inspections for lead hazards in a residential unit; interpreting results of inspections or risk assessments; identifying hazard control strategies to reduce or eliminate lead exposures; and completing a risk assessment report.

(j) "Lead-safe certification" means that the owner of a residential rental unit built before January 1, 1978, has provided to the Director a clearance examination report or lead risk assessment that indicates that lead hazards are not identified in the unit. A lead-safe certification is valid for two (2) years from the date of the certification.

(k) "Local Agent in Charge" means a natural person who is of sound mind and at least eighteen (18) years of age and who is designated by the owner; who is authorized by the owner to receive service of a Notice of Violation on the owner's behalf; and who is responsible for the maintenance and management of the residential rental unit.

(1) If the owner is a natural person and a resident of Cuyahoga County or a contiguous county, then the Local Agent in Charge may be the owner. Otherwise, the Local Agent in Charge shall be a natural person who resides within Cuyahoga County.

(2) If the Local Agent in Charge is not the owner, then the Local Agent in Charge shall, in a form to be supplied by the Director, accept responsibility with the owner (including any potential criminal, civil, or administrative liability) for the maintenance and management of the premises during any time when such person is identified as the Local Agent in Charge. The form shall include a provision in which the owner indemnifies the Local Agent in Charge for any such responsibility and liability. In any enforcement or pursuit of those responsibilities and liabilities, the City shall make a good faith effort to hold the owner exclusively responsible or liable, but the City may, in its sole discretion, hold the Local Agent in Charge responsible or liable, in part or in full.

(3) If the Local Agent in Charge is a real estate broker as defined in Ohio Revised Code 4735.01, then the Local Agent in Charge shall include a copy of their real estate broker's license in any form or application they file with the City.

(4) If the owner is a Governmental Entity, then the owner shall be deemed to be the Local Agent in Charge and owner shall not be required to designate any natural person as the Local Agent in Charge.

(l) "Owner" means the person, partnership or corporation that holds title to the residential rental unit.

(m) "Permanent" means an expected design life of at least twenty (20) years.



(n) "Residential rental unit" means any part of a building being used, designed or intended to be used as an individual's private residence, including a unit occupied by one (1) or more persons regardless of whether the occupant pays rent or provides anything else of value to the titled owner in consideration for occupying the structure. A residential rental unit does not include a unit occupied by the titled owner.

Section 365.02 Non-Owner-Occupied Residential Unit Registration Required; Application for and Issuance of Certificate of Non-Owner-Occupied Residential Registration; Certificate Approving Rental Occupancy; Revocation

(a) *Non-Owner Occupied Residential Unit Registration Required.* An owner of a non-owner occupied-residential unit or units located in the City shall apply to register each unit in a manner prescribed in writing by the Director in a publicly available non-owner-occupied residential unit registry established and maintained by the Director. Upon approval of an application, the owner shall receive a Certificate of Non-Owner Occupied Residential Unit Registration. Such an owner, before renting such a unit, shall obtain a Certificate Approving Rental Occupancy. If the owner is a Governmental Entity, then it shall be exempt from the rental registration requirements of this Section 365.02, unless and until the Governmental Entity intends to rent the unit as evidenced by the owner simultaneously applying for a Certificate Approving Rental Occupancy as described in division (d) of this Section.

(b) *Information Required for Annual Non-Owner-Occupied Residential Unit Registration.* Application for a certificate of non-owner-occupied residential unit registration required by this Housing Code shall be made annually, on or before March 1st of each calendar year in accordance with the process prescribed in writing by the Director. Information, or documentation, to be supplied on, or with, an application shall include, but is not limited to, the following:

(1) The name, address, telephone number and email address of the owner or owners of the premises. If the owner is a partnership, then the names, addresses, telephone numbers and email addresses of all general partners. If the owner is a corporation, the names, addresses, telephone numbers and email addresses of the current statutory agent and all corporate officers of the corporation. The address for corporations and partnerships shall be the principal place of business and the address for persons shall be the home address;

A. If the owner is a natural person, then the application shall include a copy of the owner's driver's license or an acceptable government issued photo identification card.

B. If the owner is not a natural person, then the application shall include a current copy of the owner's Certificate of Good Standing issued by the Ohio Secretary of State.

(2) The name, address, telephone number and email address of a Local Agent in Charge.



(c) *Issuance of Certificate of Non-Owner-Occupied Residential Unit*

*Registration.* Upon receipt of application, the Director shall issue a certificate of non-owner occupied residential unit registration that shall state conspicuously: "This Certificate establishes that the residential unit described here is registered with the City of Cleveland Department of Building and Housing, which means that the owner has provided information to the Department concerning the property as required by law. This Certificate does not establish that the residential unit described herein is safe from lead paint hazards, meets Housing Code and Building Code requirements, or is fit and habitable to live in. A separate "Certificate Approving Rental Occupancy" from the Department of Building and Housing establishes a record of compliance with those laws and requirements." The Certificate shall also indicate:

- (1) The street address or other identifying characteristics of the building or other structure;
- (2) The name, address, telephone number and email address of the owner or owners of the premises. In the case of a partnership, the names of all general partners;
- (3) If the record owner is a corporation, the names, addresses, telephone numbers and email addresses of the current statutory agent and all corporate officers of that corporation;
- (4) The name, address, telephone number and email address of the managing agent of the premises, if any;
- (5) The name, address (including the dwelling unit, apartment or room number), telephone number and email address of the superintendent, custodian, or other individual employed by the owner or managing agent to provide regular maintenance services, if any;
- (6) The name, address, telephone number and email address of an individual representative of the owner or managing agent who may be reached or contacted at any time in the event of an emergency affecting the premises of any rental unit in that structure, including such emergencies as the failure of a utility system or service, and who has the authority to make emergency decisions concerning the building including its repairs or expenditures;
- (7) The name, address, telephone number and e-mail address of any Local Agent in Charge;
- (8) The use and occupancy authorized; and
- (9) A statement concerning the current lead-safe certification status of the property, if applicable and a statement concerning the existence of any Lead Hazard Control Order.

(d) *Certificate Approving Rental Occupancy.* Before a non-owner-occupied residential unit that is registered under this section can be rented, the owner must apply for and obtain a Certificate Approving Rental Occupancy. The owner shall apply for such certificate in a manner prescribed by the Director, using forms supplied by the Director.

The Director shall require documentation demonstrating compliance with the following requirements:

- (1) That where a non-owner-occupied residential unit is part of a building with four or more residential units, the unit shall have been examined by a licensed Heating Ventilating and Air Condition (HVAC) contractor and the HVAC systems for the unit(s) found to be well-maintained and in working order.
- (2) That where a non-owner-occupied residential unit is part of a building with four or more residential units, and where the service account holder for water service, electricity service, or natural gas service is not the occupant of that unit, then the account shall be active, paid in full, and otherwise in good standing.
- (3) The City of Cleveland's Lead Safe Certification requirement and any Lead Hazard Control Orders.
- (4) Any Notices of Violations issued for the unit, with acceptable documentation to include but not be limited to, as appropriate, certificates of correction, inspection reports, or documentation from contractors that demonstrates and certifies that the object of the Notice of Violation was resolved.
- (5) That parcels shall not be delinquent regarding their property tax balance or in good standing on a County payment plan in the case of a tax delinquency.
- (6) That parcels shall not be delinquent in fines and/or fees owed to the City, including but not limited to those related to nuisance abatement.

(e) *Revocation of Certificate of Non-owner-Occupied Residential Unit Registration.* The Director may revoke a certificate of *non-owner-occupied residential Unit* registration if the applicant makes any false statement in connection with the registration, or if the structure that was covered by it is no longer in compliance with the requirements of this Code, or if the owner, agent, or person in charge of a structure refuses to comply with any provision of this Code required for the use, maintenance and/or occupancy of a structure, including this chapter and Chapters 240, 367, 369 and 371. If the Director revokes a certificate of non-owner occupied residential unit registration, the owner may appeal the Director's action to the Board of Zoning Appeals, in writing within ten (10) days from the date of the Director's action. The Board may sustain, disapprove or modify the Director's action, and the Board's decision shall be final.

(f) *Revocation of Certificate Approving Rental Occupancy.* Whenever the Director discovers that a non-owner-occupied residential unit no longer qualifies for a Certificate

Approving Rental Occupancy, the Director shall revoke the certificate. The Director shall mail a copy of the revocation to the owner and to the residential unit addressed to the occupants by name or as “occupants.” The Director may have the revocation posted on the residential unit. The revocation of the certificate shall in no way alter the rights of an occupant under a rental agreement or relieve the owner of its obligations under a rental agreement.

(g) *Notice of Change in Information.* It is the owner and the Local Agent in Charge’s obligation to notify the Director, in writing, of any change in the name, address, telephone number, and/or email address of any information provided in this Section within seven (7) days after the change occurs. If written notification is not provided as required in this section, the Director may revoke the certificate of non-owner-occupied residential unit registration until the changed name, address, telephone number, and/or email address is provided in writing.

(h) The owner or Local Agent in Charge of the unit shall pay a fine of one hundred dollars (\$100) upon revocation of the Certificate of Non-Owner Occupied Residential Unit Registration or the Certificate Approving Rental Occupancy, and the certificates shall not be reissued while any fee or fine is outstanding. Cumulative fines for such revocations that are associated with a single owner shall not exceed thirty thousand dollars (\$30,000.00) per calendar year.

(i) Within two years of passage of this ordinance, the Director shall submit to the Council a report produced by a third party that reviews and evaluates the implementation of Section 365 and Section 3106; the effect of those sections on the housing market in Cleveland and on Cleveland residents; and the impact of the Local Agent in Charge requirement.

#### Section 365.03 Rental Registration Fee

(a) An application for a certificate of non-owner-occupied residential unit registration shall be accompanied by a nonrefundable fee for each non-owner occupied residential unit of seventy dollars (\$70.00) for each residential rental unit.

(b) The Board of Control shall establish any fee exemptions and guidelines for implementation.

(c) No fees shall be collected from any one (1) owner for all units owned by that owner within the City in excess of thirty thousand dollars (\$30,000.00) per calendar year.

(d) A certificate may be renewed prior to expiration upon application and payment of the fee described above. A certificate that has expired may be renewed upon payment of the above registration fee plus a late fee of one hundred dollars (\$100.00).

(e) The Director shall be authorized to enter into one or more letter agreements with an owner that is a Governmental Entity that reduces or waives the registration fee described in this Section 365.03.

#### Section 365.09 Inspections; Right of Entry

(a) All residential rental units shall be subject to inspection for the purpose of determining compliance with the provisions of this Housing Code and all other applicable laws, ordinances, rules and regulations. Inspections shall be conducted in accordance with the residential rental unit inspection schedule established by the Director, or as may be necessary in the Director's discretion pursuant to specific complaint received under this Code.

(b) The Director and the Director's duly authorized agents or inspectors may enter at reasonable times any residential rental unit registered under this Chapter in accordance with the right of entry defined in Chapter 367.

#### Section 367.03 Right of Entry

(a) Upon presentation of proper credentials the Director of Building and Housing and his or her duly authorized agents or inspectors; the Director of Public Health and his or her duly authorized agents or inspectors; or the Fire Chief or his or her duly authorized agents or inspectors may enter at reasonable times, or at such other times as may be necessary in an emergency, any dwelling, building, structure or premises in the City to perform any duty imposed on him or her by this Housing Code, the Fire Code, or the Health Code.

(b) The Director of Building and Housing or Fire Chief or Director of Public Health, or their representatives, when seeking to gain entry to a dwelling, building or structure, shall consider, before seeking a search warrant, the advisability of first seeking the consent of the occupants where a dwelling, building or structure is occupied, or first seeking the consent of the owner or person in control of the property where a dwelling, building or structure is not occupied, with the Directors and Fire Chief presuming that, in most circumstances, it is advisable to make a good faith effort to seek the consent of occupants of a dwelling, building or structure or the consent of the owner or person in control of a dwelling, building or structure that is not occupied. The Directors or Fire Chief may, as part of that good faith effort, knock and request the right to enter, and, if there is no answer, may leave a written notice indicating that consent is being sought.

(c) The Directors and Fire Chief may, in the case of a dwelling, building, or structure that is not occupied, seek the consent of the owner or person in control by attempting to contact the owner by telephone, email, or certified or regular mail. The sources of information used to attempt contact by telephone, email, or certified or regular mail, may include:

- (1) Information the owner provided to the City, such as rental registration information or the address used on an appeal or an application; or
- (2) Information that a City representative, such as an inspector, has discovered during the performance of his or her duties; or
- (3) Information from common and readily available sources such as printed or online directories, utility records, credit bureaus, county property records, board of election records, motor vehicle records, court records or other state, county, municipal or federal records.
- (d) The Directors or Fire Chief shall not be required, as part of a good faith effort to seek consent, to use all of these methods and shall not be not required to use any particular one of them; the good faith obligation shall be to use whatever combination of them the Directors or Fire Chief judge to be reasonably likely to be successful, with the Directors or Fire Chief having the discretion to decide when to stop continuing to seek consent when it appears that continued efforts are not reasonably likely to be successful. As part of that consideration, the Directors or Fire Chief may consider the likelihood of obtaining consent when the information examined as part of the good faith effort to seek consent indicates that the owner is deceased, such likelihood depending on factors such as the existence of an executor or administrator of the deceased person's estate or the existence of a surviving spouse or other potential heir or legatee who has indicated that they are seeking to obtain ownership of the dwelling, building or structure or that they are asserting control over it.
- (e) The Director of Building and Housing or Fire Chief or Director of Public Health may seek a search warrant to enter, observe and inspect a dwelling, building, or structure, or to allow their duly authorized agents or inspectors to enter, observe and inspect a dwelling, building or structure. Nothing in this Section shall limit, or enlarge, the City's legal right to seek a search warrant under state and federal law based on probable cause or a valid administrative program supporting requests for administrative search warrants based on the criteria necessary to support such administrative warrants, subject to review by a judge of a court authorized to issue the warrants and to the rights of persons under the Ohio and U.S. Constitutions. Nothing in this section shall limit or enlarge the rights of persons under the Ohio or U.S. Constitutions to be free from searches made without a warrant.
- (f) No person shall in any way obstruct, hinder, delay or otherwise interfere with such entrance under this section.

