

**ORDINANCE NO. 44-23**

**AN ORDINANCE AMENDING SECTION 210.01(e)(7)(B)  
OF THE CODIFIED ORDINANCES OF THE CITY OF AVON  
REGARDING PARK DEVELOPMENT AND MAINTENANCE FEES  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the City's Chief Building Official has reviewed Section 210(e)(7)(B) of the Avon Codified Ordinances dealing with Park Facilities; and

**WHEREAS**, the Chief Building Official, on behalf of the Administration, has requested an amendment to the fee schedule set forth therein to bring these fees up to date with the increasing costs of acquiring and maintaining parks in the community; and

**WHEREAS**, Council, having reviewed said amendments, finds them to be appropriate and in the best interests of the health, safety and welfare of the citizens of Avon and desires to amend Section 210.01(e)(7)(B) insure adequate and enjoyable park space for years to come.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN, AND STATE OF OHIO:**

Section 1 - That Section 210.01(e)(7)(B) of the Codified Ordinances of the City of Avon which currently reads as follows:

B. Developer's park development and maintenance fee:

1. Each new dwelling unit	\$638.00	(Payable upon issuance of building permit)
2. Each new commercial, industrial or other nonresidential development space, or an addition to any existing commercial, industrial or other nonresidential development space in excess of 1,000 sq. ft.		(Payable upon issuance of building permit):
a. Up to 2,000 sq. ft.	\$638.00	
b. Each additional 2,000 sq. ft. to a maximum of 20,000 sq. ft., or a portion thereof on a pro rata basis	\$95.00	
c. Each additional 2,000 sq. ft. of remaining portion on a pro rata basis	\$47.00	

**Shall be amended as follows: (New language in bold print; deleted language stricken)**

210.01(e)(7)

B. Developer's park development and maintenance fee:

1. Each new dwelling unit	\$638.00 \$1,467.88*	(Payable upon issuance of building permit)
2. Each new commercial, industrial or other nonresidential development space, or an addition to any existing commercial, industrial or other nonresidential development space in excess of 1,000 sq. ft.		(Payable upon issuance of building permit):
a. Up to 2,000 sq. ft.	\$638.00 \$1,467.88*	
b. Each additional 2,000 sq. ft. to a maximum of 20,000 sq. ft., or a portion thereof on a pro rata basis	\$95.00 \$137.64*	
c. Each additional 2,000 sq. ft. of remaining portion on a pro rata basis	\$47.00 \$69.35*	

**\*Adjusted annually by the Cleveland Construction Cost Index. Check with the Building Department for the current number.**

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend Section 210.01(e)(7)(B) of the Avon Codified Ordinances to increase park development and maintenance fees; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

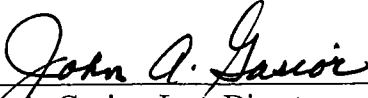
PASSED: March 27, 2023 DATE SIGNED: March 27, 2023

By: Brian Fischer  
Brian Fischer, Council President

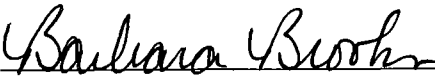
DATE APPROVED BY THE MAYOR: March 28, 2023

[Signature]  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

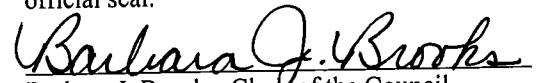
  
\_\_\_\_\_  
Barbara Brooks, Clerk of Council

Posted: March 29, 2023  
Electronically and at City Hall as  
Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 44-23, passed by the Council of said City on March 27, 2023.

IN WITNESS WHEREOF, I have on this 28<sup>th</sup> day of March, 2023, affixed my signature and official seal.

  
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Barbara J. Brooks, Clerk of the Council  
of the City of Avon, Ohio