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TRUSTEES
Paul G. Buescher, Chair
Richard H. Reville, Vice-Chair
Russell F. Mazzola, Trustee

ADMINISTRATOR
Steve Wright

NOTICE & AGENDA
NORTHFIELD CENTER TOWNSHIP
BOARD OF TRUSTEES SPECIAL MEETING
Monday, August 17, 2020-Immediately following Work Session
(Draft as of August 13, 2020-Subject to change prior to meeting)

The public was notified of this Webex meeting by Facebook, Twitter, Community Focus, an e-mail Sunshine Law notice to the Meeting Notification List, information placed on the Township’s website, and the electronic sign.

The COVID-19 relief legislation passed out of the state legislature, on March 25, 2020, included language regarding open meeting laws. For the duration of the state of emergency – or until December 1st, whichever comes first – state boards and commissions, local and county governments, and higher education boards are permitted to operate meetings electronically, as long as the public is aware and can participate electronically.

The access information for this Special Meeting is as follows:

Internet Access

Meeting link:
<https://townadministrator.my.webex.com/townadministrator.my/j.php?MTID=m2596282a9d3e9227d46c6f01a520b374>

Meeting Number: 163 225 0198
Meeting Password: ZVv2GWpbu58 (98824972 from phones)

Call-In Information (for those without a computer microphone or sufficient Internet access)

Number: 1-650-215-5226 or 1-631-267-4890
Access code for call-in: 163 225 0198

There will be no public comments during this Special Meeting.

A. THE CHAIR CALLS THE MEETING TO ORDER AT _____ P.M.

Roll Call: Russell F. Mazzola ____; Richard H. Reville ____; Paul G. Buescher ____.

B. TRUSTEES' REPORTS AND COMMENTS

- 1) The Chair requests **Resolution No. 20/08-17**__ to: Conduct an Executive Session, pursuant to ORC Section 121.22(G)(1), to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

_____ moves; _____ seconds.

Discussion: _____

Attendees for Executive Session: 1) _____; 2) _____;
3) _____; 4) _____; 5) _____;
6) _____; 7) _____; 8) _____.

Roll Call: Russell F. Mazzola ____; Richard H. Reville ____; Paul G. Buescher ____.

The Executive Session begins at _____ p.m.

The meeting resumes at _____ p.m.

C. MOTIONS/RESOLUTIONS

- 1) The Chair requests **Resolution No. 20/08-17**__ to: Appoint _____ to the vacant Zoning Commission seat, to complete the term of former Commission member Greg Yakich. Said term will conclude on 12/31/2023.

_____ moves; _____ seconds.

Discussion: _____

Roll Call: Russell F. Mazzola ____; Richard H. Reville ____; Paul G. Buescher ____.

- 2) The Chair requests **Resolution No. 20/08-17**__ to: Approve the proposed Northfield Center Township Exterior Property Maintenance Code. **The full draft of the Code is attached to this Agenda.**

_____ moves; _____ seconds.

Discussion: _____

Roll Call: Russell F. Mazzola ____; Richard H. Reville ____; Paul G. Buescher ____.

- 3) The Chair requests **Resolution No. 20/08-17** to: Approve a PO, in the amount of _____ and payable to _____, from the 10-A-06A (Fire Building-Improve/Replace) Fund, for the provision of criteria architect/design services for the proposed new Safety Building.

_____ moves; _____ seconds.

Discussion: _____

Roll Call: Russell F. Mazzola _____; Richard H. Reville _____; Paul G. Buescher _____.

- 4) The Chair requests **Resolution No. 20/08-17** to: Authorize outside counsel David Smith to draft a letter to the JEDD Board requesting a meeting to discuss potential revisions and/or enhancements to the existing JEDD Agreement.

_____ moves; _____ seconds.

Discussion: _____

Roll Call: Russell F. Mazzola _____; Richard H. Reville _____; Paul G. Buescher _____.

- 5) The Chair requests **Resolution No. 20/08-17** to: Approve a petition for special assessments for special energy improvement projects and a plan for public improvements AND approve the necessity of acquiring, constructing, and improving certain public improvements in the Township in cooperation with the Akron-Summit County Energy Special Improvement District (ESID). **The full text of the Resolution is attached.**

_____ moves; _____ seconds.

Discussion: _____

Roll Call: Russell F. Mazzola _____; Richard H. Reville _____; Paul G. Buescher _____.

- 6) The Chair requests **Resolution No. 20/08-17** to: Approve a PO, in the amount of _____ and payable to _____, from the 01-F-02 (Improvement of Sites) Fund, for asphalt work at Beacon Hills Park.

_____ moves; _____ seconds.

Discussion: _____

Roll Call: Russell F. Mazzola _____; Richard H. Reville _____; Paul G. Buescher _____.

D. TRUSTEE _____ REQUESTS A MOTION FOR ADJOURMENT.

_____ moves; _____ seconds.

Discussion: _____

Roll Call: Russell F. Mazzola ____; Richard H. Reville ____; Paul G. Buescher ____.

The meeting adjourned at _____ p.m.



NORTHFIELD CENTER TOWNSHIP EXTERIOR PROPERTY MAINTENANCE CODE

Adopted by Resolution _____
August 17, 2020

NORTHFIELD CENTER TOWNSHIP EXTERIOR PROPERTY MAINTENANCE CODE

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ARTICLE I

PURPOSE

1.01 PURPOSE

The purpose of this exterior property maintenance code is to protect the public health, safety, morals and general welfare as it pertains to premises and buildings used for residential, commercial, and industrial purposes. This protection is hereinafter provided by:

- a) Establishing minimum standards for maintaining residential, commercial and industrial environmental quality to preserve and achieve the presentable appearance of existing structures and premises; avoiding blighting effects of substandard maintenance of structures and premises and its negative impact on the value of surrounding properties; and eliminating hazardous conditions;
- b) Fixing the responsibilities of owners, operators and occupants of structures and their premises; and
- c) Providing for administration, enforcement, and penalties.

ARTICLE II

TITLE

2.01 TITLE

This Code shall be known as "The Northfield Center Township Exterior Property Maintenance Code" and is herein referred to as above or as the "Exterior Property Maintenance Code" or "This Code" and is as authorized by Ohio Revised Code Section 505.73.