#### Section 367.04 Notice of Violation

- (a) Whenever the Director of Building and Housing shall find any dwelling structure or premises, or any part thereof, to be in violation of the provisions of this Housing Code, he or she shall provide to the owner or agent or person in charge of such structure or premises, and the mortgagee of record, a written notice stating the violations therein.

Such notice shall order the owner within a stated reasonable time to repair, improve, demolish or effectively board the structure or premises concerned.

(b) A notice of violation under Section 367.04(a) shall be served by one (1) or more of the following methods:

(1) Personal service. The City department issuing the notice may use any method that causes the Notice of Violations to be actually delivered to the responsible party. Actual delivery shall constitute legal service of the Notice of Violations;

(2) Residence service at the owner's address by leaving a copy of the notice of violation with a person of suitable age and discretion then residing therein;

(3) Certified mail-to an address where it is reasonably calculated under the circumstances to reach the owner. When determining such an address, the City shall examine:

A. Information the responsible party provided to the City, such as rental registration information or the address used on an appeal or an application; or

B. Information that a City representative, such as an inspector, has discovered during the performance of their duties; or

C. Information from common and readily available sources such as printed or online directories, credit bureaus, county property records, board of election records, motor vehicle records, court records or other state, county, municipal or federal records.

The City is not required to use all of the sources described in division (b)(3) and is not required to use any one of them; the City must use whatever combination of them is reasonably expected to be successful. The address found can be the property or premises which is the subject of the violation.

(4) Regular mail and posting as follows:

A. Regular mail to the owner at an address found under division (b)(3) above, which may be the address of the property that is the subject of the violation; and

B. Regular mail service to the property address that is the subject of the violation notice if the address is different from the address in division(b)(4)A.; and



C. Posting of the notice of violation in a conspicuous location on the building, premises or real estate or appurtenance thereto that is the subject of the violation notice.

(5) Service by publication electronically or once in a newspaper of general circulation in the City.

(c) Any owner, agent or person in charge of such dwelling structure, mortgagee of record, lessee of record and lien holders of record who have received a notice of violation as provided for in division (a) of this section, or who receive a notice of the City's intention to demolish or effectively board as provided for in division (c) of Section 367.05, shall inform prospective purchasers, vendees, grantees, assignees, sublessees or land contractees thereof of any such notice of violation or notice of the City's intention to demolish or effectively board. No owner or agent or person in charge of such dwelling structure, mortgagee of record, lessee of record or lien holders of record shall transfer to a vendee, grantee, assignee, sublessee or land contractee or any other transferee any interest in such dwelling structure after receiving a notice of violation, or notice of the City's intention to demolish or effectively board without first providing the transferee with a copy of such notice.

(d) Any buyer or grantee, by land contract or otherwise, of a dwelling building or structure, with the exception of those properties required to be registered under Chapter 3106, shall begin at the date of transfer to comply with any notice obtained or to be obtained pursuant to Section 367.12, and within ten (10) days of the date of transfer, shall notify the Director, in writing, of the actions that will be taken to comply. The Director may then establish a reasonable time to comply. If the grantee fails to provide a written plan, or to comply with the notice, within ten days, the grantee shall be in violation of Section 3103.25(e). If the Director considers the written plan to be acceptable, he or she shall notify the grantee and the grantee shall be bound by the written plan as an extension of time under the notice and shall be in violation of Section 3103.25(e) if the violations are not corrected by the time set forth in the written plan. If the Director considers the written plan to be unacceptable, he or she shall issue to the grantee a notice with dates for compliance.

Section 367.05 Noncompliance with Notice; Vacation of Premises; Board and Demolition of Premises

(a) No person shall fail to comply with any provision of this Housing Code or fail to comply with any lawful order issued under this Housing Code.

(b) Whenever the owner, agent or person in charge of a dwelling structure or premises fails, neglects or refuses to comply with a notice of the Director of Building and Housing, the Director may issue a notice ordering the structure or premises concerned to be vacated, or he or she may advise the Director of Law of the circumstances and request the Director of Law to institute an appropriate action of law to compel a compliance, or both.

(c) Whenever the owner or agent or person in charge of a dwelling structure or premises fails, neglects or refuses to comply with a notice to vacate issued by the Director, the Director may request the Director of Public Safety to enforce the orders of such notice of vacation and cause the structure to be vacated in accordance with the terms of such notice.

(d) Whenever the Director has made the determination that a dwelling structure or premises constitutes a public nuisance in that the structure or premises is injurious to the public health, safety and welfare, and the owner, agent or person in charge of such structure fails, neglects or refuses to comply with a notice of violation ordering such structure to be demolished or boarded, or the violations corrected, the Director may take necessary action to demolish or effectively board such structure in accordance with the procedure and requirements set forth in Section 3103.09 or take such other action as may be necessary to abate the nuisance. The Director shall give written notice in conformance with the procedures set forth in division (h)(6) of Section 3103.09 for the service of notice of violation informing the owner or agent, mortgagee of record, lessee of record or lien holder of record of the City's intention to demolish or effectively board such structure at least thirty (30) days prior to such intended action by the City.

#### Section 367.12 Certificate of Disclosure for Real Property and Notice of Violation; Fee

(a) No person, agent, firm or corporation shall sell or transfer real property, or enter into a contract for the sale or transfer of real property without furnishing to the purchaser a Certificate of Disclosure addressing the condition of the property, including its current lead status for real property with rental units, which Certificate shall be in a form prescribed by the Director of Building and Housing. The Certificate of Disclosure shall include all active Notices of Violation associated with the property. No transfer shall be completed without the furnishing of the Certificate of Disclosure. If the purchaser or transferee is not provided with the Certificate required by this section, the purchaser or transferee may rescind any agreement for purchase, and, if the transfer has been completed, shall have the right to demand that the transferor accept a transfer of the interest conveyed in the property and may file in any court with jurisdiction to specifically enforce that right.

(b) A request for a Certificate of Disclosure shall be accompanied by a nonrefundable fee of sixty dollars (\$60.00).

(c) The requirements of division (a) and (b) of this Section 367.12 shall not apply when the real property at subject is a vacant lot, defined as a parcel that does not contain any permanent lawful occupied structure; or when both parties to the sale or transfer or contract for sale or transfer are Governmental Entities.

#### Section 367.99 Penalty



(a) Whoever violates any provision of this Housing Code for which no other penalty is provided or any rule or regulation promulgated thereunder or fails to comply with this Housing Code or with any order issued shall be guilty of a misdemeanor of the first degree. Each day of a continuing violation shall be deemed a separate offense.

Whoever causes or permits the continuation of any violation of this Housing Code or any rule or regulation promulgated hereunder or fails to comply with this Housing Code or with any written notice or written order issued hereunder, subsequent to conviction therefor shall be liable for further prosecution, conviction and punishment upon the same order or notice without the necessity of issuing a new order or notice, until full compliance has been had on such order or notice upon which the original conviction was made.

(b) Whoever violates Section 367.11 shall be guilty of a misdemeanor of the first degree.

(c) Whoever violates Section 367.12 or 367.13 shall be guilty of a misdemeanor of the first degree.

(d) Whoever violates Sections 365.02, 365.04 or 371.01 shall be guilty of a misdemeanor of the first degree. Each day of a continuing violation shall be deemed a separate offense.

(e) Whoever violates Sections 365.02, 365.04, 369.13, 369.14, 369.15, 369.16, 369.17, 369.18, 369.19, 371.05, 371.07, 371.10 or 371.13, or Section 369.08, as a first offense shall be guilty of a minor misdemeanor. In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

Whoever violates Sections 392.02, 392.021, 392.03, 392.04, or 392.05 is subject to the penalty established in Section 392.99 of these Codified Ordinances. In addition to any other means of enforcement provided for in these Codified Ordinances by statute, Sections 392.02, 392.03, 392.04, 392.05 or 392.06 may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Rules of Criminal Procedure, provided that the offense is a minor misdemeanor.

(f) Whoever violates Section 369.08 as a second offense of that section shall be guilty of a misdemeanor of the fourth degree. Whoever violates Section 369.08 as a third or subsequent offense of that section shall be guilty of a misdemeanor of the first degree.

(g) A court of competent jurisdiction may require whoever is convicted of or pleads guilty to a violation of this Housing Code to pay to the Department of Building and Housing fees for inspections of violations that have not been remedied, which fees are described in Sections 367.08 and 3105.26, and the expenses or costs incurred under the provisions for demolition or boarding contained in the Housing Code.

Section 381.04 Right of Entry; Abatement Order and Appeal

(a) No person shall fail to comply with any provision of this Fire Prevention Code or shall fail to comply with any lawful order issued under this Fire Prevention Code. The Fire Chief or his or her authorized representatives upon presentation of proper credentials, may enter any building or premises at all reasonable hours or at such times as may be necessary in an existing emergency to examine and inspect for hazardous or dangerous conditions, equipment, materials, liquids, gases or accumulations; obstructions to or on fire escapes or other means of egress; and for the maintenance of fire protection equipment. No person shall prevent, obstruct or delay any inspection or the performance of any lawful duty of a fireman acting within his or her official capacity. The Fire Chief's right of entry shall be as authorized in Section 367.03.

(b) Whenever the Fire Chief or his or her representatives find that a property is in violation of this Fire Prevention Code, he or she shall notify in writing the owner or person in control of the property through an abatement order which can also be labeled as a Notice of Violations to correct the violation by a stated time. The order or notice may also order the person in control or the owner to remedy any hazardous or dangerous condition or orders to conduct the necessary tests to determine the sources of hazardous materials, liquids, gases or the adequacy of the equipment within a stated time. The Abatement order or Notice of Violations shall be served as stated in paragraph (f) below.

(c) In an emergency, an abatement order may be summarily issued to be complied with immediately or the fire official may take such action as is necessary to remedy or remove any hazardous or dangerous condition.

(d) No person to whom an abatement order is directed shall fail to comply with such order within the time stated in such order.

(e) Except in an emergency, any person aggrieved by an abatement order may appeal by filing written notice with the Board of Building Standards and Building Appeals within thirty (30) days of the date of the order being appealed, accompanied by the required appeal fee.

(f) Abatement Orders or Notices of Violation issued under this Fire Prevention Code shall be served on responsible parties or owners by one (1) or more of the following methods:

- (1) Personal service; The City department issuing the notice may use any method that causes the Notice of Violations to be actually delivered to the responsible party. Actual delivery shall constitute legal service of the Notice of Violations.
- (2) Residence service at the owner's address by leaving a copy of the notice of violation with a person of suitable age and discretion then residing therein;

(3) Certified mail to an address where it is reasonably calculated under the circumstances to reach the owner. When determining such an address, the City shall examine:

A. Information the responsible party provided to the City, such as rental registration information or the address used on an appeal or an application; or

B. Information that a City representative, such as an inspector, has discovered during the performance of their duties; or

C. Information from common and readily available sources such as printed or online directories, credit bureaus, county property records, board of election records, motor vehicle records, court records or other state, county, municipal or federal records.

The City is not required to use all of these methods and is not required to use any one of them; the City must use whatever combination of them is reasonably expected to be successful. The address found can be the property or premises which is the subject of the violation.

(4) Regular mail and posting as follows:

A. Regular mail to the owner at an address found under paragraph (3) above, which may be the address of the property that is the subject of the violation; and

B. Regular mail service to the property address that is the subject of the violation notice, if that address is different from the address in A.; and

C. Posting of the notice of violation in a conspicuous location on the building, premises or real estate or appurtenance thereto that is the subject of the violation notice.

(5) Service by publication electronically or once in a newspaper of general circulation in the City.

#### Section 381.99 Penalty

(a) Whoever violates a lawful order issued under this Fire Prevention Code shall be guilty of a misdemeanor of the first degree. Each day of failure to comply constitutes a separate violation.

(b) Whoever violates any provision of Chapters 381 to 391 of this Title Eleven – Fire Prevention Code is guilty of a minor misdemeanor. For a second offense such person is guilty of a misdemeanor of the fourth degree and shall be fined not more than two

hundred fifty dollars (\$250.00) or imprisoned not more than thirty (30) days or both. On a third or subsequent offense such person is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than one (1) year or both. Each day of a continuing violation shall be deemed a separate offense.

(c) Whoever violates Section 381.03 is guilty of a minor misdemeanor. Whoever violates Section 381.03 is also subject to being held in contempt by a court of competent jurisdiction, the sanction for which can be to imprison the person until the person complied with Section 381.03.

(d) Whoever violates Section 381.101 shall be guilty of a minor misdemeanor. In addition to any other method of enforcement provided in this chapter, this chapter may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedures. Each day of a continuing violation shall be deemed a separate offense.

(e) Whoever violates any provision of Chapter 393 shall be subject to the penalties set forth in Section 393.00.

