City of Powell, Ohio

ORDINANCE 2008-17

Adopted June 3, 2008

AN ORDINANCE AMENDING SECTION 1115.03 OF THE CODIFIED ORDINANCES OF THE CITY OF POWELL RELATING TO DEPOSITS OF INSPECTION FEES FOR IMPROVEMENTS ON PRIVATE PROPERTY.

WHEREAS, it is necessary to clarify the Codified Ordinances with regard to refunds of inspection fees relating to site plans and utility plans on private property;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That Section 1115.03 of the Codified Ordinances of the City of Powell is hereby amended to read as follows:

1115.03 INSPECTION AND RECORDING SITE IMPROVEMENTS.

The materials, equipment and procedures used for the construction of all ~~s~~Site ~~i~~Improvements and Public Improvements, including~~,~~ but not necessarily limited to~~,~~ streets, sidewalks, storm sewers, and the portion of the sanitary sewers and waterlines which lay within the public right-of-way, will be observed and tested. The location of these Public ~~i~~Improvements shall be entered into the records of the City by the City Engineer. The cost of such field observation, testing and recording shall be paid by the Developer or owner. The estimated cost of this shall be deposited with the City at, or prior to, the pre-construction meeting prior to the beginning of construction. Upon written application by the depositor to the City Engineer within six months from the date of completion of the Site Improvements as evidenced by a Certificate of Occupancy or the date of final acceptance of the Public Improvements as required by Section 1115.07, whichever occurs later, all unused monies so deposited shall be refunded to the depositor. If the depositor fails to make such written application for refund ~~within six months of the project's Final Acceptance~~, the excess funds so deposited shall be forfeited to the City and credited to the General Fund.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 3: That this Ordinance shall take effect on the earliest possible date permitted by law.

VOTE ON RULE SUSPENSION: Y 7 N 0

VOTE ON ORDINANCE 2008-17: Y 7 N 0

Tom Counts, Mayor — 6/15/08 (Date)

Susie Ross, City Clerk — 6/15/08 (Date)

CITY OF POWELL DELAWARE COUNTY, OHIO

EFFECTIVE DATE: July 3, 2008

This legislation has been posted in accordance with the City Charter on this date 6/16/08.

Susie D. Ross, City Clerk

City Council

Tom Counts, Mayor

Richard Cline, Don Grubbs, Jim Hrivnak, Elmer Meider, Art Schultz, Dan Wiencek