ARTICLE III

DEFINITIONS

3.01 CONSTRUCTION OF LANGUAGE

For the purpose of this Exterior Property Maintenance Code certain terms or words shall be interpreted as follows:

- A. Words used in the singular shall include the plural, and the plural the singular;
- B. Words used in the present tense shall include the future tense;
- C. Words in the masculine gender shall include the feminine and neuter;
- D. The word "shall" is mandatory and not discretionary;
- E. The word "may" is permissive;
- F. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for;"
- G. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as individual; and
- H. The word "dwelling" includes the word "residence."

3.02 DEFINITIONS

All words used in this Exterior Property Maintenance Code shall have their customary meanings, except those specifically defined in this Section.

BUILDING CODE: The most current edition of the State of Ohio building code, or such other code as may be officially designated by SUMMIT COUNTY COUNCIL for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures.

EXTERIOR PROPERTY AREAS: The open space on the premises and on adjoining property under the control of owners or operators of such premises.

JUNK OR INOPERABLE VEHICLE: A vehicle, including but not limited to cars, trucks, busses, trailers, and boats, shall be deemed a junk or inoperable vehicle whenever any of the following occur:

- A. The vehicle is without a valid current registration and/or license plate;
- B. The vehicle is apparently inoperable;
- C. The vehicle is without fully inflated tires and/or has any type of support under it; and/or,
- D. The vehicle has a substantially damaged or missing window, windshield, door, motor, transmission, or other similar major part.

PREMISES: A lot, plot, or parcel of land, including the buildings or structures thereon.

PUBLIC NUISANCE: Includes the following

1. The physical condition, or use of any premises regarded as a public nuisance at common law; or
2. any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including but not limited to junk, inoperable or unlicensed vehicles, abandoned wells, shafts, basements, excavations, abandoned refrigerators, and unsafe fences or structures, or;
3. any premises which have improperly working drainage facilities; or
4. any premises designated as unsafe for human habitation or use, or
5. any premises, which is manifestly capable of being a fire hazard, or it manifestly unsafe or unsecured as to endanger life, limb, or property; or
6. any premises which is unsanitary, or which is littered with rubbish or garbage, or
7. any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; open, vacant, or abandoned; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure, or is dangerous to anyone on or near the premises.

RUBBISH: Rubbish is both combustible and non-combustible waste materials, including car parts, motors, and abandoned appliances. The term shall also include rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust, and other similar materials, as well as the residue from the burning of wood, coal, and other combustible materials.

STRUCTURE: Anything constructed or erected which requires location on the ground or attachment to something having location on the ground.

ARTICLE IV ADMINISTRATION AND ENFORCEMENT

4.01 APPLICATION OF EXTERIOR PROPERTY MAINTENANCE CODE

The provisions of the Exterior Property Maintenance Code shall apply to all premises and structures within Northfield Center Township used for human habitation, commercial purposes, or industrial purposes which are now or may become in the future substandard with respect to structure, maintenance, proper drainage and sanitary conditions, or other similar conditions which otherwise constitute a public nuisance. The existence of such conditions, factors, or characteristics adversely affects public health, safety, morals and general welfare and leads to the continuation, extension and aggravation of blight and its attendant negative effect on surrounding property values. Therefore, adequate protection of the public requires the establishment and enforcement of these property maintenance standards.

4.02 COMPLIANCE REQUIRED

Every portion of a building or premises used or intended to be used for residential, commercial, or industrial purposes, shall comply with the provisions of this Exterior Property Maintenance Code, irrespective of when such building has been constructed, altered or repaired, or premises occupied, except as hereinafter provided.

4.03 CONFLICT OF LAWS

In any case where a provision of this Exterior Property Maintenance Code is found to be in conflict with a provision of any zoning, building, fire, safety or health regulation or other regulation, the provision which establishes the higher standard for promotion and protection of the safety and health of the people shall prevail.

4.04 EXISTING REMEDIES

Nothing in this Exterior Property Maintenance Code shall be deemed to abolish, impair, or prevent the execution of any existing remedies of Northfield Center Township or its officers or agents related to the abatement of a public nuisance.

4.05 SEPARABILITY

If any section, subsection, paragraph, sentence, clause or phrase of this Exterior Property Maintenance Code is declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this Exterior Property Maintenance Code, which shall continue in full force and effect, and to this end the provisions of this Exterior Property Maintenance Code are hereby declared to be severable.

4.06 SAVING CLAUSE

This Exterior Property Maintenance Code shall not affect violations of any other resolution, ordinance, code or regulation existing prior to the effective date of this Exterior Property Maintenance Code, and any violation of such shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

4.07 ENFORCEMENT OFFICIALS

- A. **Enforcement Officers.** The Township Trustees shall assign the duties of administering and enforcing this Code to the Zoning Inspector, who acts as the Township's Enforcement Officer. **The Zoning Inspector may call upon any employee or contractor of the Township for whatever assistance may be necessary to abate a violation of this Code.**
- B. **Liability.** No officer, agent or employee of Northfield Center Township shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Code.

4.08 INSPECTIONS

The Zoning Inspector is authorized to make inspections of building exteriors and premises located within Northfield Center Township for purposes of enforcing the provisions of this exterior Property Maintenance Code. For the purpose of making such inspections, and upon showing appropriate identification, the Zoning Inspector is hereby authorized to examine and survey at any reasonable hour all residential, commercial, industrial and other premises.

4.09 NOTICE OF VIOLATION

- A. **Content.** Whenever the **Enforcement Officer** determines that there is a violation of the provisions of this Code, he may give notice of such violation to the person or persons responsible therefore and order compliance, as hereinafter provided. Such notice and order shall:
- 1) Be in writing;
 - 2) Include a description of the real estate sufficient for identification;
 - 3) Include a statement of the reason or reasons why it is being issued;
 - 4) Include a correction order allowing a reasonable time for the

- repairs and improvements required to bring the property into compliance with the provisions of this code; and
- 5) State the right of the violator to file an appeal of the notice with the Maintenance Code Appeals Board within ten (10) days after the notice.
- B. Service. A notice of violation shall be deemed to be properly served if one or more of the following methods are used:
- i. By personal delivery to the owner or occupant of the premises or by leaving the notice at the premises with a person of suitable age and discretion; or
 - ii. By certified mail deposited in the United States Post Office addressed to the person or persons responsible at his/their last known address, with return receipt requested. If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed or refused, then notice will be changed to the date that the notice is then served by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Enforcement Officer. Service shall be deemed complete when the fact of mailing is entered of record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or
 - iii. By posting a copy of the notice form in a conspicuous place on the premises found in violation and publishing a legal notice in a newspaper of general circulation in Northfield Center Township. The legal notice shall identify the owners of the property, the last address, if known, of the owners, the parcel identification, the location and nature of the violation.