#### Section 3103.04 Right of Entry and Inspection

(a) The Director and the Fire Chief or any of their assistants may, at any reasonable hour, enter any dwelling, multifamily dwelling, building, structure or premises within the City to perform any duty imposed on them by OBBC or this Building Code, or the City Housing or Fire Prevention Codes subject to the requirements and authority of Section 367.03.

(b) No person shall refuse to permit such emergency entry or inspection, nor shall any person hinder, obstruct, resist or abuse any person making or attempting to make such entry or inspection.

#### Section 3103.09 Unsafe Structures and Exterior Property Nuisances; Violations and Remedial Notices; Cost Recovery

(a) *Legislative Findings.* Council of the City of Cleveland finds that:

(1) Structures that are vacant and open to entry at doors, windows or other points accessible to the general public:

A. Attract children to enter;

B. Become harborage for vermin;

C. Serve as temporary abode for derelicts, vagrants and criminals; and

D. Are likely to be damaged by vandals or set ablaze by arsonists.

- (2) Unkept grounds surrounding vacant, open structures invite the dumping of garbage and rubbish;
- (3) Thousands of structures in this City are made of wood-frame construction that is more combustible than other building types;
- (4) Thousands of structures in this City are situated on narrow lots and in close proximity to one another, increasing the risk of conflagration and spread of insect and rodent infestation;
- (5) Population loss and economic decline experienced by the City in recent years has caused the incidence of vacant, open structures, high grass, weeds, junk, debris, and junk motor vehicles to increase significantly;
- (6) Vacant, open structures often become dilapidated because they are not repaired by the owners or persons in control of the structures;
- (7) Structures that are vacant and open to entry, high grass, weeds, junk, debris, and junk motor vehicles depress the market value of surrounding properties;
- (8) Vacant and unsafe structures in which utility services have not been shut-off create a serious risk of explosion, accidental fire and flood.
- (9) The existence of certain hazardous conditions may require a structure to be vacated; these conditions include but are not limited to:
  - A. Danger of structural collapse;
  - B. Inadequate heat or use of dangerous heating mechanism;
  - C. Danger of fire; and
  - D. Lack of plumbing in safe working order.
- (10) Structures that remain boarded for an extended period of time contribute to blight, cause a decrease in neighboring property values, create targets for arson, and lead to the cancellation of homeowners' insurance for neighboring property owners;
- (11) The following conditions provide harborage and breeding grounds for pests or otherwise create human-health problems:
  - A. Grass over eight (8) inches in height;

B. Noxious weeds including Russian, Canadian, common, or musk thistle; shatter cane; Johnsongrass; wild lettuce; wild mustard; wild parsley; wild parsnip; wild carrot; giant hogweed; ragweed; wild plants that can cause skin reaction upon contact or produce or aggravate hay fever, asthma, allergic respiratory reaction, or similar conditions; and all other noxious weeds, including those listed as prohibited noxious weeds in OAC 901:5-37-01, as it may be amended;

C. Refuse, including but not limited to, trash, junk, garbage and food waste, offal, animal wastes, tires, and all other waste materials;

D. Stagnant surface water.

(12) As used in this chapter, “junk” motor vehicle means a motor vehicle that meets all of the following criteria:

A. Three (3) model years’ old or older;

B. Apparently inoperable; and

C. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, motor, or transmission.

(b) *Declaration of Nuisance.*

(1) All buildings or structures that are injurious to or a menace to the public health, safety or welfare, or are structurally unsafe, unsanitary or not provided with adequate safe egress, or constitute a fire hazard, or are vacant and open to public entry, or are otherwise dangerous to human life or injurious to the public, or in relation to existing use constitute a hazard to the public health, safety or welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are, severally, for the purposes of this Building Code, declared to be “unsafe structures”. All unsafe structures or conditions are declared to be public nuisances. The public nuisance shall be abated by correction of the violations to the minimum standards of the Codified Ordinances of Cleveland, Ohio, 1976, applicable City rules and regulations, the Revised Code, and Ohio Administrative Code, including the Ohio Building Code, or by demolition.

(2) The condition described under division (a)(8) of this section is declared to be a nuisance because of the risk of harm from explosion, accidental fire or flooding and shall be abated by shut-off of the services.

(3) The conditions listed in division (a)(11) of this section are declared to be nuisances that shall be removed, destroyed, or abated from any property on which they are found.



A. The Director may post a seventy-two (72) hour notice to abate any nuisance under division (a)(11) of this section and, if the nuisance is not abated within seventy-two (72) hours, may abate the nuisance on the property where the seventy-two (72) hour notice was posted.

B. If the nuisance for which the Director has posted a notice to abate is for the nuisance of high grass, noxious weeds, or related overgrowth or brush, or if notice has been posted for the same under Section 209.01, the Director may cause such nuisance to be abated or removed during the remainder of the growing season without further posting of notice. Such notice may be appealed during the remainder of the growing season under subsection (g) of this section.

(4) Junk motor vehicles as defined in division (a)(12) of this section are declared to be nuisances that shall be removed or abated from any property on which they are found. Junk motor vehicles are declared to be a nuisance because:

- A. They harbor rodents, vermin, and other pests;
- B. They contain toxic substances and flammable liquids and fumes;
- C. They attract children to enter;
- D. They serve as temporary abode for derelicts, vagrants and criminals;
- E. They diminish neighboring property values; and
- F. They are likely to be damaged by vandals or set ablaze by arsonists.

(c) *Effective Boarding Pending Rehabilitation.*

(1) *Permits.* Pending the correction of the violations to the minimum standards of the Codified Ordinances of Cleveland, Ohio, 1976, applicable City rules and regulations, the Revised Code, and the Ohio Administrative Code, including the Ohio Building Code, the owner of a structure may secure the structure through effective boarding. In order to effectively board the structure, the owner of the structure shall apply, within three (3) days of receiving a notice of violation, to the Department of Building and Housing for a permit to board. The Department of Building and Housing shall review the condition of the structure, determine if it can be effectively boarded, and grant or deny the owner's permit to board, setting forth special requirements, if any, necessary for compliance with minimum standards for effective boarding. The owner shall effectively board the structure within three (3) days of the issuance of a boarding permit, or within any other time limit that the Director deems appropriate. Structures that are boarded without first obtaining a boarding permit or structures that do not comply with the boarding permit shall continue to be considered public nuisances subject to demolition. Within thirty (30) days of the issuance of a permit to board, the

owner of the structure shall apply for a rehabilitation permit under Section 3105.06 of the Codified Ordinances of Cleveland, Ohio, 1976. The Director may grant an extension of time for acquiring a rehabilitation permit on the owner's written request and for good cause shown. Failure of the owner to obtain a rehabilitation permit after effective boarding will result in the structure being deemed a public nuisance, and scheduled for demolition.

(2) *Materials.* The effective boarding of a structure shall include, but not be limited to, doors, windows, or other areas of the structure open to ingress and egress and to weather elements at any and all levels of the structure. The openings shall be secured by plywood, not less than one-half (1/2) inch thick, or other material of equal strength, cut and fit into the openings. Openings in excess of forty-eight (48) inches wide shall be framed with two (2) inches by four (4) inches lumber and plywood, or equivalent material fastened twenty-four (24) inches on center onto frame. The plywood or equivalent material shall be fastened into the openings by screw type nails or lag screws.

(3) *Maintenance.* Upon effectively boarding the structure, the owner shall monitor and maintain the structure and its surrounding premises in a safe, sanitary and secured condition. Any portion of the exterior structure that is deemed to be potentially hazardous due to deteriorated conditions, or to be structurally unsound, shall be removed or treated in a manner so as to eliminate the hazard. The exterior premises shall be maintained free of high weeds, debris, junk vehicles, and conditions that may provide harborage for rodents. Failure of the owner to properly maintain the building in the above condition, will result in the structure being deemed a public nuisance, and scheduled for demolition.

(4) *Rehabilitation.* Rehabilitation of the structure shall begin within thirty (30) days of receiving a rehabilitation permit under Section 3105.06 of the Codified Ordinances of Cleveland, Ohio, 1976 unless the time period is extended with permission from the Director. If rehabilitation of the effectively boarded structure does not begin within this time period, or if the rehabilitation permit is otherwise invalidated or revoked, then the Director may declare that the nuisance has not been abated and schedule the structure for demolition.

(d) *Examination and Condemnation.*

(1) The Director is authorized to examine or cause to be examined every building or other structure reported to be unsafe or damaged or injurious to or a menace to the public, and shall make a written record of the examination.

(2) The Director may designate as a public nuisance those particular structures or conditions found to be unsafe under division (b) of this section.

(3) The Director may also declare that a nuisance structure which, due to its advanced state of dilapidation, substantial fire damage or structural infirmity, is an immediate hazard to human life or health, may only be abated by immediate



repair and rehabilitation to the minimum standards of the Codified Ordinances of Cleveland, Ohio, 1976, applicable City rules and regulations, the Revised Code, and Ohio Administrative Code, including the Ohio Building Code, or by demolition.

(4) Whenever the Director finds a vacant structure open to entry at doors, windows or other points accessible to the general public, he or she may cause the structure to be secured at those points of entry. The Director shall be authorized at any time to enter the premises to secure the structure in order to lessen the severity of the public nuisance. In securing the structure, the Director may call any department, division or bureau of the City for whatever assistance may be necessary, or may, by private contract, secure such structure and may notify utilities to shut-off service to the property under Section 3103.091. This securing shall not be deemed to constitute "effective boarding" under division (b) of this section, and it does not abate the nuisance condition of an unsafe structure, as declared under division (d)(2) of this section, unless so declared in writing by the Director. Later notice, issued under division (e)(1) below, shall include the fact that the Director has found it necessary to take appropriate action to secure the structure.

(e) *Notice of Violation.*

(1) Whenever the Director finds a building, structure or a portion of those to be unsafe and determines it or the property on which it is located to be a public nuisance as defined in this chapter, he or she shall provide to the owner, agent or person in control of the building, structure or portion of those and to any mortgagee of record a written notice of violation stating the defects in the building or structure. The notice of violation shall require the owner within a stated time to abate the nuisance condition of the building or structure by correction of the violations and defects to the minimum standards of the Codified Ordinances of Cleveland, Ohio, 1976, applicable City rules and regulations, the Revised Code, and Ohio Administrative Code, including the Ohio Building Code, or by demolition and removal of the building, structure, or a portion of those.

(2) The notice of violation under division (e)(1) of this section shall also state that if the nuisance is not abated within the required time that the Director may take appropriate action to repair, remove, or otherwise abate the public nuisance and that the owner, agent or person in control shall be responsible for the costs.

(3) A notice of violation under division (e)(1) of this section shall be served by one (1) or more of the following methods:

A. Personal service;

B. Residence service at the owner's address by leaving a copy of the notice of violation with a person of suitable age and discretion then residing therein;

C. Certified mail to an address where it is reasonably calculated under the circumstances to reach the owner. When determining such an address, the City shall examine:

1. Information the responsible party provided to the City, such as rental registration information or the address used on an appeal or an application; or
2. Information that a City representative, such as an inspector, has discovered during the performance of their duties; or
3. Information from common and readily available sources such as printed or online directories, credit bureaus, county property records, board of election records, motor vehicle records, court records or other state, county, municipal or federal records.

The City is not required to use all of the sources described in division (e)(3)C. and is not required to use any one of them; the City must use whatever combination of them is reasonably expected to be successful. The address found can be the property or premises which is the subject of the violation.

D. Regular mail and posting as follows:

1. Regular mail service to the owner at an address found under division (e)(3) above, which may be the address of the property that is the subject of the violation; and
2. Regular mail service to the property address that is the subject of the violation notice if that address is different from the address in division (e)(3)D.1; and
3. Posting of the notice of violation on the building, premises or real estate or appurtenance thereto that is the subject of the violation notice.

E. Service made by publication electronically or once in a newspaper of general circulation in the City.

(4) An owner, agent or person in control of the structure or building, a mortgagee of record, or a lien holder of record who has received a notice of violation or a notice to make corrections to the minimum standards of the Codified Ordinances of Cleveland, Ohio, 1976, applicable City rules and regulations, the Revised Code, and Ohio Administrative Code, including the Ohio Building Code, or to demolish and remove, as provided for in this section, shall inform prospective purchasers, vendees, grantees, assignees, lessees, or land

contractees of the notice of violation or the notice to make corrections, or to demolish and remove. No person shall transfer to a vendee, grantee, assignee, lessee, land contractee or any other transferee any interest in a building, structure or a portion of those after receiving a notice of violation to make corrections, or to demolish and remove the same, without first providing the transferee with a copy of the notice.

(5) A. No person, agent, firm or corporation shall sell, by land contract or otherwise, any interest in any structure or building without furnishing the buyer, prior to the sale a copy of any outstanding notice or order from the City, including any notice of violation or any outstanding notice to make corrections to the minimum standards of the Codified Ordinances of Cleveland, Ohio 1976, applicable City rules and regulations, the Revised Code, including the Ohio Building Code, or any outstanding notice to demolish and remove. No buyer or grantee, by land contract or otherwise, shall obtain any interest in any structure or building without obtaining from the seller, prior to sale, the documents described above.

B. No person, agent, firm or corporation acting in the capacity of an escrow agent in any real estate transaction involving the sale of a structure or building situated in the City, shall disburse any funds unless the provisions of this division have been met.

