

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

1. In Section 1, at amended Section 411.011, in the section title line, after "Street" insert "and Sidewalk"; in division (d), lines 1 and 2, strike "fee established from time to time by the Board of Control" and insert "applicable fee set forth below"; in line 3, after "thereto" strike "and" and insert ". The application shall also be accompanied with"; and at the end of the division after "insured." insert "As used in this division, a City-Sponsored Event means an event supported or produced by one of the branches, departments, or offices of the City of Cleveland that furthers the functions or goals of that branch, department or office, and a CDC qualifying event means an event held or sponsored by a community development corporation, organized under Chapter 1702 of the Revised Code, that is open to the public at no charge, is anticipated to attract and/or keep members of the public at the event location, and includes food truck staging or is a festival that obstructs the street."

The Director of Capital Projects shall charge the following fees for obstruction permits issued under this section:

(1) Construction work partially taking a portion of the street and may include the sidewalk:

A. In Central Business District:

\$50.00 per week for 20 LF up to 4 weeks

After 4 weeks, \$190.00 per month for 20 LF

B. In Other Commercial Districts:

\$25.00 per week for 20 LF up to 4 weeks

After 4 weeks, \$85.00 per month for 20 LF

C. In Residential Areas: \$20.00 per month

(2) Construction work entirely taking the street and may include the sidewalk:

A. In Central Business District:

\$100.00 per week for 20 LF up to 4 weeks

After 4 weeks, \$380.00 per month for 20 LF

B. In Other Commercial Districts:

\$50.00 per week for 20 LF up to 4 weeks

After 4 weeks, \$190.00 per month for 20 LF

C. In Residential Areas: \$20.00 per month

(3) Construction work partially taking the sidewalk only:

A. In Central Business District:

\$25.00 per week for 20 LF up to 4 weeks

After 4 weeks, \$85.00 per month for 20 LF

B. In Other Commercial Districts:

\$12.50 per week for 20 LF up to 4 weeks

After 4 weeks, \$44.50 per month for 20 LF

C. In Residential Areas: \$20.00 per month

(4) Construction work taking the entire sidewalk only:

A. In Central Business District:

\$50.00 per week for 20 LF up to 4 weeks

After 4 weeks, \$190.00 per month for 20 LF

B. In Other Commercial Districts:

\$25.00 per week for 20 LF up to 4 weeks

After 4 weeks, \$85.00 per month for 20 LF

C. In Residential Areas: \$20.00 per month

(5) Dumpster or Portable Onsite Storage Unit

A. In Central Business District: \$20.00 per month plus an additional \$50.00 for inspection

B. In Other Commercial Districts: \$20.00 per month plus an additional \$50.00 for inspection

C. In Residential Areas: \$20.00 per month

(6) City-Sponsored Special Event: No charge

(7) Non-City-Sponsored Special Event: \$100.00 per event

(8) CDC Qualifying Event: No charge

(9) Block Party: \$25.00 per event

(10) Filming: \$20.00 per filming location

(11) Bus Parking: \$50.00 per day for each bus

(12) Expedited Reviews: \$50.00 additional fee for any requested and performed expedited reviews.

2. In Section 1, at amended Section 439.021, strike new division (b) in its entirety and insert the following:

“(b) The Director of Capital Projects shall charge the following fees for permits issued under Section 439.02:

Active permit (single movement)

Fee

<u>Processing fee – 72 hours or 5 days</u>	<u>\$29.00</u>
<u>Overweight surcharge (over 80,000 lb.)</u>	<u>\$15.00</u>
<u>Overweight superload surcharge (over 120,000 lb.)</u>	<u>\$30.00</u>
<u>Overwidth surcharge (over 14 ft.)</u>	<u>\$15.00</u>
<u>Overheight surcharge (over 14 ft. 6 in.)</u>	<u>\$29.00</u>
<u>Overlength surcharge (over 80 ft.)</u>	<u>\$15.00</u>
<u>Return trip surcharge with authorization</u>	<u>\$15.00</u>

Continuing Permit

Fee

<u>Processing fee – (365 days max for under 120,001 lbs)</u>	<u>\$110.00 each month or \$1,200.00 yearly permit</u>
<u>Overweight surcharge (between 80,001 to 120,000 lbs)</u>	<u>\$60.00</u>
<u>Overwidth surcharge (over 14 ft.)</u>	<u>\$60.00</u>
<u>Overheight surcharge (over 14 ft. 6 in.)</u>	<u>\$116.00</u>
<u>Overlength surcharge (over 80 feet)</u>	<u>\$60.00</u>

Expedited Review

Fee

Additional fee for each requested and performed expedited review \$50.00”.

3. In Section 1, at amended Section 503.01(a), line 3, strike “or alley” and insert “, alley or sidewalk”; at division 503.01(a)(1), line 5, after “necessary.” insert “If the permit is for reconfiguring the public right-of-way, an engineered drawing stamped by a professional engineer of the State of Ohio must accompany the permit application.”; in 503.01(a)(1) in the last line, strike “a fee schedule fixed from time to time by the Board of Control” and insert: “the following:

- A. Street Excavation
\$313 for first 200 sq. ft. and \$43.00 for each additional 200 sq. ft. (or portion thereof)
\$195.00 inspection fee for one parcel or a small project
\$260.00 per month inspection fee for a large project
- B. Sidewalk Excavation
\$45.00 for 1 to 200 sq. ft. or for a single residential parcel
\$90.00 for 201 to 1000 sq. ft.
\$135.00 for 1001 to 5000 sq. ft.
\$225.00 for 5001 sq. ft. or over
\$195.00 inspection fee for one parcel or a small project
\$260.00 per month inspection fee for a large project
- C. Expedited Reviews- \$50.00 additional fee for any requested and performed expedited reviews.
- D. Engineering Review Fee for Earth Retention System (ERS) review or elevated pedestrian bridge review - \$4,000.00 fee for complete review per site.

For purposes of this section, a "small project" means that the adjacent property for which a permit is being sought is a single residential house, townhomes or apartments with less than four units, other commercial single building under 0.5 acres and a "large project" means that the adjacent property for which a permit being sought is greater in size than a small project."

in Section 503.01(a)(2), line 11, strike "in accordance with a fee schedule fixed from time to time by the Board of Control." and insert "of one hundred dollars (\$100.00)";

in Section 503.01(b), line 4, strike "fixed by the Board of Control";

in Section 503.01(c), line 3, strike "an amount fixed from time to time by the Board of Control" and insert "twenty-five dollars (\$25.00)"; and

and in Section 503.01(l), line 1, after "division", strike "(h)" and insert "(h)(3) above"; and in line 4, strike "divisions (h) or (i)" and insert "division (i)".

4. In Section 1, at amended Section 505.03(e), line 1, delete "may" and insert "shall".

5. In Section 1 at amended Section 505.14(a), line 2, after "sidewalks" insert ", curbs, or apron"; and at the end, after "reseeding lawns." insert the following "The City may pay more than the allotted fifty percent (50%) if the costs of construction unit

prices exceeds the estimated unit pricing given to the residents. The estimated value of the work submitted to the resident shall be considered the final costs to the resident regardless of the final construction costs.”; and at 505.14(d), line 4, after “written estimate” insert “of the work.”.

Date: _____ (Signed): _____
Stephanie Melnyk
Chief Corporate Counsel

Ord. No. 1141-2023