4.10 EXTERIOR PROPERTY MAINTENANCE CODE APPEALS

- A. Appeals Board. To implement the purposes and requirements of this Exterior Property Maintenance Code, there is hereby created the Exterior Property Maintenance Code Appeals Board, hereinafter referred to as the Board. For the purposes of this Code, the Northfield Center Township Board of Zoning Appeals shall function as the Exterior Property Maintenance Code Appeals Board.
1. Procedure. Said Board may adopt rules of procedure not inconsistent with this Code. No member of the Board shall take part in any hearing or determination in which he or she has a personal or financial interest. Three (3) members of the Board in attendance at any meeting shall constitute a quorum.
 2. Authority. The Board shall hear all appeals relative to the enforcement of this Code, and by a concurring vote of the majority of its members may reverse or affirm, wholly or partly, or may modify

the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the inspector.

- B. Hearings. Any person affected by any notice of violation which has been issued in connection with the enforcement of any provision of this Exterior Property Maintenance Code, may request and shall be granted a hearing on the matter before the Exterior Property Maintenance Code Appeals Board provided that such a person shall file in the office of the Enforcement Officer an appeal on forms provided by the Township. The appeal shall be filed within ten (10) days after the date of the notice and order. Upon receipt of such a petition, the Appeals Board shall set a time and place for the hearing before the Appeals Board and shall give the petitioner written notice thereof by first class mail postmarked at least ten (10) days prior to such hearing. The hearing shall be held no less than ten (10) days and no more than forty-five (45) days from the date the petition was filed. At such hearing, the petitioner shall be given an opportunity to be heard and to show cause why any item appearing on such notice and order should be modified or withdrawn. The failure of the petitioner or his representative to appear and state his case at such hearing shall have the same effect as if no petition were filed.
- C. Findings. The Board of Appeals may sustain, modify, or dismiss, in whole or in part, any action to correct or abate the violation set forth in the notice and shall issue an order incorporating its determinations. Any order of modification or dismissal shall be effective for one year following the date of issuance of such order, and thereafter the subject matter of such order of modification or dismissal may be amendable to further inspection, notice and appeal as set forth herein.

The Board of Appeals shall consider only the following in determining appropriate action to be taken:

- (1) That any modification of the original order of the enforcement officer shall not, in any material way, alter the standards of this Code and shall not affect detrimentally the health and safety of occupants or the health, safety and welfare of the occupants or owners of adjacent premises or of the immediate neighborhood; and
- (2) The strict enforcement would constitute an undue and unnecessary hardship on the owner, manager or resident, by reason of compelling an expenditure for repair of the premises which would be substantially disproportionate to any benefit to health, safety or welfare of the community that might be derived therefrom.

Prior to sustaining any violation notice and compliance order, the Appeals Board shall make the following findings:

1. The violator was served with Notice of Violation and/or Citation Tag as provided for in Sections 4.09 and 4.11.
 2. The Citation Tag and/or Notice of Violation that was served stated the specific nature of the violation; corrective action needed to be taken to abate the violation; and a specific time period for abatement of the violation.
- D. Authority of Appeals Board. Within thirty (30) days of the close of the public hearing, the Appeals Board shall render a decision sustaining, modifying, or withdrawing any item appearing on the notice and order. The petitioner shall be notified in writing of such action.
- E. Appeal from Appeals Board Decisions. An appeal from a decision of the Appeals Board may be made to the appropriate court as provided by law.
- F. Stay of Proceedings. The filing of an appeal shall stay all actions and proceedings in furtherance of the action appealed from, unless the Code Enforcement Officer certifies to the Township Trustees that, by reason of facts stated in the certificate or application, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed except upon order of Township Trustees or Order of a court of competent jurisdiction.

4.11 NOTICE

The Zoning Inspector is authorized and directed to provide notice which shall be used for the purposes of giving due notice and summons to the person or persons responsible for violations of this exterior property maintenance code.

- A. Contents: Such notice shall be put in writing, state the nature of the violation, refer to the section or sections of this resolution violated, and state the appropriate assessment or penalty, therefore.
- B. Payment of Assessment: Such person or persons, when notice as herein provided is served to them, shall appear at the place or places designated upon such notice and shall pay the assessment for the violation noted on the citation. Upon payment of the assessment as provided within the time limit provided herein, no further action will be taken to prosecute the violation noted on the citation, provided remedial action, if necessary, is taken.

- C. Notice of Future Violation: The notice, as herein provided, shall be sufficient notice, summons, and legal service thereof for the purpose specified thereon; provide, however, that the use of such notice shall not prohibit the issuance of either additional citation tags or a legal notice of violation as provided herein, in the event such violation is continued or repeated.
- D. Establishment of Fee Schedule by Township Trustees: Prior to the issuance of any citation notice, the Township Trustees shall adopt by resolution a citation tag fee schedule assessment. From time to time and upon its own motion, Township Trustees may modify the citation tag fee schedule assessment.

Penalty Assessment: When a violation notice has been issued pursuant to this section, an amount established by the Township Trustees is hereby assessed on the violator presently One Hundred and Fifty Dollars (\$150.00) per day. If the assessment is paid within the seventy-two (72) hour period immediately following the issuance of the citation tag, all assessments are reduced by fifty percent (50%) subject to additional citations and assessment if the violation is not terminated within twenty-four (24) hours. Failure to pay the assessment within a period of thirty (30) days after the date of service of the notice. Assessments may also be attached to the property taxes for the property in question.

4.12 PROSECUTION

In case any violation order is not promptly complied with, the Enforcement Officer may request the Township Attorney to institute an appropriate action or proceeding at law to exact the penalty provided in Sections 4.13 and 4.99 of this Code, and in addition thereto, may ask the Township Attorney to proceed at law or in equity against the person responsible for the violation for the purpose of ordering him/her to abate such nuisance.