C. Any buyer or grantee, by land contract or otherwise, of a structure or building, with the exception of those properties required to be registered under Chapter 3106, shall begin at the date of transfer to comply with any notice or order obtained or to be obtained under this division and, within ten (10) days of the date of transfer, shall notify the Director, in writing, of the actions that will be taken to comply. If the grantee fails to provide a written plan, or to comply with the notice, within ten days, the grantee shall be in violation of Section 3103.25(e). If the Director considers the written plan to be acceptable, he or she shall notify the grantee and the grantee shall be bound by the written plan as an extension of time under the notice and shall be in violation of Section 3103.25(e) if the violations are not corrected by the time set forth in the written plan. If the Director considers the written plan to be unacceptable, he or she shall issue to the grantee a notice with dates for compliance.

(f) *Vacating Buildings and Prohibiting Use.* The Director may also require in the notice issued under division (e)(1) of this section that the building, structure or a portion of those be vacated, not be reoccupied, or used until the specified repairs and improvements are completed, inspected, and approved by the Director. The Director may cause to be posted at each entrance to the building or structure a notice as follows: “THIS STRUCTURE IS IN A DANGEROUS CONDITION AND HAS BEEN CONDEMNED AND ITS USE HAS BEEN PROHIBITED BY THE DIRECTOR OF BUILDING AND HOUSING.” The notice shall remain posted until the required corrections are made or demolition is completed. No person shall remove the notice

without written permission of the Director, nor shall any person use or enter the building or structure except for the purpose of making the required corrections or demolishing or effectively boarding the building or structure, or securing the structure under division (d)(4) of this section.

(g) *Right to Appeal.* The owner, agent or person in control shall have a right to appeal from the notice and decision of the Director as provided in this section and appear before the Board of Building Standards and Building Appeals at a specified time and place to show cause why he or she should not comply with the notice. Any notice served by the Director shall automatically become a final order if a written notice of appeal before the Board is not filed in the office of the Board within the time set forth in the notice from the Director. In the absence of an appeal, all actions taken shall constitute a valid exercise of the police powers of the City of Cleveland.

(h) *Noncompliance with Notice.*

(1) *Director Authorized to Demolish, Remove, or Abate.* In case the owner, agent or person in control fails, neglects or refuses to comply with the notice to repair or rehabilitate, or to demolish and remove a public nuisance or unsafe building, structure or a portion of those, the Director may take appropriate action to demolish and remove an unsafe structure or to remove or abate any condition that is defined as a nuisance under this chapter.

(2) *Action by Director of Law.* The Director may advise the Director of Law of the facts in the case, who may institute appropriate action in the court to cause correction of the violations and defects, or demolition and removal, or effective boarding of the building or structure pending rehabilitation.

(3) *Rehabilitation Permits Not Bar to Director's Action to Abate.* The securing of rehabilitation permits for the building or structure shall not in and of itself bar the Director from taking action to abate the nuisance.

(4) *Effective Boarding by Director.* The Director may, with respect to any condemned structure, also take appropriate action to effectively board the structure, or to secure it under division (d)(4) of this section. The Director shall specifically state in writing his or her findings with respect to the structure, and shall determine whether to secure or to effectively board, based on factors which may include the following: the distance of the structure from neighboring structures, the type of structure, the extent to which the structure is secured, the likelihood of vandalism or arson, the extent of the deterioration, the economic likelihood of eventual rehabilitation of the structure, or cost of securing or effectively boarding the structure.

(5) *Failure to Comply with Notice.* In case the owner, agent or person in control fails, neglects or refuses to comply with the notice to repair or rehabilitate, or to demolish and remove a public nuisance or unsafe building, structure or a portion of those, or to remove or abate any other condition that is defined as a nuisance

under this chapter, the Director may take appropriate action to take repair or maintenance measures or cause utility services to be shut-off under Section 3103.091 or to otherwise abate the public nuisance. The Director shall specifically state in writing the findings with respect to the structure, and shall determine whether to perform repair or maintenance based on factors which may include the following: the distance of the structure from neighboring structures, the type of structure, the extent of deterioration, the likelihood of vandalism or arson, the economic likelihood of eventual complete rehabilitation of the structure, the cost of repair or maintenance.

(6) *Notice of Intent to Demolish and Remove or Repair.* Except as provided in division (1) of this section, the Director shall give written notice by certified mail to the owner, agent, or person in control, mortgagee of record and lien holders of record of the City's intention to demolish and remove or repair the unsafe building or structure at least thirty (30) days before the intended action by the City. The notice shall include a copy of the violation notice. A condemned structure, once effectively boarded by the owner pending rehabilitation that later becomes open to entry, upon a finding by the Director that the structure can no longer be effectively boarded, may then be demolished and removed, subject to the Director giving written notice as stated in this division (h)(6).

(i) *Junk Motor Vehicle Removal.*

(1) *Notice.* The Director shall send written notice, by certified mail with return receipt requested, to the person having the right of possession of the property on which a junk motor vehicle, as defined in this chapter, is left. This notice shall notify the person having right of possession of the property that within ten (10) days of mailing of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure or removed from the property. The notice shall also be posted in a conspicuous place on the property.

(2) *Director Authorized to Remove Junk Motor Vehicles.* The Director is authorized to provide for and order the removal of a junk motor vehicle when the junk motor vehicle has not been either covered by being housed in a garage or other suitable structure or removed from the property, within ten (10) days of the date of mailing and posting of the notice as set forth above.

(j) *Cases of Emergency.* In cases of emergency that, in the opinion of the Director, involve immediate danger to human life or health, the Director shall promptly cause the building, structure or a portion of those to be made safe or removed. For this purpose he or she may at once enter the structure or land on which it stands, or any abutting land or structure, with assistance and at the cost as he or she deems necessary. He or she may request the Director of Public Safety to enforce the orders he or she gives that are necessary to cause the building, structure or a portion of those to be made safe or removed. The Director of Public Safety has the authority to enforce the orders. He or she may order adjacent structures and premises to be vacated, and protect the public by an



appropriate fence or other means as may be necessary, and for this purpose may close a public or private way.

(k) *Costs to Be Paid by Property Owner.*

(1) Any and all expenses or costs, including but not limited to attorneys fees, costs of inspection, administrative staff and support staff, property maintenance costs, court costs, title search fees, process server fees, skip tracing expenses, and costs of collection or prosecution, including discovery and deposition expenses, incurred under this section relating to the demolition, repair, alteration, securing or boarding of a building or structure or for abating any other nuisance shall be paid by the owner of such building or structure, except when such expenses or costs are incurred with respect to a government or school building owned by a governmental entity or political subdivision and are funded by federal money.

(2) Any and all owners of a building or structure, who appear in the chain of title from the time of receipt of a notice of condemnation until demolition of the building or structure, shall be jointly and severally responsible for all costs and expenses incurred relating to the demolition and all costs and expenses of prosecution or collection related thereto. In the case of a junk motor vehicle, any and all expenses or costs incurred under this section to remove the vehicle shall be paid by the person having the right of possession of the premises where the vehicle is located.

(3) Whenever an inspection is made after the compliance date stated on a Notice of Violation of the Building Code, the Housing Code, or the Zoning Code or after a compliance date determined by a court of competent jurisdiction to determine whether the violation has been remedied and the violation has not been remedied, or an additional permit is obtained for work previously permitted and the original permit has expired or was appropriately voided, a fee of one hundred dollars (\$100.00) shall be charged for each inspection, except that this fee shall not apply to one (1) family and two (2) family owner-occupied dwelling structures.

(4) If within thirty (30) days from the date the Director of Building and Housing sends a statement of charges and costs incurred to the last known address of the property owner or the tax mailing address listed at the Cuyahoga County Recorder's office and its successor in interest as the custodian of the real property tax records for Cuyahoga County, the owner fails to pay for the costs of removal, repair, alteration, securing or boarding or of inspections of violations that have not been remedied, or the person having possession fails to pay for the cost of removing a junk vehicle, the Director may certify the amount to the Commissioner of Assessments and Licenses, including collection agency fees. The Commissioner of Assessments and Licenses may make written return to the County Auditor of the action under this section with a statement of the charges for services, the amount paid for the performing of labor and a proper description of the premises. Certification to the County Auditor is for the purpose of making

expenses and costs a lien upon the lands, to be collected as other taxes and returned to the City with the General Fund, with special accounting under RC 715.261.

(5) Notwithstanding the method of collection set forth in this division, the Director of Law, in the Director's sole discretion, may take any action necessary to collect the costs of demolition, boarding, or other nuisance abatement from the owner or other responsible party, including but not limited to filing of legal proceedings, referring the amount due to outside counsel by the Law Director for collection action, including filing civil complaints, and initiating post judgment execution actions.

### Section 3103.25 Violations Generally

(a) No person shall fail to comply with any provision of OBC or this Building Code or any code adopted therein or any rule or regulation promulgated thereunder or fail to comply with any lawful order issued thereunder, including but not limited to any notice to repair, rehabilitate or demolish a building or other structure or fail to comply with a notice requiring the abatement or removal of a violation or requiring compliance with any provision of this Building Code or cause or permit the same to be done.

(b) No person shall fail or neglect promptly to notify the administrative officer having jurisdiction that work under a permit issued pursuant to the provisions of OBC or this Building Code has been begun.

(c) No person shall perform any work or install any appliance, device or equipment without first obtaining the permit required therefor under OBC or this Building Code; nor refuse, neglect or fail to obtain any permit required under OBC or this Building Code for the storage, use or handling of a hazardous substance; nor block, wedge or otherwise hold in an open position any self-closing door required under OBC or this Building Code to be maintained in a normally closed position.

(d) No person shall perpetrate a fraud or misrepresent a material fact by reason of which any permit or approval required under OBC or this Building Code is obtained; nor pursue any trade or business or perform any work or service for which a license, certificate of registration or certificate of qualification is required under OBC or this Building Code without possessing such license or certificate.

(e) No person shall fail to comply with any stop work order issued under the provisions of this Building Code; nor refuse, neglect or fail to comply with a notice to repair, rehabilitate or demolish a building or other structure declared to be unsafe under the provisions of this Building Code; nor maintain a use or occupancy prohibited by this Building Code; nor refuse, neglect or fail to maintain stair enclosures, stairways, fire escapes, exit passageways or other required means of egress in a safe and usable condition as required by OBC or this Building Code.

(f) No person shall refuse, neglect or fail to comply with a written order issued under the provisions of this Building Code requiring the immediate abatement of a dangerous condition when immediate compliance with such order is essential for the public health, safety and welfare.

(g) No person shall convert any residential occupancy building or any part thereof by performing or causing to be performed any construction, repair or alteration in or for such building without first obtaining the required permit.

(h) No person shall fail to install, repair, or alter material or equipment in a workmanlike manner. For the purposes of this Building Code, workmanlike manner shall be defined as work that occurs in accordance with the standards set forth in the latest edition of the "Residential Construction Performance Guidelines for Professional Builders and Remodelers" as published by the National Association of Home Builders.

(i) No person shall fail to perform work in a workmanlike manner pursuant to division (h) of Section 3103.25.

(j) No person shall abandon work for more than ninety (90) days in a substantially incomplete state. For purposes of this Building Code, work that is abandoned for more than ninety (90) days in a substantially incomplete state shall be considered work that is not performed in a workmanlike manner pursuant to division (h) of Section 3103.25.

### Section 3143.01 Definitions

(a) "Substantial structure" means any structure of any construction type or use that is five (5) stories or seventy-five (75) feet above grade, whichever is shorter, at any point along its perimeter.

(b) "Parking Garage" means a multi-level structure of other than Type V construction intended for the parking or storage of motor vehicles. A parking garage may be accessory to a principal use or structure on a lot or may be the principal structure on a lot.

(c) "Protected distance" means the horizontal distance measured perpendicular from any substantial structure to a public way, public land, other structure or adjoining property.

(d) "Qualified inspector" means either of the following: (1) a design professional certified in inspection of the specific elements that make up the facade of the structure, and licensed by the State of Ohio; or (2) a special inspector or inspection agency accredited and experienced in the specific type of structure being inspected, and qualified under the Ohio Building Code for special inspectors.

### Section 3143.03 Certificate of Exterior Walls and Appurtenances Inspection



(a) *Issuing of Certificates.* The Director of Building and Housing shall issue an exterior wall and appurtenances certificate only after having received satisfactory proof of inspection, and after the inspection report of the architect or engineer reports a safe condition. No building owner or person in control of a building, subject to the requirements in this chapter shall permit the substantial structure to be occupied without such certificate.

(b) *Keeping and Producing of Certificates.* The owner or person in control of a building subject to the requirements of this chapter shall keep and maintain such certificate on-site or produce said certificate within forty-eight (48) hours of any request by the Director of Building and Housing or the Chief of Fire, or their designees. No building owner or person in control subject to the requirements of this chapter shall fail to keep and maintain or produce the required certificate.

#### Section 601.061 Strict Criminal Liability in Building and Housing Code Offenses

Notwithstanding any other section of the Codified Ordinances, when any section of the Building Code, Housing Code, Health Code, or Fire Prevention Code defining an offense does not specify any degree of culpability, then strict criminal liability shall apply and culpability is not required for the person to be guilty of the offense.