4.13 ABATEMENT OF NUISANCE BY TOWNSHIP AND COST RECOVERY

Should the nuisance not be abated at the expiration of the time stated in the notice and order of the Enforcement Officer or any extensions granted for such additional time as the Exterior Property Maintenance Code Appeals Board may grant, the Enforcement Officer shall be authorized at any time thereafter to request a court to authorize entry to take such action as deemed appropriate to abate the nuisance, in addition to any remedies provided elsewhere in this Exterior Property Maintenance Code. In abating such nuisance, the Enforcement Officer may call on any employee or contractor of the Township for whatever assistance may be necessary to abate the aforesaid nuisance or may, by private contract, abate such

nuisance and the cost of the contract will be paid for from Township funds. All costs for abating such nuisance shall be recovered in the following manner:

- A. The owner(s) shall be billed directly by certified mail deposited with the United States Post Office. In the event the certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Enforcement Officer.
- B. If the costs are not so recovered within thirty (30) days of receipt of the mailing described in Section 4.13(A), the Township may collect the cost in accordance with the Ohio Revised Code.

4.14 RULEMAKING AUTHORITY

The Northfield Center Township Board of Trustees shall have power as may be necessary in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations to implement the provisions of this Code, to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions; but such rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in this Code or violating approved practice involving public safety.

4.15 TRANSFER OF OWNERSHIP

It shall be unlawful for the owner of any building or structure who has received a notice of violation to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice of violation issued by the Enforcement Officer and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such notice of violation.

4.16 ABANDONMENT OF CONSTRUCTION PROJECT

Any building or structure for which a County building permit and/or Township Zoning Permit has been issued, and except for circumstances beyond the property owner's control (e.g., labor strikes, inclement weather, etc.), all construction work shall be diligently pursued to completion. Any construction project upon which no substantial work has been undertaken for a period of

twelve (12) months, shall be deemed abandoned. Upon any construction project being deemed abandoned, all buildings or structures not completed to the degree such buildings or structures have been indicated on the plans submitted in support of a building permit, and all the building materials and construction equipment shall be removed from the site.

4.17 VIOLATION AND PENALTIES

- A. No person shall violate any provision or fail to conform to any of the requirements of this Exterior Property Maintenance Code or fail to comply with any order made thereunder.
- B. Whoever violates any section of this Code shall be fined not more than one hundred fifty dollars (\$150.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- C. The application of the penalty provided in subsection (B) hereof shall not be held to prevent the enforced removal of prohibited conditions.

ARTICLE V

RESIDENTIAL AND PLANNED UNIT DEVELOPMENT EXTERIOR PROPERTY MAINTENANCE STANDARDS

5.01 APPLICATION OF MAINTENANCE STANDARDS

The following standards are applicable to all residential structures in the residential district, dwelling units, residential portions of planned unit development district.

5.02 STRUCTURAL SOUNDNESS AND MAINTENANCE OF DWELLINGS

Every foundation, exterior wall, and roof of every dwelling shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all occupied rooms and other interior areas weather-tight, water-tight, rodent proof and so as to be fit for human habitation and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance and safe condition shall include but is not limited to the following:

- A. Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- B. Exterior Walls and Surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the dwelling.
- C. Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, be capable of being easily opened and held in position by hardware, and maintained so as to exclude adverse weather elements from entering the structure.
- D. Exterior Doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof and water-proof and be provided with door hinges and door latches which are in good working condition.
- E. Roof. Roof members, covering and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing or other suitable means. Roof

drainage shall be adequate to prevent rain water from causing dampness in the interior portion of the building.

- F. Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
- G. Chimneys. Chimneys shall be free of cracks, holes or missing portions and maintained in sound condition.
- H. Porch. Every porch shall be so constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other members, and steps thereto, so as to be safe and use and kept in sound condition and in good repair.
- I. Structural Member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
- J. Exterior Surfaces. Except for the materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose or peeling paint or covering.
- K. Basement. Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain and surface drainage into the dwelling.
- L. Decorative Features: All cornices, entablatures, bell courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

5.03 PAINT AND COATING MATERIALS

All paint and other coating materials shall be free of any lead. These materials shall also be free of dangerous substances banned from general use by authorized federal, state, county, or local regulatory agencies for health and safety reasons.

5.04 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS

All buildings and exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

- A. Exterior Space. The exterior open space around each dwelling shall be maintained or so improved so as to provide for:
- 1) The immediate diversion of water away from buildings and proper drainage of the lot;
 - 2) Grass, plantings or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures;
 - 3) Yard-walks, parking areas, and driveways of a concrete, asphalt, pavers or similar surface which are of sound construction and properly maintained; and;
 - 4) Exterior steps which are of sound construction and properly maintained free of hazardous conditions.
- B. Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, porches, landings, fire escapes, stairs, signs, windows, doors, awnings, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation. All canopies, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration.
- C. Fences and Walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in the same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- D. Yards. All yards, courts, and lots shall be kept free of overgrown grasses, debris and other materials which may cause a fire, health, safety hazard, or general unsightliness.
- E. Hazards. Hazards and unsanitary conditions shall be eliminated.
- F. Occupancy. No temporary buildings, trailers, recreational vehicles, tents, or garages shall be used temporarily or permanently as a residence in the course of construction.
- G. Storage. Except as provided for in other regulations of the Township, all

outdoor storage of any kind shall be prohibited.

- H. Drainage. All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except when such pooling or retention of water is part of a plan approved by the County Engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
- I. Drainage Swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant shrubs and/or trees, or discharge, empty, or place any material, fill or waste into any swale so as to divert or impeded drainage flow. Small swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving understory growth to retard runoff and prevent erosion.
- J. Junk, Inoperable or Unlicensed Vehicle. No junk, inoperable, or unlicensed vehicle shall be located on any residential property, except when stored within a completely enclosed building.

5.05 VEGETATION

- A. Vegetation Cutting Required. All grass, weeds or rank vegetation shall be periodically cut and in no case shall exceed a height of eight (8) inches or as what is otherwise provided by the Summit County Council.
- B. Maintenance of Plantings. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plant materials shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

5.06 STAIRWAYS

- A. Exterior Stairways. All exterior stairways on all residential premises shall be in accordance with the following provisions:
 - 1) stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - 2) stairways shall be maintained free of rotted or deteriorated support;
 - 3) stairways shall have treads of uniform width and risers of uniform height; and
 - 4) stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails

and/or railings create a hazardous condition, the Enforcement Officer may require their installation in accordance with the provisions of the Summit County Building Code.

5.07 ACCESSORY STRUCTURES

- A. Accessory Structures. All structures accessory to the dwellings, including detached garages shall be maintained structurally sound, neatly maintained, and in good repair or shall be razed to grade level and debris removed from the premises.