**Section 2.** That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 201.99, as amended by Ordinance No. 486-04, passed October 11, 2004,

Section 203.02, as amended by Ordinance No. 318.06, passed March 20, 2006,

Section 203.03, as amended by Ordinance No. 511-76, passed June 14, 1976,

Section 209.01, as amended by Ordinance No. 1060-2017, passed October 9, 2017,

Section 327.02, as amended by Ordinance No. 1551-50, passed June 25, 1951,

Section 327.04, as amended by Ordinance No. 54-94, passed June 6, 1994,

Section 327.99, as amended by Ordinance No. 1555-13, passed October 17, 2016,

Sections 365.01, 365.02, 365.03, and 365.09, as amended by Ordinance No. 747-2019, passed July 24, 2019,

Section 367.03, as amended by Ordinance No. 1075-09, passed August 5, 2009,

Sections 367.04 and 367.05, as amended by Ordinance No. 612-2022, passed September 26, 2022,

Sections 367.12 and 367.99 as amended by Ordinance No. 747-2019, passed July 24, 2019,

Section 381.04, as amended by Ordinance No. 778-76, passed June 14, 1976,

Section 381.99, as amended by Ordinance No. 1309-05, passed December 5, 2005

Section 3103.04, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986

Section 3103.09, as amended by Ordinance No. 612-2022, passed September 26, 2022,

Section 3103.25, as amended by Ordinance No. 2370-01, passed May 13, 2002,

Section 3143.01 and 3143.03, as amended by Ordinance No. 1533-15, passed April 4, 2016, and

Section 601.061, as amended by Ordinance No. 1198-20, passed May 16, 2011,

are repealed.

**Section 3.** That the Codified Ordinances of Cleveland, Ohio, 1967, are supplemented by enacting new Sections 201.04, 381.14, 3143.04 and 3143.05 to read as follows:

Section 201.04 Civil Tickets

Any city officer or employee authorized to enforce the City's Health Code may also enforce Chapter 3104 and issue a notice of civil offense and civil fine under the procedures in that Chapter.

Section 381.14 Civil Tickets

Any city officer or employee authorized to enforce the City's Fire Prevention Code may also enforce Chapter 3104 and issue a notice of civil offense and civil fine under the procedures in that Chapter.

Section 3143.04 Inspection and Reporting Requirements for Parking Garages

In order to maintain parking garages in a safe condition, the following requirements shall apply:

(a) *Inspection Requirements.* The owner of a parking garage shall conduct a critical inspection of the condition of parking garage and appurtenances at least once every five (5) years.

(1) Such inspection shall be conducted and witnessed by a qualified inspector, by or on behalf of the owner of the building. Such inspection shall be for the purpose of determining whether the parking structure and all parts thereof are either safe, unsafe, or safe with repairs and/or engineering monitoring and whether, in the judgment of a qualified parking structure inspector, remedial work is required. Any areas found to be deficient in the general inspection shall require a detailed inspection.

(2) Such inspection shall be conducted using the most current ASCE 11 standard (Guideline for Structural Assessment of Existing Buildings). Qualified personnel shall perform a preliminary assessment as defined in the standard and provide a determination as to whether a detailed assessment is required. When in the opinion of the qualified inspector a detailed assessment is required, such an inspection shall be performed according to the standard and a detailed report be produced.

(3) The owner shall complete such inspection and file a report within the following time:

A. All new inspections and reports shall be completed and filed within one (1) year of the effective date of this section, and successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with division (c).

B. If a structure has already been inspected prior to the adoption of this chapter, the owner must file a report of that inspection within one (1) year of the effective date of this section, and successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with division (c).

(b) *Registration.* The owner of a parking garage shall register with the Director of Building and Housing by submitting a registration of the conditions identified in the report on a form determined by the Director of Building and Housing.

(c) *Inspection Report.* The owner of a parking garage shall register with the Director of Building and Housing by submitting a written report, prepared by a qualified inspector who conducted or supervised the inspection, as follows:

(1) Such report shall clearly document the condition of the walls, floors, ceilings, and ramps, and appurtenances as either safe, unsafe, or safe with a repair and

maintenance program. The report shall document all significant deterioration, unsafe conditions, in sufficient detail so that a comparison of successive reports will indicate any change of condition. Such report must be signed by and bear the professional seal of the qualified inspector.

(2) Such report shall be filed with the Director of Building and Housing together with a fee, in an amount to be determined by the Board of Control, within the time specified in division (a)(3).

(3) Such report shall be maintained for review by the Department of Building and Housing at any time requested.

(4) Such report shall include the following:

A. The location of the parking garage by address and permanent parcel number;

B. The year the parking garage was built;

C. The date the building was inspected;

D. The name, address, and title of the person or firm who conducted the inspection;

E. Complete description of inspections conducted to determine whether the parking structure and all parts thereof are either safe, unsafe, or safe with repairs and/or engineering monitoring and whether, in the judgment of a qualified parking structure inspector, remedial work is required, based on the current version of ASCE 11 standard (Guideline for Structural Assessment of Existing Buildings), including the locations of and descriptions the general inspection areas and any of detailed inspection areas.

(5) Such inspection report shall be filed with Director of Building and Housing every five (5) years from the date of the original report. The owner shall keep and maintain the complete and full inspection documentation on-site or produce said documentation within forty-eight (48) hours of any request by the Director of Building and Housing or the Chief of Fire, or their designees.

(d) *Notice of Unsafe Condition.* Upon the discovery of an unsafe condition relating to the exterior walls or appurtenances, the owner shall notify the Director of Building and Housing immediately in writing of such condition, and immediately begin repair, reinforcement or precautionary measures, with the required permits, to abate the unsafe condition to ensure public safety.

#### Section 3143.05 Certificate of Parking Garage Inspection

(a) *Issuing of Certificates.* The Director of Building and Housing shall issue a parking garage certificate only after having received satisfactory proof of inspection, and after the inspection report of the architect or engineer reports a safe condition. No owner or person in control of a parking garage subject to the requirements in this chapter shall permit the parking garage to be used without such certificate.

(b) *Keeping and Producing of Certificates.* The owner or person in control of a parking garage subject to the requirements of this chapter shall keep and maintain such certificate on-site or produce said certificate within forty-eight (48) hours of any request by the Director of Building and Housing or the Chief of Fire, or their designees. No owner or person in control of a parking garage subject to the requirements of this chapter shall fail to keep and maintain or produce the required certificate.

**Section 4.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 3104.01 to 3104.09 and 3104.99 to read as follows:

#### **CHAPTER 3104** **Civil Enforcement**

##### **Section 3104.01 Civil Enforcement System Established**

(a) *Civil Enforcement System Established.* The City of Cleveland hereby adopts a civil enforcement system for the infractions made subject to a civil fine by this Chapter. This civil enforcement system imposes monetary liability on the Responsible Parties.

(b) *Liability Imposed.* Each Responsible Party of a parcel at which an infraction has occurred is liable to the City of Cleveland in the amounts established in Section 3104.99. Responsible Parties shall be jointly and severally liable for the civil offenses specified under this Chapter.

(c) *Noncriminal Offense; No Conviction.* The infractions established by this Chapter are noncriminal. The imposition of liability upon the Responsible Parties under this section shall not be deemed a conviction for any purpose.

(d) *Other Costs and Penalties Not Abrogated.* Nothing in this section shall be construed as altering or limiting the effects of any other section of these Codified Ordinances, the criminal penalties imposed by any such other section, or the ability of the Director of Building and Housing, or such other officials of the divisions of the City having jurisdiction, to enforce those sections.

##### **Section 3104.02 Civil Offenses**

In addition to any other means of enforcement provided for in these Codified Ordinances, each of the following sections may be enforced through the issuance of a Notice of Civil Offense to the Responsible Parties:

1. Section 337.23 Accessory Uses in Residence Districts
2. Section 337.231 Portable Storage Containers
3. Section 347.02 Restrictions on the Keeping of Farm Animals and Bees
4. Section 347.08 Regulations for Trash Areas and Refuse Containers
5. Section 347.10 Temporary Use Permits
6. Section 347.121 Hookah Lounges and Vapor Lounges
7. Section 349.02 Existing Off-Street Parking Facilities
8. Section 349.04 Required Parking Spaces
9. Section 349.13 Permitted Garages and Parking Space in Residence Districts
10. Section 357.13 Yard Encroachments Permitted
11. Section 357.14 Yard Encroachments Prohibited
12. Section 369.08 Rubbish and Garbage Disposal
13. Section 369.13 General Maintenance Requirements
14. Section 369.14 Maintenance of Foundations
15. Section 369.15 Maintenance of Exterior Walls and Roof
16. Section 369.16 Maintenance of Interior Walls and Floors
17. Section 369.17 Infestation by Pests
18. Section 369.18 Exterior Property Areas
19. Section 369.19 Secondary or Appurtenant Structure
20. Section 371.05 Lighting of Public Hallways and Common Areas
21. Section 371.07 Rubbish and Garbage Disposal Facilities
22. Section 371.10 Sanitation Responsibilities of Owner and Occupant
23. Section 371.13 Identification of Dwelling Units
24. Section 392.02 Smoke Detection and Alarm Systems – Installation Required
25. Section 392.021 Carbon Monoxide Alarms; Installation Required in Rental Dwelling Units
26. Section 392.03 Testing, Inspection, and Notification
27. Section 392.04 Maintenance
28. Section 392.05 Tampering
29. Section 3101.10(e) Safety and Maintenance – Maintenance of Exterior Property Areas
30. Section 3101.11 Removal of Graffiti
31. Section 3103.091 Utility Shut-Off in Vacant and Unsafe Structures
32. Section 3103.10 Abandoned Service Stations
33. Section 3105.01 Permits Required; Exceptions
34. Section 3105.02 Permit Applications; Plans and Specifications
35. Section 3105.05 Plans Required at Work Site
36. Section 3109.11 Retractable Awnings
37. Section 3125.01 Protection of Excavations

Section 3104.03 Notice of Civil Offense and Civil Fine; Procedures

(a) Any city officer or employee authorized to enforce the City's Building, Housing, Zoning, Health, or Fire Prevention Codes may issue a notice of civil offense and civil fine to a Responsible Party.

(b) A notice of civil offense and civil fine shall:

- (1) Identify the Owner, Operator, or Local Agent in Charge of the premises;
- (2) Indicate the offense or offenses charged, the civil fine, and date, time, and location of the offense or offenses charged;
- (3) Be signed, dated and attested by the issuing officer or employee;
- (4) Advise the Responsible Party being charged that all available collection remedies and costs of collection will be pursued in the event the civil fine and other charges are not timely paid; and
- (5) Advise the Responsible Party that failure to appeal the notice or pay the costs imposed shall constitute a waiver of the right to contest the notice and shall be considered an admission. The notice shall further state that if the Notice of Civil Offense is not appealed or paid in that period, then a default finding of civil liability shall be imposed upon respondents for the costs established in Section 3104.99.

(c) The notice of civil offense shall be served upon the Responsible Party charged by one or more of the following means:

- (1) By personal delivery to the Responsible Party charged;
- (2) By delivery to an adult at the address of the Responsible Party charged;
- (3) By posting a copy of the notice in a conspicuous location on the real property where the violation occurred if the real property is owned or occupied by the Responsible Party charged;
- (4) By mail addressed to the Responsible Party charged at an address shown on a public record identifying the Responsible Party being charged as the owner, operator, or Local Agent in Charge of the real property to which the offense relates. If mail service is attempted via mail with a "certificate of mailing" or via certified or registered mail and the mail is not returned by the postal service within 15 calendar days of mailing, the delivery of the notice shall be presumed.
- (5) In addition to (1)-(4) of this division, service may be made by publication electronically or once in a newspaper of general circulation in the City.

#### Section 3104.04 Appeal

(a) Any person who is potentially liable for the costs under this Chapter may appeal the imposition of liability to the Director of Building and Housing or his or her designee, in the manner described in the Notice.

(b) The appeal shall be taken not later than thirty (30) days from the date of issuance of the Notice. Failure to appeal the Notice or pay the costs imposed within this time period shall constitute a waiver of the right to contest the Notice and shall be considered an admission.

(c) *Appeal – Process.* The Director shall establish an administrative appeal process for persons to appeal Notices issued under this chapter. The administrative appeal process shall allow the appellant the right to present appellant's case in person at an administrative hearing, or submit evidence by mail or electronically for an administrative review, including proof of correction of the violations that are the subject of the Notice. The strict rules of evidence applicable to courts of law shall not apply in any administrative hearing or administrative review. The Notice charging the offense shall constitute prima facie evidence that the offense identified in the Notice occurred and that the Responsible Parties to whom the Notice was mailed are liable to the City of Cleveland for the costs imposed by this section. The decision of the Director shall be in writing following the administrative hearing or administrative review.

(d) (1) If the Director finds by a preponderance of evidence that an appellant is liable under this chapter for the costs assessed, then the Director shall deny the appeal and order the appellant to pay the costs identified in the Notice.

(2) If the Director finds by a preponderance of evidence that an appellant is liable under this chapter for the costs assessed but that there are reasons for the commission of the infraction that mitigate the offense or that the violations have been corrected, then the Director shall deny the appeal and order the appellant to pay the costs identified in the Notice, but may in the interest of equity reduce the costs assessed.

(3) If the Director finds by a preponderance of evidence that the appellant is not liable under this chapter for the costs assessed, then the Director shall grant the appeal and dismiss the Notice.

(e) *Appeal of the Director's Decision.* Any person subject to an adverse decision of the Director may appeal that decision to the Board of Building Standards and Building Appeals. The notice of appeal shall be in writing and shall be filed with the Board of Building Standards and Building Appeals within thirty (30) days of the decision of the Director. The Board shall approve, modify or annul the finding from which the appeal is taken.

#### Section 3104.05 Default



If a person who has been served with a notice of a civil offense fails to timely pay the civil fine or appeal the Notice, or attend a requested appeal hearing, the person is in default, and the civil fine as specified by Section 3104.99 is due.

#### Section 3104.06 Collection

The costs imposed by this Chapter may be enforced and collected by means of a civil action or any other means provided for in these Codified Ordinances or the Ohio Revised Code.

#### Section 3104.07 Rules and Regulations

The Director may issue rules and regulations to carry out the provisions of this Chapter, which shall be effective thirty (30) days after their publication in the City Record.

#### Section 3104.08 Definitions

As used in this Chapter

- (a) “Director” means the Director of Building and Housing and in the case of appeals, the Director of Building and Housing or his or her designee.
- (b) “Local Agent in Charge” shall have the same meaning as defined in Section 365.01.
- (c) “Operator” shall have the same meaning as defined in Section 363.11.
- (d) “Owner” shall have the same meaning as defined in Section 363.12.
- (e) “Responsible Party” and “Responsible Parties” mean the Owner, Operator, and/or Local Agent in Charge.

#### Section 3104.99 Civil Fines; Late Penalties

- (a) The costs imposed by this section upon the Responsible Parties for the commission of an infraction shall be two hundred dollars (\$200.00) for each offense.
- (b) If the costs established in division (a) remain unpaid thirty (30) days after the Notice of Civil Offense is issued or thirty (30) days after the conclusion of all appeals, an additional fine shall be assessed of fifty dollars (\$50.00).

**Section 5.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 3106.01 to 3106.10 and 3106.99 to read as follows:

**CHAPTER 3106**  
**Registration of Vacant Buildings and Certificates of**  
**Compliance for Vacant Buildings**

**Section 3106.01 Definitions**

For the purpose of this chapter, words and phrases shall have the following meanings:

(a) “Vacant building” or “vacant property” means a building that is not occupied by its owner, lessee or other person in lawful possession, and at which substantially all lawful business operations or substantially all residential occupancy has ceased, or which is substantially devoid of content. As used in this chapter, “vacant” shall have the same meaning as found in division (b) of Section 209.02;

(b) “Responsible Party” means the owner, Local Agent in Charge as defined in Section 365.01, other agent, lessee, or party in control of any vacant building, or a party that has filed and is currently maintaining an open foreclosure action regarding a vacant building.

**Section 3106.02 Duties of Responsible Party**

(a) The Responsible Party shall maintain the vacant building in compliance with City codes, with particular attention to the following:

(1) Property shall be maintained in a condition free of nuisance in accordance with Chapter 209.

(2) All building exteriors shall have adequate weather-tight protection, including paint, siding, and or similar finishes maintained in good condition.

(3) All buildings and grounds must be secured against entry by unauthorized persons, and against becoming a harborage for vermin. This includes maintaining all exterior doors, windows, and yard fencing in a good and secured condition. No boards, plywood or similar means or materials may be used to secure windows and doors except as provided under Codified Ordinance Section 3103.09. Doors and/or windows that are found to be defective shall be repaired or replaced with similar doors or window units equipped with locking hardware.

(4) Property must be properly winterized, including but not limited to: the proper disconnection of water supply and drainage systems; ensuring that HVAC systems are functional and properly maintained; temporarily discontinuing or adjusting utility services; clearing and maintaining the property's exterior to safeguard against ice buildup or other hazards; and other security measures to deter and prevent unauthorized entry.

- (5) Roofs on all buildings shall be in good, weathertight condition with no leakage.
  - (6) Graffiti, tagging or similar markings must be removed or painted over with an exterior grade paint that matches the exterior color of the structure.
  - (7) Pools and spas shall be drained and kept dry. Properties with pools and spas must comply with the minimum security fencing requirements of the City.
- (b) Compliance with this section does not relieve the Responsible Parties of any obligations set forth in any covenants, conditions, restrictions, homeowners' association rules and regulations and/or codified ordinances or building codes which may apply to the property.

#### Section 3106.03 Vacant Building Registration Required

(a) The Responsible Party shall register the vacant building with the Director of Building and Housing. A vacant lot, defined as a parcel that does not contain any permanent lawful occupied structure, is not a vacant building. A building with multiple residential units in which at least one unit is occupied is not a vacant building. The Responsible Party shall maintain the vacant building registration up-to-date.

This registration requirement does not apply to vacant buildings owned by a Governmental Entity before the Governmental Entity's typical assessment for demolition, or if the vacant building becomes intended for demolition following the Governmental Entity's typical assessment for demolition. This registration requirement applies to vacant buildings that are owned by a Governmental Entity that have been assessed and are not intended for demolition, or that are owned by a Governmental Entity that does not assess for demolition.

- (b) An application for registration of a vacant building shall be submitted with the associated fee required in this Chapter. The application shall include all of the following information on forms provided by the Director:
- (1) The name of the party submitting the registration application and whether the party is the owner, agent, lessee, or party in control of the property, or a party who has filed a foreclosure action;
  - (2) The direct mailing address of the applicant; P.O. boxes are not an acceptable address;
  - (3) A contact name, telephone number and e-mail address for the applicant;
  - (4) The name, address, telephone number and email address of a Local Agent in Charge.

- (5) The names and addresses of all known lien holders and all other parties with an ownership interest in the building.
- (c) Registration shall remain valid for twelve months from the date of issuance. The Responsible Party shall renew the registration upon expiration for as long as the property remains vacant.
- (d) The Responsible Party shall inspect the property at least one time each month on the interior and exterior of the property to verify that the requirements of this section, the Codified Ordinances of the City, and any other applicable laws are being met. Any interior and exterior inspections that are required by loan servicers for a given vacant property, when applicable, may satisfy this requirement, but all properties regardless of loan servicing require such inspections. Written reports of such inspections shall be provided to the Director upon request.
- (e) The Director shall be authorized to enter into one or more letter agreements with a Responsible Party that is a Governmental Entity that reduces or waives the requirements of this Chapter 3106.

Section 3106.04 Vacant Building Inspection, Obligation to Correct Violations, and Issuance of Certificate of Correction

- (a) The Director may cause vacant building inspections to occur upon the first registration of the building as a vacant building. Inspections may also occur upon request by the Responsible Party; as warranted in the determination of the Director based on exterior conditions; and/or the results of past inspections; and/or from time to time at the discretion of the Director. An application for a vacant building inspection required by this chapter shall be made upon forms supplied by the Director. The inspections shall result in a vacant building inspection report.
- (b) Vacant building inspections shall include a general exterior inspection of the dwelling structure and premises.
- (c) The vacant building inspection report shall contain the following information:
- (1) The street address or other identifying characteristics of the dwelling structure;
  - (2) The name and address of the owner(s); lessee or party in control;
  - (3) The authorized use and occupancy of the dwelling structure; and
  - (4) The listing of all known code violations existing at the time of such inspection.
- (d) Once the vacant building inspection report has been issued, the Responsible Party shall apply for and obtain a certificate of correction. A certificate of correction may only

be issued upon correction of all vacant building violations at that property, and the certificate shall state which violations were remedied.

(e) No vacant building may become occupied without a certificate of correction.

(f) All vacant buildings shall be subject to inspection for the purpose of determining compliance with the provisions of this Housing Code, and all other applicable laws, ordinances, rules and regulations. Inspections shall be conducted in accordance with this section.

(g) The Director and the Director's duly authorized agents or inspectors may enter at reasonable times any vacant property registered under this Chapter in accordance with the right of entry defined in Chapter 367.

#### Section 3106.05 Bond Required for Registration of Non-Residential Property

(a) Upon registration of a commercial, industrial, or other non-residential vacant building of under or equal to 10,000 interior square feet, as of July 1, 2024, the Responsible Party shall provide a cash bond to the Director in the sum of five thousand dollars (\$5,000). Upon registration of a commercial, industrial, or other non-residential vacant building of over 10,000 interior square feet, as of July 1, 2024, the Responsible Party shall provide a cash bond to the Director in the sum of fifteen thousand dollars (\$15,000). Thereafter, the amounts may be adjusted by the City of Cleveland on an annual basis, beginning July 1, 2025, and each year thereafter in proportion to the Consumer Price Index for Northeast Ohio, as published by the Bureau of Labor Statistics, U.S. Department of Labor.

Upon registration of a non-residential vacant property under Section 3106.03, the Responsible Party may apply to the Director for an exemption from the bond requirement in this Section. Upon such application, the Director may cause a vacant building inspection to occur at the vacant property. The exemption shall be granted only under one of the following conditions:

(1) The exemption shall be granted until the transfer or occupancy of the property if the property is not boarded up and has not been boarded up by the City in the last three years; no formal complaints regarding the Responsible Party's ownership or maintenance of the property have been made in the last three years and were found meritorious; and the Responsible Owner is not delinquent regarding the vacant property's property tax balance.

(2) The exemption shall be granted until the next annual registration of the property if the Responsible Party can demonstrate that there are reasonable and substantial plans to correct the property's code violations; there has been substantial progress in correcting the property's code violations; and appropriate permits have been filed.

(3) The exemption shall be granted indefinitely if the Owner is a Governmental Entity.

(b) Such bond may be used to ensure the continued maintenance of the property in compliance with the provisions of this Housing Code throughout its vacancy and to reimburse the City for any fees owed and expenses incurred in inspecting, securing, repairing and/ or making such building safe by any legal means including, but not limited to, demolition.

(c) If violations of the Codified Ordinances are identified by the City and their correction would cost more than the value of the bond required under division (a) of this section, then the City is authorized to require a higher bond, based on the amount set in the report of such inspection. If the Bond is entirely depleted, the Responsible Party shall provide another bond for the greater of the cost of repairing the remaining, uncorrected violations or the equivalent value as it was required to provide under division (a) of this section, whichever is greater.

(d) The bond obligations of this section shall apply until the property is no longer vacant or until title to the property has been transferred to a third party.

(e) When the property is no longer vacant or the title to the property has transferred, the remaining bond funds will be returned to the party making the deposit upon proof of compliance with this Chapter and if the owner submits a written request for such refund.

Section 3106.06 Inspection Required for Transfer of Vacant Residential Property; Correction Required Following Transfer

(a) To sell, transfer, or convey any interest in a residential vacant property, or enter into an agreement regarding the same, shall require a vacant building inspection that has occurred within one year of the sale date. In the event of resale within the one-year period, the vacant building inspection report shall be transferred to any subsequent bona fide purchaser and shall be valid for the remainder of that period.

(b) Prior to selling, transferring, or conveying any interest in or entering into an agreement to sell, transfer or otherwise convey an interest in any vacant residential property, the Responsible Party shall provide a copy of a vacant building inspection that has occurred within one year of the proposed sale date to the prospective purchaser or title transferee prior to conveyance of the title.

(c) An agreement to sell, transfer or otherwise convey an interest in a vacant building shall include a copy of the vacant building inspection from the Director.

(d) Following transfer, the Responsible Party, with the exception of a Responsible Party that is a Governmental Entity, shall correct all code violations at the vacant property within six months of transfer or, if the Director determines that the condition

of the property poses a threat to health and safety such that it should be corrected within a lesser time, within a lesser time established by the Director. Failure to do so shall be a violation of Section 3103.25(e).

(1) The Responsible Party may request from the Director an extension of time to correct the code violations. Such a request shall be made at least 30 days before the end of the Responsible Party's time to comply, and the request shall be made on a form provided by the Director. No single extension may be for more than six months. Responsible Parties may request multiple extensions.

(2) The Director shall approve such a request for an extension so long as the request for an extension is reasonable, the buyer has made substantial progress in correcting the violations, and issuing an extension is in the best interests of the City. If such an extension is approved, then failure to make the corrections within the extended time shall be a violation of Section 3103.25(e).

(3) The Responsible Party may appeal any decision by the Director under this Section to the Board of Zoning Appeals, in writing within ten (10) days from the date of the Director's issuance of the decision. The Board may sustain, disapprove, or modify the Director's action, and the Board's decision shall be final.

#### Section 3106.07 Fees

(a) The annual registration fee required shall be:

(1) For residential structures with no more than three residential units, \$70 per unit.

(2) For all other structures, \$1,000 per structure.

(b) The fee for a certificate of correction shall be seventy dollars (\$70).

(c) There shall be no fee for one re-inspection requested by the same Responsible Party within twelve months from the date of the initial inspection to verify correction of violations stated within the vacant building inspection. All subsequent re-inspections may be billed at one hundred and fifty dollars (\$150) per inspection.

(d) There shall be no fees levied under this Chapter, including application fees, inspection fees, and certificate of correction fees, associated with vacant residential property that is owned by a Governmental Entity as defined in Section 365.01. This fee exemption alone does not exempt any property or property owner from the other requirements or responsibilities under this Chapter.

(e) In the event of resale within the one-year period, this vacant building inspection report shall be transferred to any subsequent bona fide purchaser and shall be valid for the remainder of that period.

### Section 3106.08 Appeals

The seller or transferor, or the purchaser or transferee of a vacant building shall have the right to appeal to the Board of Building Standards and Building Appeals from any order of, or written notice issued by the Director within thirty days from the date such notice was given, mailed, or issued. Such appeal must be in writing. Failure to file a written appeal with the Board within the time prescribed herein shall constitute a waiver of the right to appeal. However, filing of an appeal from any such notice shall suspend action on enforcement of such notice until the appeal is acted upon by the Board.

### Section 3106.09 Liability

The issuance of a certificate of correction does not guarantee compliance with the City's Codes, nor does the Director nor his or her duly authorized designee(s) accept any liability for non-compliance with same. Such certificate shall be considered by all parties as the City's best effort to make known to the owners and purchasers of violations known on a given property at the time the inspection is made.