ARTICLE VI

COMMERCIAL EXTERIOR PROPERTY MAINTENANCE STANDARDS

6.01 GENERAL PROVISIONS

Every commercial structure and commercial unit shall meet all of the provisions and requirements of the official zoning code, building code, fire code and health ordinance applicable to the structure and its intended and present use. Where these codes require the provision of a particular facility or equipment, or where they set a structural or installation standard, such related parts of every commercial structure and commercial unit shall be maintained to the minimum standard provided for in the applicable section of this Code or to the minimum standard provided for in the above codes, whichever standard is higher.

The following commercial exterior property maintenance standards are applicable to all commercial structures, commercial units, and portions of mixed-use structures which are devoted to commercial use, including all exterior and structural requirements, soundness and maintenance.

6.02 STRUCTURAL SOUNDNESS AND MAINTENANCE OF COMMERCIAL STRUCTURES

Every foundation, floor, wall, ceiling and roof of every commercial structure shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all occupied rooms and other interior areas weather-tight, water-tight, rodent proof and so as to be fit for human use and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance and safe condition shall include but is not limited to the following:

- A. Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- B. Exterior Walls and Surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the dwelling.
- C. Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and maintained so as to exclude adverse weather elements from entering the structure.
- D. Exterior Doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and water-proof and be provided with door hinges and door latches which are in good working

- condition.
- E. Roof. Roof members, covering and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing or other suitable means. Roof drainage shall be adequate to prevent rain water from causing dampness in the interior portion of the building.
 - F. Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
 - G. Chimneys. Chimneys shall be free of cracks, holes or missing portions and maintained in sound condition.
 - H. Porch. Every porch shall be so constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other members, and steps thereto, so as to be safe and use and kept in sound condition and in good repair.
 - I. Structural Member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
 - J. Exterior Surface. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose or peeling paint or covering.
 - K. Basement. Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain and surface drainage into the structure.
 - L. Decorative Features. All cornices, entablatures, bell courses, corbels, terracotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

6.03 PAINT AND COATING MATERIALS

All paint and other coating materials shall be free of any lead. These materials shall also be free of dangerous substances banned from general use by authorized federal, state, county, or local regulatory agencies for health and safety reasons.

6.04 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

- A. Exterior Space. The exterior open space around each structure shall be maintained or so improved as to provide for:
 - 1) The immediate diversion of water away from buildings and proper drainage of the lot;
 - 2) Grass, plantings or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures; and
 - 3) Yard-walks, parking areas, driveways and exterior steps which are of a permanently hard, dust free surface of sound construction and properly maintained.
- B. Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, porches, landings, fire escapes, stairs, store fronts, signs, windows, doors, awnings, marquees, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation. All canopies, marquees, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, and their supporting structures where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration. Prohibited and obsolete signs shall be removed or replaced pursuant to the application sections of the Northfield Center Township Zoning Resolution.
- C. Fences and Walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in the same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- D. Yards. All yards, courts, and lots shall be kept free of noxious weeds, overgrown grasses, debris and other materials which may cause a fire, health, safety hazard, or general unsightliness.
- E. Hazards. Hazards and unsanitary conditions shall be eliminated.
- F. Occupancy. No temporary buildings, trailers, recreational vehicles, tents, or garages shall be used temporarily or permanently as a commercial use in the course of construction except as permitted for the construction office

- that may be otherwise permitted.
- G. Drainage. All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except where such pooling or retention of water is part of a plan approved by the County Engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
 - H. Drainage Swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant trees and/or shrubs or discharge, empty, or place any material fill or waste into any swale so as to impede or divert drainage flow. Small swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving the understory growth to retard runoff and prevent erosion.
 - I. Junk, Inoperable or Unlicensed Vehicle. No junk, inoperable, or unlicensed vehicle shall be located on any commercial property, except when stored within a completely enclosed building or in a manner in conformance with the Northfield Center Township Zoning Resolution.
 - J. Traffic Markings. All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.
 - K. Conduct of Business.
 - I. All business activity, except for off-street loading, shall be conducted within completely enclosed buildings.
 - 2. All storage or trash and garbage containers and/or dumpsters shall be effectively screened from view in a manner approved by the Enforcement Officer.
 - 3. All storage of materials, foods or products, including inoperable vehicles, shall be within a completely enclosed building. EXCEPTION: Those business which are permitted or conditionally permitted under the terms of the Northfield Center Township Zoning Resolution to conduct business or maintain outdoor storage of materials, goods or products out-of-doors are excepted from compliance with this and subparagraph 1.
 - L. Exterior Light Fixtures. Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after business hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties (per local zoning regulation).

6.05 VEGETATION

- A. Vegetation Cutting Required. All grass, weeds or rank vegetation shall be periodically cut and in no case shall exceed a height of eight (8) inches or as what is otherwise provided by the Summit County Council.
- B. Maintenance of Plantings. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plant material shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

6.06 STAIRWAYS

- A. Exterior Stairways. All exterior stairways on all commercial premises shall be in accordance with the following procedures:
 - 1) stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - 2) stairways shall be maintained free of rotted or deteriorated supports;
 - 3) stairways shall have treads of uniform width and risers of uniform height; and
 - 4) stairway handrails and/or railings shall be firmly fastened and maintained in good condition. When the absence of handrails and/or railings create a hazardous condition, the Enforcement Officer may require their installation in accordance with the provisions of the Summit County Building Code.

6.07 ACCESSORY STRUCTURES

- A. Accessory Structures. All structures accessory to commercial use, including signs and detached storage buildings, shall be maintained structurally sound, neatly maintained, and in good repair or shall be razed to grade level and debris removed from the premises.

ARTICLE VII

INDUSTRIAL EXTERIOR PROPERTY MAINTENANCE STANDARDS

7.01 GENERAL PROVISIONS

Every industrial structure and industrial use shall meet all provisions and requirements of the official zoning code, building code, fire code and health ordinance applicable to the structure and its intended and present use. Where these codes require the provision of a particular facility or equipment, or where they set a structural or installation standard, such related parts of every industrial structural and industrial use shall be maintained to the minimum standard provided for the applicable section of this Code or to the minimum standard provided for in the above codes, whichever standard is higher.

The following industrial exterior property maintenance standards are applicable to all industrial structures, industrial uses, and portions of mixed-use structures which are devoted to industrial use, including all exterior and structural requirements, soundness, and maintenance.

7.02 STRUCTURAL SOUNDNESS AND MAINTENANCE OF INDUSTRIAL STRUCTURES

Every foundation, floor, wall, ceiling and roof of every industrial structure shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all interior areas whether-tight, water-tight, rodent proof and so as to be fit for human use and so as to not adversely affect the neighborhood in which they are located. Good repair maintenance and safe condition shall include but is not limited to the following:

- A. Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- B. Exterior Walls and Surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the building.
- C. Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and maintained so as to exclude adverse weather elements from entering the structure.
- D. Exterior Doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and water-proof and be provided with door hinges and door latches which are in good working

- condition.
- E. Roof. Roof members, covering and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing or other suitable means. Roof drainage shall be adequate to prevent rain water from causing dampness in the interior portion of the building.
 - F. Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
 - G. Chimneys. Chimneys shall be free of cracks, holes or missing portions and maintained in sound condition.
 - H. Structural Member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
 - I. Exterior Surface. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose, or peeling paint or covering.
 - J. Decorative Features. All cornices, entablatures, bell course, corbels, terracotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage in a safe condition.

7.03 PAIN AND COATING MATERIALS

All paint and other coating materials shall be free of any lead. These materials shall also be free of dangerous substances banned from general use by authorized federal, state, county, or local regulatory agencies for health and safety reasons.

7.04 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous.

- A. Exterior Space. The exterior open space around each structure shall be maintained or so improved so as to provide for:
 - 1) The immediate diversion of water away from buildings and proper drainage of the lot;

- 2) Grass, plantings or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures; and
 - 3) Yard-walks, parking areas, driveways and exterior steps which are of a permanently hard, dust free surface of sound construction and properly maintained.
- B. Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, fire escapes, stairs, fronts, signs, windows, doors, awnings, marquees, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation.
- All canopies, marquees, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, and similar overhanging extensions, including their supporting structures where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration. Prohibited and obsolete signs shall be removed or replaced pursuant to the applicable sections of the Northfield Center Township Zoning Resolution.
- C. Fences and Walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- D. Yards. All yards, courts, and lots shall be kept free of noxious weeds, overgrown grasses, debris and other materials which may cause a fire, health, safety hazard, or general unsightliness.
- E. Hazards. Hazards and unsanitary conditions shall be eliminated.
- F. Occupancy. No temporary buildings, trailers, recreational vehicles, tents, or garages shall be used temporarily or permanently as an industrial use in the course of construction except as permitted for the construction office that may be otherwise permitted.
- G. Drainage. All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except when such pooling or retention of water is part of a plan approved by the County Engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.

- H. Drainage Swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant trees and/or shrubs or discharge, empty or place any material fill or waste into any swale so as to impede or divert drainage flow. Small swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving the understory growth to retard runoff and prevent erosion.
- I. Junk, Inoperable or Unlicensed Vehicle. No junk, inoperable, or unlicensed vehicle shall be located on any industrial property, except when stored within a completely enclosed building or in a manner in conformance with the Northfield Center Township Zoning Resolution.
- J. Traffic Markings. All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.
- A. Conduct of Business.
All business activity, except for off-street loading, shall be conducted within completely enclosed buildings.
 1. All storage of trash and garbage containers and/or dumpsters shall be effectively screened from view in a manner approved by the Enforcement Officer.
 2. All storage of materials, goods or products, including inoperable vehicles, shall be within a completely enclosed building. EXCEPTION: Those businesses which are permitted or conditionally permitted under the terms of the Northfield Center Township Zoning Resolution to conduct business or maintain outdoor storage of materials, goods or products out-of-doors are excepted from compliance with this and subparagraph 1.
- K. Exterior Light Fixtures. Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after working hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties (per local zoning regulation).

7.05 VEGETATION

- A. Vegetation Cutting Required. All grass, weeds or rank vegetation shall be periodically cut and in no case shall exceed a height of eight (8) inches or as what is otherwise provided by the Summit County Council.
- B. Maintenance of Plantings. All plant materials, especially trees and

shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plant material shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

7.06 STAIRWAYS

- A. Exterior Stairways. All exterior stairways on all industrial premises shall be in accordance with the following provisions:
- 1) stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - 2) stairways shall be maintained free of rotten or deteriorated supports;
 - 3) stairways shall have treads of uniform width and risers of uniform height; and
 - 4) stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails and/or railings create a hazardous condition, the Enforcement Officer may require their installation in accordance with the provisions of the BuildingCode.

7.07 ACCESSORY STRUCTURES

- A. Accessory Structures. All structures accessory to the industrial use, including signs, shall be maintained structurally sound and in good repair or shall be razed to grade level and debris removed from the premises.

ARTICLE VIII

GENERAL GUIDELINES FOR ENFORCEMENT OFFICER FOR DETERMINATION OF REASONABLE TIME FOR CORRECTION OF VIOLATIONS.

The Enforcement Officer shall have discretion to apply reasonable time for repair and improvements to bring a property into compliance with the Code. The following are examples of violations that would generally have a reasonable time for correction under 30 days: yard debris and trash, trash cans, obvious rubbish, appliances, unused items, wood piles, abandoned vehicles, no plate or not current vehicles, un-drivable and under repair or on blocks and not in a garage vehicles and boats trailers motorhomes campers etc., overgrown flowerbeds, landscaping and yards. The following are examples of violations that would generally have a reasonable time for correction over 30 days but less than 60 days: home/exterior, windows, gutters, siding, shingles, roofing, obvious holes, damage, penetration of non-domestic wildlife, awnings, porches, ramps, driveways, concrete or other patios, barriers, fencing, sheds, pole barns, gazebos, covered patios or shaded areas, pavilions, wishing wells, etc. In an emergency situation, the Enforcement Officer would have discretion to decrease these general time frame guidelines.



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FISCAL OFFICER

Andy LaGuardia

TRUSTEES

Paul G. Buescher, Chair
Richard H. Reville, Vice-Chair
Russell F. Mazzola, Trustee

ADMINISTRATOR

Steve Wright

NORTHFIELD CENTER TOWNSHIP

Resolution 20/08-17__

A RESOLUTION APPROVING A PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS AND A PLAN FOR PUBLIC IMPROVEMENTS; APPROVING THE NECESSITY OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE TOWNSHIP IN COOPERATION WITH THE AKRON-SUMMIT COUNTY ENERGY SPECIAL IMPROVEMENT DISTRICT; DETERMINING TO PROCEED WITH SUCH PROJECT; AND DETERMINING TO LEVY SPECIAL ASSESSMENTS IN CONNECTION WITH SUCH PROJECT; AND DECLARING AN EMERGENCY.