(a) The City assumes no liability or responsibility for the failure to report violations that may exist and makes no guarantee whatsoever, since there may be further violations which were not detected, which may arise in the future, or which may only be determined by a licensed electrician, plumber or other specialist at the expense of the person desiring such an inspection.

(b) In issuing a vacant building inspection, the City does not thereby insure, warrant or guarantee to the holder thereof, to his/her assignees, or any other interested party that such inspection report contains all of the violations of the Cleveland Codified Ordinances, State or Federal law.

(c) In issuing a certificate of correction document under the provisions of this chapter, the City does not thereby insure, warrant or guarantee the quality of repair or standard of work completed in the correction of violations listed on a vacant building inspection. Such document should be construed only as a statement by the City that some or all of the violations listed on the certificate of inspection have been corrected to the City's satisfaction.

### Section 3106.10 Time of Effect and Expiration of Section 3106.06

(a) Section 3106.06 shall take effect six months following the effective date of this chapter.

(b) Without further authorization from Cleveland City Council, Section 3106.06 shall expire two years following the effective date of this chapter.



Section 3106.99 Penalty

Any person who violates any provision of this chapter or of the rules and regulations issued hereunder shall be fined not less than two hundred dollars (\$200.00) and not more than one thousand dollars (\$1,000) for each offense. Every day that a violation continues shall constitute a separate and distinct offense.

**Section 6.** That existing Section 3143.04, Rules, as amended by Ordinance No. 1533-15, passed April 4, 2016, is renumbered to new “Section 3143.98”.

**Section 7.** That the name of Chapter 3143 is changed to “Exterior Walls and Appurtenances; Parking Garages”.

**Section 8.** That Section 3106.06 shall take effect and be in force six months after the effective date of this ordinance, consistent with Section 3106.10.

**Section 9.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 1278-2023**

**By Council Members:** Kazy and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to assist in the management of Program Year 3 of the City’s project of replacing various lead and galvanized service lines; authorizing the purchase by one or more requirement contracts of copper service lines, copper connections, and related appurtenances, including but not limited to materials, labor and installation, if necessary, for the Division of Water; and authorizing the Director of Public Utilities and/or the Director of Finance to apply for and accept one or more Water Supply Revolving Loan Account loans, grants and other funding.**

**WHEREAS**, the recently passed Federal Bipartisan Infrastructure Law, (the Infrastructure Investment and Jobs Act), has set aside \$15 billion for lead-line removal nationally over the next several years; and

**WHEREAS**, Ohio’s share of the money is estimated at \$355 million, which will be administered by the Ohio Environmental Protection Agency (the “EPA”) in five (5) annual rounds (“Program Years”); and

**WHEREAS**, the City will apply for funding for Program Year 3 to replace various lead and galvanized service lines that run from the water main to the curb stop valve, and when necessary from the curb stop valve into the building up to the meter setting, with copper service lines and copper connections for the Department of Public Utilities, Division of Water (the “Project”); and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services to assist in the management of the Project, including but not limited to, designing, inspecting, performing a lead inventory, and other related services needed to implement the Project.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts

authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

**Section 2.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period to be determined by the Director of Public Utilities of the necessary items of copper service lines, copper connections, and other necessary appurtenances needed to implement the Project, including but not limited to, materials, labor and installation, as necessary, for the Division of Water, and concrete repair, tree lawn restoration, and pavement restoration, including but not limited to, materials, labor and installation, as necessary, for the Division of Water in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 3.** That the Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept one or more Water Supply Revolving Loan Account ("WSRLA") loans from the Ohio Water Development Authority, the Ohio EPA or other appropriate state agency. The Director or Public Utilities and/or the Director of Finance has applied for or intends to apply for Ohio funding for the following list of projects and they may not perform all of these projects, depending in part on the level of state funding received:

| PROJECT                                       |
|---|
| CWD LSLR 3-1                                  |
| CWD LSLR 3-2                                  |
| CWD LSLR 3-3                                  |
| CWD LSLR 3-4                                  |
| CWD LSLR 3-5                                  |
| CWD LSLR 3-6                                  |
| CWD LSLR 3-7                                  |
| CWD LSLR 3-8                                  |
| CWD LSLR 3-9                                  |
| CWD LSLR 3-10                                 |
| CWD LSLR 3-11 Special Cases 1                 |
| CWD LSLR 3-12 Special Cases 1                 |
| CWD LSLR 3-13 Special Cases 3                 |
| CWD LSLR 3-13 Special Cases 4                 |
| CWD LSLR 3-14 SUPPLIES - Filters 1            |
| CWD LSLR 3-14 SUPPLIES - Filters 2            |
| CWD LSLR 3-14 SUPPLIES - Curb Boxes & Bases 1 |
| CWD LSLR 3-14 SUPPLIES - Curb Boxes & Bases 1 |
| CWD LSLR 3-19 Supplies Copper & Brass 2       |

|   |
|---|
| CWD LSLR 3-20 Supplies Copper & Brass 2 |
|---|

**Section 4.** That the Director of Public Utilities and/or the Director of Finance is authorized to enter into one or more loan agreements with the Ohio Water Development Authority, the Ohio EPA or other appropriate state agency, for one or more WSRLA loans, which loan agreement or agreements may contain additional terms that are deemed acceptable by the Director of Public Utilities and/or the Director of Finance and the Director of Law to protect the public interest. The Director of Public Utilities and/or the Director of Finance is further authorized to file all papers and execute all documents necessary to receive the funds under the WSRLA loan agreement or agreements and appropriate the loan funds for the purposes set forth in the WSRLA loan agreement or agreements.

**Section 5.** That upon execution of the WSRLA loan agreement or agreements, the Director of Public Utilities and/or the Director of Finance is authorized to repay the loan funds to the WSRLA, in accordance with the terms and conditions of the WSRLA loan agreement or agreements, from the operating revenues of the Division of Water.

**Section 6.** The Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept grants, awards and other funding as it may become available from the State of Ohio and its state agencies, public agencies and/or pass-through entities approved by the governmental entity and that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants, and that the funds are appropriated for the purposes described in this ordinance. Such funds may be principal forgiveness or low-interest twenty-year loans.

**Section 7.** That under Section 108(b) of the Charter, the purchases and services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases and services and may enter into one or more contracts with the vendors or consultants selected through that cooperative process.

**Section 8.** That the costs of the requirement contract or contracts shall be paid from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, from the fund or funds to which are credited any loan funds or grant proceeds received, and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**Section 9.** That the cost of the professional services shall be paid from Fund No. 52 SF 001, the fund or funds to which are credited the loan proceeds received under any WSRLA loan agreement, or from any other loan and grant funds received, or from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued

for this purpose, and from other funds approved by the Director of Finance. (RQN 2002, RL 2023-49)

**Section 10.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 37-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works, on behalf of the Office of Sustainability, to apply for and accept a grant from the Ohio Department of Natural Resources for the Ohio's Urban Forestry Grant Program; and authorizing the director to enter into one or more requirement contracts for labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Public Works, on behalf of the Office of Sustainability, is authorized to apply for and accept a grant in the amount up to \$1,000,000, and any other funds that may become available during the grant term from the Ohio Department of Natural Resources to conduct the Ohio's Urban Forestry Grant Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

**Section 2.** That the legislative summary for the grant, **File No. 37-2024-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Works, on behalf of the Office of Sustainability, is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period to be determined by the Director, of the necessary items of labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Works, on behalf of the Office of Sustainability. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 4.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works, on behalf of the Office of Sustainability, may

sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 5.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQS 0112, RL 2024-01)

**Section 6.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 104-2024****By Council Members:** Griffin

**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with JS Strategies, LLC for the professional services necessary to conduct an audit, review and assessment of Cleveland City Council's communications programs.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Clerk of Council is authorized to enter into an agreement with JS Strategies, LLC for the professional services necessary to conduct an audit, review and assessment of Cleveland City Council's communications programs. The agreement shall be for a period of one year; the cost of all services under the agreement shall not exceed \$40,000 and shall be paid for from fund 01-001-0101 630-6320.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**



**Ordinance No. 106-2024****By Council Members:** Griffin

**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with the Housing Research & Advocacy Center dba Fair Housing Center for Rights & Research to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC).**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Clerk of Council is authorized to enter into an agreement with the Housing Research & Advocacy Center dba Fair Housing Center for Rights & Research to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), for a one-year period beginning January 1, 2024, and concluding December 31, 2024, with a one-year option to renew.

**Section 2.** That the cost of said contract shall not exceed \$25,000 and shall be certified from Fund 01, Dept. 0101, Subfund 001, Object Code 6320.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 110-2024**

**By Council Members:** Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Human Resources to employ one or more consultants to provide assessment and design of a city-wide management training strategy and implementation program, and a city-wide employee performance management and implementation program.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Human Resources is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to provide assessment and design of: (a) a city-wide management training strategy and implementation program, and (b) a city-wide employee performance management and implementation program.

**Section 2.** The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Human Resources from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Human Resources for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Human Resources, and certified by the Director of Finance.

**Section 3.** That the cost of contract or contracts authorized shall be paid from Fund No. 01-0402-6320. (RQS 0402, RL 2024-1)

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 112-2024**

**By Council Members:** Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Finance to enter into various written standard purchase and requirement contracts to provide paging equipment, cellular devices, data services, wireless connectivity, activation, equipment, and various related products and services, including materials, equipment, supplies, services, maintenance, training, support and monthly fees and charges for citywide use, for the Division of Information Technology and Services, Department of Finance, for a period of one year, with two one-year options to renew, exercisable by the Director of Finance.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Finance is authorized to make one or more written standard purchase contracts and written standard purchase contract and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one year, with two one-year options to renew, exercisable by the Director of Finance, of the necessary items of paging equipment, cellular devices, data services, wireless connectivity, activation, equipment, and various related products and services, including but not limited to materials, equipment, supplies, services, maintenance, training, support and monthly fees and charges for citywide use, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 2.** That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 4.** That the Director of Finance is authorized to enter into any third-party software license agreements necessary to effectuate the purposes of this ordinance.

**Section 5.** That the cost of this ordinance and other expenditures authorized shall be paid from Fund Nos. 70 SF 101 and other funds approved by the Director of Finance. (RQS 1511, RL 2024-24)

**Section 6.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 168-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to cause payment to Stoneco Inc. dba Allied Corporation for the cost of providing asphalt materials to the Division of Streets from July 9, 2023, to August 30, 2023.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That this Council authorizes payment to Stoneco Inc. dba Allied Corporation for the cost of providing asphalt materials to the City from July 9, 2023, to August 30, 2023, in the amount of \$782,362.86, payable from Fund No. 11 SF 401. (RQS 7016, RL 2024-21)

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 169-2024****By Council Members:** Kazy

**An emergency ordinance to amend Section 2 of Ordinance No. 1279-2023, passed November 13, 2023, relating to a First Amendment Agreement with Bellaire Puritas Development Corporation for Cleveland City Council.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 2 of Ordinance No. 1279-2023, passed November 13, 2023, is amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$22,500.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

| <u>Ward</u> | <u>Amount</u> | <u>Project Number</u> |
|-------------|---------------|-----------------------|
| Ward 16     | \$22,500.00   | G23616                |

**Section 2.** That existing Section 2 of Ordinance No. 1279-2023, passed November 13, 2023, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**

**Ordinance No. 170-2024**

**By Council Members:** Kazy

**An emergency ordinance amending Section 1 of Ordinance No. 655-2023, passed May 22, 2023, as amended by Ordinance 1329-2023, passed November 13, 2023, authorizing the Director of Community Development to enter into an agreement with the Bellaire Puritas Development Corporation to conduct a Housing Code Enforcement Program.**

**WHEREAS**, on May 22, 2023, Cleveland City Council passed Ordinance No. 655-2023, authorizing the Director of Community Development to enter into an agreement with the Bellaire Puritas Development Corporation for a Housing Code Enforcement Program; and

**WHEREAS**, on November 13, 2023, Cleveland City Council passed Ordinance No. 1329-2023 amending the Ordinance; and

**WHEREAS**, further amendment is needed to authorize the program as conducted; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 1 of Ordinance No. 655-2023, passed May 22, 2023, as amended by Ordinance No. 1329-2023, passed November 13, 2023, is amended to read as follows:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective July 1, 2022, with The Bellaire-Puritas Development Corporation for the Housing Code Enforcement Program for the public purpose of eliminating slum and blight from city of Cleveland neighborhoods through the use of Ward 16 Casino Revenue Funds. Project shall begin as of July 1, 2022.