WHEREAS, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts (“ESIDs”) upon a petition to a municipal corporation or township; and

WHEREAS, ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessments; and

WHEREAS, the Akron-Summit County Energy Special Improvement District (the “District”) was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID, and was originally established pursuant to a resolution adopted by the City of Akron, Ohio (the “Creation Resolution”); and

WHEREAS, by the Creation Resolution and under Ohio Revised Code Section 1710.02, articles of incorporation (the “Articles of Incorporation”) were approved and filed with the Ohio Secretary of State by the board of director which govern the District; and

WHEREAS, by the Creation Resolution and under Ohio Revised Code Section 1710.06, the District’s Akron Energy Special Improvement District Project Plan (as duly amended and supplemented from time to time, the “Plan”) was approved as a plan for public improvements and public services for the District; and

WHEREAS, as permitted under Ohio Revised Code Section 1710.02, the Plan and the Articles of Incorporation allow for the addition of real property within any “participating political subdivision” of the District or within any municipal corporation or township which is adjacent to any participating political subdivision of the District, to the territory of the District by the approval of the municipal corporation or township in which that real property is located; and

WHEREAS, the County of Summit, Ohio (the “Owner”), as the owner of certain real property located within Northfield Center Township (the “Township”), has identified certain real property consisting of .316 acres of land and improvements thereon, situated on Aurora Road in Northfield Center Township, and is identified in the records of the Summit County Fiscal Officer as Parcel Number 4002771 (the “Project Site” or “Property”), as an appropriate property for special energy improvement projects pursuant to Ohio Revised Code Chapter 1710; and

WHEREAS, the Owner has submitted to this Board a Petition for Special Assessments for Special Energy Improvement Projects (the “Petition”), together with an Akron-Summit County Energy Special Improvement District Project Plan Supplement to Plan (the “Supplemental Plan”), all in accordance with Ohio Revised Code Section 1710.02, each of which are now on file with this Board and the Fiscal Officer; and

WHEREAS, the Petition and the Supplemental Plan request that the Project Site be added to the District and that the Township levy special assessments on the Project Site to pay the costs of special energy improvement projects to be provided on the Project Site, all as described more particularly in the Petition and the Supplemental Plan (the “Project”); and

WHEREAS, the Petition is for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 2o of Article VIII of the Ohio Constitution, including, without limitation, the Project, and further, the Petition identifies the amount and length of the special assessments to be imposed with respect to the Project; and

WHEREAS, this Board, as mandated by Ohio Revised Code Section 1710.02, must approve or disapprove the Petition within 60 days of the submission of the Petition; and

WHEREAS, this Board has determined to approve the Petition, together with the Supplemental Plan; and

WHEREAS, in the Petition, the Owner requests that the Project be paid for by special assessments assessed upon the Property (the “Special Assessments”) in an amount sufficient to pay the costs of the Project, which are estimated to be \$1,350 including other related costs of financing the Project, which include, without limitation, the payment of principal of, and interest on, obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and District administrative fees and expenses, and requests that the Project be undertaken cooperatively by the Township, the District, and such other parties as the Township may deem necessary or appropriate.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF NORTHFIELD CENTER TOWNSHIP, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION 1. This Board approves the Petition and the Supplemental Plan now on file with this Board and the Fiscal Officer. Under the Creation Resolution, Plan, and the Articles of Incorporation, the Project Site is added to the territory of the District. The Township Administrator,

or his or her designee, is hereby appointed to serve on the Board of Directors of the District as provided in Ohio Revised Code Section 1710.04(A).

SECTION 2. This Board approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or any township which is contiguous to the municipal corporations or townships in which a portion of the territory of the District is located; (ii) the addition of the municipal corporation or township in which such real property is located as a “participating political subdivision,” as defined in Ohio Revised Code Section 1710.01(E), of the District; and (iii) any amendment to the Articles of Incorporation necessary to recognize and effect such addition.

SECTION 3. Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition.

SECTION 4. This Board declares necessary, and a vital and essential public purpose of the Township, to improve the Property by providing for the acquisition, construction, and improvement of the Project by the Owner, as set forth in the Petition, and providing for the payment of the costs of the project, including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Project and the interest on such damages; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; expenses of legal services; costs of labor and material; and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses; together with all other necessary expenditures, all as more fully described in the Petition and profiles, specifications, and estimates of cost of the Project, all of which are on file with the Fiscal Officer and open to the inspection of all persons interested.

SECTION 5. This Board determines that the Project’s elements are so situated in relation to each other that in order to complete the acquisition and improvement of the Project’s elements in the most practical and economical manner, they should be acquired and improved at the same time, with the same kind of materials, and in the same manner; and that the Project’s elements shall be treated as a single improvement, pursuant to Ohio Revised Code Section 727.09, and the Project’s elements shall be treated as a joint improvement to be undertaken cooperatively by the Township and the District pursuant to Ohio Revised Code Section 9.482 and Ohio Revised Code Chapter 1710.

SECTION 6. The plans and specifications and total cost of the Project now on file in the office of the Fiscal Officer are approved, subject to changes as permitted by Ohio Revised Code Chapter 727. The Project shall be made in accordance with the plans, specifications, profiles, and estimates for the Project.

SECTION 7. This Board hereby determines and declares that the Project is an essential and vital public, governmental purpose of the Township as a Special Energy Improvement Project, as defined in Ohio Revised Code Section 1710.01(I); and that in order to fulfill that essential and vital public purpose of the Township, it is necessary and proper to provide, in cooperation with the

District, for the acquisition, construction, and improvement of the Project in the manner contemplated by the Petition. This Board determines and declares that the Project is conducive to the public peace, health, safety, and welfare of the Township and the inhabitants of the Township.

SECTION 8. This Board declares that its intention is to proceed with the acquisition, construction, and improvement of the Project described in the Petition and the Plan. The Project shall be made in accordance with the provisions of the Plan.

SECTION 9. Pursuant to, and subject to, the provisions of a valid Petition signed by the owners of 100% of the Property, the entire cost of the Project shall be paid by the Special Assessments levied against the Property, which is the benefited property. The provisions of the Petition are ratified, adopted, approved and incorporated into this Resolution as if set forth in full in this Resolution. The method of levying the Special Assessments shall be in proportion to the benefits received, allocated among the parcels constituting the Property as set forth in the Petition.

SECTION 10. The lots or parcels of land to be assessed for the Project shall be the Property, described in Exhibit "A" to the Petition, all of which lots and lands are determined to be specially benefited by the Project.

SECTION 11. The Special Assessments shall be levied and paid in two semi-annual installments pursuant to the list of estimated Special Assessments set forth in the Petition, and the Owner has waived its option to pay the Special Assessment in cash within 30 days after the passage of this Resolution. The period over which the services and improvements provided pursuant to the Plan are useful is determined to exceed one year.

The aggregate amount of Special Assessments estimated to be necessary to pay the costs of the Project is \$1,350. Each semi-annual Special Assessment payment represents payment of a portion of the principal of and interest on obligations issued to pay the costs of the Project and of administrative expenses. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the Township. In addition to the Special Assessments, the Summit County Fiscal Officer (the "County Fiscal Officer") may impose a special assessment collection fee with respect to each semi-annual payment, which amount will be added to the Special Assessments by the County Fiscal Officer.

The Special Assessments are assessed against the Property commencing in tax year 2021 for collection in calendar year 2022. The semi-annual installments of the Special Assessments shall be collected in each calendar year equal to the maximum semi-annual amounts of Special Assessments as shown in Exhibit A, attached to and incorporated into this Resolution.

The Special Assessments shall be allocated among the parcels constituting the Property as set forth in the Project Petition and the List of Special Assessments attached to and incorporated into this Resolution as Exhibit A.

SECTION 12. The Fiscal Officer or any designee is authorized, pursuant to Ohio Revised Code Section 727.12, to cause the Special Assessments to be levied and collected at the earliest possible time including, if applicable, prior to the completion of the acquisition and construction of the Project.

SECTION 13. The Fiscal Officer or any designee is authorized, pursuant to Ohio Revised Code Section 727.12, to cause the Special Assessments to be levied and collected at the earliest possible time including, if applicable, prior to the completion of the acquisition and construction of the Project. Pursuant to the Petition, the Owner has waived notice of the adoption of this Resolution and the filing of the estimated Special Assessments, as provided in Ohio Revised Code Section 727.13, and the Township hereby accepts that waiver. The Owner has waived its right to pay the Special Assessments in cash within 30 days after the passage of this Resolution, and all Special Assessments and installments of the Special Assessments shall be certified by the County Fiscal Officer as provided by the Petition and Ohio Revised Code Section 727.33 to be placed by him or her on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition. The Fiscal Officer shall keep the Special Assessments on file in the office of the Fiscal Officer.

SECTION 14. That this Board finds and determines that the Special Assessments are in proportion to the special benefits received by the Property as set forth in the Petition and are not in excess of any applicable statutory limitation.

SECTION 15. The Special Assessments will be used by the Township to provide the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the Township to the District or to another party the Township deems appropriate, and the Special Assessments are appropriated for such purposes.

SECTION 16. This Board accepts and approves the waiver of all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Ohio Revised Code Chapter 727 and Ohio Revised Code Chapter 1710 and consents to the immediate imposition of the Special Assessments upon the Property. This waiver encompasses, but is not limited to, waivers by the Owner of the following rights:

- (i) The right to notice of the adoption of the resolution of necessity under Ohio Revised Code Sections 727.13 and 727.14;
- (ii) The right to limit the amount of the Special Assessments under Ohio Revised Code Sections 727.03 and 727.06;
- (iii) The right to file an objection to the Special Assessments under Ohio Revised Code Section 727.15;
- (iv) The right to the establishment of, and any proceedings by and any notice from an Assessment Equalization Board under Ohio Revised Code Sections 727.16 and 727.17;
- (v) The right to file any claim for damages under Ohio Revised Code Sections 727.18 through 727.22 and Ohio Revised Code Section 727.43;
- (vi) The right to notice that bids or quotations for the Project may exceed estimates by 15%;
- (vii) The right to seek a deferral of payments of Special Assessments under Ohio Revised Code Section 727.251;

- (viii) The right to notice of the passage of the assessing Resolution under Ohio Revised Code Section 727.26; and
- (ix) Any and all procedural defects, errors, or omissions in the Special Assessment process.

SECTION 17. This Board hereby approves the Loan Agreement, a copy of which is on file in the office of the Fiscal Officer. The Trustees shall sign and deliver, in the name and on behalf of the Township, the Loan Agreement, in substantially the form as is now on file with the Fiscal Officer. The Loan Agreement is approved, together with any changes or amendments (including the addition or subtraction of any parties) that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Trustees on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Loan Agreement or amendments thereto.

SECTION 18. This Board hereby approves the Special Assessment Agreement, a copy of which is on file in the office of the Fiscal Officer. The Trustees shall sign and deliver, in the name and on behalf of the Township, the Special Assessment Agreement, in substantially the form as is now on file with the Fiscal Officer. The Special Assessment Agreement is approved, together with any changes or amendments (including the addition or subtraction of any parties) that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Trustees on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Special Assessment Agreement or amendments thereto.

SECTION 19. In compliance with Ohio Revised Code Section 319.61, the Fiscal Officer is directed to deliver a certified copy of this Resolution to the County Fiscal Officer within 20 days after its passage.

SECTION 20. This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22

SECTION 21. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare in order to allow the Owner to begin work on the Project, and the District to take advantage of financing available to it for a limited time, and provided this Resolution receives the affirmative vote of two-thirds of the members elected or appointed to Board, it shall take effect and be in force immediately upon its passage and approval by the Trustees, otherwise, it shall take effect and be in force at the earliest time allowed by law.

This Resolution is hereby declared to have been adopted by the Board of Trustees of Northfield Center Township, County of Summit, State of Ohio, at a meeting called and held on the ____ day of _____, 2020.

Paul G. Buescher

Paul Buescher, Chair

Richard H. Reville

Rich Reville, Vice Chair

Russell F. Mazzola

Russell Mazzola, Trustee

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of this Resolution adopted by the Board of Trustees of Northfield Center Township, County of Summit, State of Ohio, at a meeting held on the ____ day of _____, 2020, and that I am duly authorized to execute this certification.

Andy LaGuardia, Fiscal Officer