**Section 2.** That existing Section 1 of Ordinance No. 655-2023, passed May 22, 2023, as amended by Ordinance No. 1329-2023, passed November 13, 2023, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed February 5, 2024.**

**Effective February 6, 2024.**



**Resolution No. 163-2024****By Council Members:** Polensek

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 15518 St. Clair Avenue, and repealing Resolution No. 1097-2023 objecting to said permit.**

**WHEREAS**, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to Jinal P. Corporation, DBA Convenient Express, 15518 St. Clair Avenue, Cleveland, Ohio 44110, Permit No. 4289607 by Resolution No. 1097-2023 adopted by the Council on September 25, 2023; and

**WHEREAS**, this Council wishes to withdraw its objection to the above permit and consents to said permit; and

**WHEREAS**, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Jinal P. Corporation, DBA Convenient Express, 15518 St. Clair Avenue, Cleveland, Ohio 44110, Permit No. 4289607 by Resolution No. 1097-2023, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

**Section 2.** That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**Adopted February 5, 2024.****Effective February 6, 2024.**

## Directory of City Officials

### City Council

Cleveland City Hall  
601 Lakeside Avenue, Room 220  
Cleveland, Ohio, 44114  
Phone: 216-664-2840  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

President of Council – Blaine A. Griffin

City Clerk, Clerk of Council – Patricia J. Britt

| <i>Council Member</i>    | <i>Ward</i> |
|--------------------------|-------------|
| Joseph T. Jones          | 1           |
| Kevin L. Bishop          | 2           |
| Kerry McCormack          | 3           |
| Deborah A. Gray          | 4           |
| Richard A. Starr         | 5           |
| Blaine A. Griffin        | 6           |
| Stephanie D. Howse-Jones | 7           |
| Michael D. Polensek      | 8           |
| Kevin Conwell            | 9           |
| Anthony T. Hairston      | 10          |
| Danny Kelly              | 11          |
| Rebecca Maurer           | 12          |
| Kris Harsh               | 13          |
| Jasmin Santana           | 14          |
| Jenny Spencer            | 15          |
| Brian Kazy               | 16          |
| Charles Slife            | 17          |

## Permanent Schedule – Standing Committees of the Council 2022-2025

### MONDAY – Alternating

9:30 a.m. – **Health, Human Services and the Arts Committee:** Conwell (CHAIR), Maurer (VICE-CHAIR), Gray, Harsh, Howse-Jones, Slife, Starr.

9:30 a.m. – **Municipal Services and Properties Committee:** Bishop (CHAIR), Starr (VICE-CHAIR), Hairston, Jones, Kazy, Kelly, Maurer.

### MONDAY

2:00 p.m. – **Finance, Diversity, Equity and Inclusion Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Bishop, Conwell, Hairston, Kazy, Polensek, Santana, Spencer.

### TUESDAY

1:30 p.m. – **Workforce, Education, Training and Youth Development Committee:** Santana (CHAIR), Howse-Jones (VICE-CHAIR), Gray, Jones, Slife, Spencer, Starr.

### TUESDAY – Alternating

9:30 a.m. – **Development, Planning and Sustainability Committee:** Hairston (CHAIR), Santana (VICE-CHAIR), Harsh, Howse-Jones, Jones, McCormack, Spencer.

### WEDNESDAY – Alternating

10:00 a.m. – **Safety Committee:** Polensek (CHAIR), Jones (VICE-CHAIR), Gray, Howse-Jones, Kelly, Slife, Starr.

10:00 a.m. – **Transportation and Mobility Committee:** McCormack (CHAIR), Slife (VICE-CHAIR), Bishop, Gray, Kazy, Maurer, Santana.

### THURSDAY

10:00 a.m. – **Utilities Committee:** Kazy (CHAIR), Spencer (VICE-CHAIR), Bishop, Gray, Harsh, Kelly, Polensek.

### The following Committees meet at the Call of the Chair:

**Mayor's Appointments Committee:** Jones (CHAIR), Griffin, Hairston, Harsh, Starr.

**Operations Committee:** McCormack (CHAIR), Bishop, Conwell, Griffin, Maurer.

**Rules Committee:** Griffin (CHAIR), Conwell, Maurer, McCormack, Polensek.

## City Departments

City Hall  
601 Lakeside Avenue  
Cleveland, OH 44114

**MAYOR** – Justin M. Bibb

Bradford J. Davy, Chief of Staff

Jeff Epstein, Chief of Integrated Development

Froilan Roy Fernando, Chief Technology and Innovation Officer

Sarah N. Johnson, Chief Communications Officer

Sonya Pryor-Jones, Chief of Youth and Family Success

Ryan M. Puente, Deputy Chief of Staff and Chief Government Affairs Officer

Bonnie Teeuwen, Chief Operating Officer

Michele Pomerantz, Chief of Education

**AGING** – Mary McNamara, Director

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS** –

Carmella Davis, Secretary

Patrick M. Gallagher (Labor), Chair

Howard Bradley (Builder)

(Engineer)

Robert Maschke, Architect

Peggy Lipscomb, Alternate

**BOARD OF ZONING APPEALS** –

Elizabeth Kukla, Secretary

Members: Alanna Faith, Nina Holzer, Priscilla Rocha, Arleesha Wilson

**BUILDING AND HOUSING** –

Sally Martin O'Toole, Director

**Divisions:**

Navid Hussain, Commissioner, Construction Permitting

Richard Riccardi, Assistant Commissioner, Construction Permitting

Thomas E. Vanover, Commissioner, Code Enforcement

**CITY AUDIT COMMITTEE –**

Members: Laura Armstrong, Chair; Council President Blaine A. Griffin; Law Director Mark D. Griffin; Diane Downing; Sharon Dumas; Thomas Raguz.

**CITY PLANNING COMMISSION – Joyce Pan Huang, Director**

Members: Lillian Kuri, Chair, Gloria Jean Pinkney, Council Member Charles Slife, August Fluker, Denise McCray, Isabella McKnight, Andrew Sargeant.

**CIVIL SERVICE COMMISSION – Rachon Long, Assistant Director**

Gregory E. Jordan, President; Michael Flickinger, Vice President; India Pierce Lee, Secretary; Daniel J. Brennan, Member; Cyrus L. Patton, Member

**COMMUNITY DEVELOPMENT – Alyssa Hernandez, Director**

**Divisions:**

Administrative Service – Joy Anderson, Commissioner

Office of Fair Housing and Consumer Affairs – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise Jackson, Commissioner

**COMMUNITY POLICE COMMISSION – Jason Goodrick, Interim Executive Director**

Members: John Adams, Shandra Benito, James M. Chura, Charles Donaldson, Jr., Kyle Earley, Alana Garrett-Ferguson, Cait Kennedy, Gregory Reaves, Janice Ridgeway, Piet van Lier, Audrianna Rodriguez, Teri Wang, Sharena Zayed.

**COMMUNITY RELATIONS BOARD – Angela Shute-Woodson, Executive Director;**

Members: Mayor Justin M. Bibb, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman; Council Member Kevin L. Bishop, Daniel McNea, Stephanie

Morrison-Hrbek, Roland Muhammad, Luz Pellot, Robert Render, III, Gia Hoa Ryan, Council Member Richard Starr, Jay Westbrook, Peter Whitt.

**ECONOMIC DEVELOPMENT** – Thomas S. McNair, Director

**FINANCE** – Ahmed Abonamah, Director

**Divisions:**

Accounts – Lonya Moss-Walker, Commissioner

Assessments and Licenses – Dedrick Stephens, Commissioner

City Treasury – James Hartley, Treasurer

Financial Reporting and Control – James Gentile, Controller

Information Technology and Services –

Kimberly Roy Wilson, Commissioner

Internal Audit – Natasha Brandt, Manager

Printing and Reproduction – Michael Hewett, Commissioner

Purchases and Supplies – Tiffany White Johnson, Commissioner

Sinking Fund Commission – Betsy Hruby, Manager

Taxation – Kevin Preslan, Commissioner and Income Tax Administrator

Treasury – James Hartley, Treasurer

**HUMAN RESOURCES** – Matthew J. Cole, Director

Rachon N. Long, Assistant Director

**LANDMARKS COMMISSION** –

Members: Julie Trott-Heisey, Chair; Robert S. Strickland, Vice Chair; Michele Anderson; Allan Dreyer; Mark Duluk, City of Cleveland Architecture and Site Development; Councilwoman Deborah A. Gray; Cleveland City Planning Commission Director Joyce Huang; Christopher Loeser; Michael R. Sanbury; Raymond Tarasuck, Jr.; Dr. Regennia Williams.

**LAW** – Mark D. Griffin, Director

Michele Comer, Chief Counsel

Ronda Curtis, Chief Corporate Counsel  
Elena Boop, Chief Trial Counsel  
Aqueelah Jordan, Chief Prosecutor  
Delanté Spencer Thomas, Chief Ethics Officer  
John Skrtic, Law Librarian

**MAYOR’S OFFICE OF CAPITAL PROJECTS** – James D. DeRosa, Director

**Divisions:**

Architecture and Site Development – Carter Edman, Manager Engineering and  
Construction – Richard J. Switalski, Manager Real Estate – Susanne Degennaro,  
Commissioner

**MAYOR’S OFFICE OF EQUAL OPPORTUNITY** – Tyson Mitchell, Director

**MAYOR’S OFFICE OF URBAN ANALYTICS AND INNOVATION** – Elizabeth  
Crowe, Director

**MAYOR’S OFFICE OF SUSTAINABILITY** – Sarah O’Keeffe, Director

**PORT CONTROL** – Bryant L. Francis, Director

**Divisions:**

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,  
Commissioner of Airports  
Burke Lakefront Airport – Tony Campofredano, Airport Leader

**PUBLIC HEALTH** – David Margolius, M.D., Director

**Divisions:**

Air Quality – David Hearne, Interim Commissioner  
Environment – Wallace L. Chambers, Jr., Commissioner  
Health – Frances Mills, Commissioner  
Health Equity and Social Justice – Lita Marie Wills, Commissioner  
Vital Statistics – Andrea Kacinari, City Registrar



**PUBLIC SAFETY – Karrie D. Howard, Director****Divisions:**

Animal Control Services – Cory Keller, Chief Animal Control Officer

Emergency Medical Service – Orlando Wheeler, Commissioner

Emergency Operations Center – Nicole Carlton, Assistant Director

Fire – Anthony P. Luke, Chief

Police – Dornat A. Drummond, Chief

Professional Standards – Roger C. Smith, Administrator

**PUBLIC UTILITIES – Martin J. Keane, Director****Divisions:**

Cleveland Public Power – Ammon Danielson, Commissioner

Radio Communications – Brad Handke, Manager

TV 20 – Kathy Allen, General Manager

Utilities Fiscal Control – Catherine Troy, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Ramona Lowery-Ferrell, Commissioner

**PUBLIC WORKS – Frank D. Williams, Director****Administration:**

Administration – John Laird, Manager

Susie Claytor, Executive Commissioner, Public Auditorium

Kim Johnson, Interim Executive Commissioner, Prevention, Intervention and  
Opportunity for Youth and Young Adults

**Divisions:**

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Neighborhood Resource and Recreation Centers – Samuel Gissentaner,  
Commissioner

Park Maintenance and Properties – Toi Porch, Interim Commissioner

Parking Facilities – Kim Johnson, Commissioner

Property Management – Tom Nagle, Commissioner

Streets – Randell Scott, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Terrell H. Pruitt, Commissioner

**WORKFORCE DEVELOPMENT & OHIO MEANS JOBS –**

**CLEVELAND/CUYAHOGA COUNTY** – Michelle Rose, Executive Director

## Cleveland Municipal Court

Justice Center

1200 Ontario Street

Cleveland, Ohio, 44113

[www.clevelandmunicipalcourt.org](http://www.clevelandmunicipalcourt.org)

| <i>Judge</i>  | <i>Courtroom</i> |
|---|------------------|
| Presiding and Administrative Judge Michelle D. Earley | 14-C             |
| Judge Marilyn B. Cassidy                              | 13-A             |
| Judge Mark R. Majer                                   | 12-B             |
| Judge Lauren C. Moore                                 | 15-A             |
| Judge Andrea Nelson Moore                             | 12-A             |
| Judge Michael L. Nelson, Sr.                          | 15-C             |
| Judge Ann Clare Oakar                                 | 14-A             |
| Judge Charles L. Patton, Jr.                          | 14-B             |
| Housing Court Judge W. Moná Scott                     | 13-B             |
| Judge Suzan M. Sweeney                                | 12-C             |
| Judge Jazmin Torres-Lugo                              | 13-C             |
| Judge Shiela Turner McCall                            | 13-D             |
| Judge Joseph J. Zone                                  | 14-D             |

Earle B. Turner – Clerk of Courts

Russell R. Brown, III – Court Administrator

Belinda Gest – Housing Court Administrator

Robert J. Furda – Chief Bailiff

Dean Jenkins – Chief Probation Officer

Gregory F. Clifford – Chief Magistrate

## City Links

### **Board of Building Standards and Building Appeals**

<http://planning.city.cleveland.oh.us/bza/bbs.html>

### **Board of Zoning Appeals**

<http://planning.city.cleveland.oh.us/bza/cpc.html>

### **City Bids**

#### **Invitations to Bid**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/BID>

#### **Requests for Proposals/Requests for Qualifications**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/RFP>

#### **Cleveland Water**

<http://www.clevelandwater.com/work-with-us/invitations-to-bid>

#### **Water Pollution Control**

[http://wpc.clevelandwater.com/?page\\_id=3342](http://wpc.clevelandwater.com/?page_id=3342)

#### **Cleveland Airports**

<https://www.clevelandairport.com/about-us/business-cle/bids-rfps>

### **City Jobs**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/HumanResources>

<https://www.governmentjobs.com/careers/cleveland>

### **City of Cleveland**

<http://www.city.cleveland.oh.us/>

### **City of Cleveland Charter and Codified Ordinances**

<https://codelibrary.amlegal.com/codes/cleveland/latest/overview>

### **Civil Service Commission**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission>

### **Cleveland City Council**

<http://www.clevelandcitycouncil.org/>

**Cleveland Courts**

Cleveland Municipal Court

<http://clevelandmunicipalcourt.org/home.html>

Clerk of Courts – Cleveland Municipal Court

<https://clevelandmunicipalcourt.org/clerk-of-courts>

Cleveland Housing Court

<http://clevelandhousingcourt.org/>