

RESOLUTION NO. 17-15

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER(S), TO INCLUDE ANY AND ALL ENSUING CHANGE ORDERS, FOR THE PURCHASE AND INSTALLATION OF ALL NECESSARY EQUIPMENT TO REPLACE THE EXISTING 138 KV CIRCUIT BREAKERS AT THE RICHMOND ROAD SUBSTATION, FOR IMPROVEMENTS TO THE CITY OF PAINESVILLE MUNICIPAL ELECTRIC SYSTEM.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, COUNTY OF LAKE AND STATE OF OHIO:

SECTION I: That The City Manager be, and he is hereby authorized and directed to advertise for bids and to enter into a contract with the lowest and best bidders(s), to include any and all ensuing change orders, for the purchase and installation of all necessary equipment to replace the existing 138 kv circuit breakers for improvements to the City of Painesville Municipal Electric System, in accordance with specifications on file in the Office of the City Manager.

PASSED: May 4, 2015

Paul W. Hach II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 1303.03 AND 1303.04
OF THE PAINESVILLE CODE OF 1998, RELATING TO
PERMITS AND FEES, AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY,
OHIO:

SECTION I. That Sections 1303.03 and 1303.04 of the Painesville Code of 1998
are hereby amended to read as follows:

1303.03 EXPIRATION OF PERMITS.

Any permit issued shall become invalid unless the work authorized by it shall have
been commenced within 12 months after its issuance or if the work authorized by such
permit is suspended or abandoned for a period of six months after the time the work is
commenced; provided that for cause, one extension shall be granted for an additional 12-
month period if requested by the owner in writing at least ten days in advance of the
expiration of the approval and upon payment of a fee ~~of not to exceed~~ one hundred dollars
(\$100.00). If, in the course of construction, work is delayed or suspended for more than six
months, the approval of plans or drawings and specifications or data is invalid. Two
extensions shall be granted for six months each if requested by the owner in writing at
least ten days in advance of the expiration of the approval and upon payment of a fee for
each extension of ~~no more than~~ one hundred dollars (\$100.00).

1303.04 WORK STARTED WITHOUT A PERMIT.

Where work, for which a permit is required by the City Building Code, is started
prior to obtaining such permit, in addition to a one hundred dollar (\$100.00) penalty, the
fees required by the permit shall be doubled on the first offense; tripled on the second
offense; quadrupled on the third offense. The payment of such penalty and doubled;
tripled; quadruple fee shall not relieve any person from fully complying with the
requirements of the law of the State or ordinances of this Municipality.

SECTION II. That this Ordinance is passed as an emergency measure for the
protection and preservation of the peace, health, safety, and general welfare of the
inhabitants of the City of Painesville, the emergency being the immediate necessity to
modify and enforce the building code as it relates to permits and fees; and therefore, this
Ordinance shall become effective immediately.

PASSED:

Paul W. Hach, II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 1305.03 OF THE PAINESVILLE CODE OF 1998, RELATING TO ELECTRICAL CONTRACTOR REGISTRATION FEES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That Section 1305.03 of the Painesville Code of 1998 is hereby amended to read as follows:

1305.01 DEFINITION OF ELECTRICAL CONTRACTOR.

"Electrical contractor" means a person who contracts with another person, firm or corporation for the performance of electrical work, but does not include:

- (a) Those persons who perform maintenance or repair work upon electrical appliances;
- (b) Maintenance electricians regularly in the employ of a person, firm or corporation and doing work for and on the premises of the employer in the regular course of employment; or
- (c) Heating contractors registered by the City while connecting heating equipment to the main service box.

1305.02 CERTIFICATE OF REGISTRATION REQUIRED.

No person shall engage in, or work at the business of an electrical contractor in the City, without having first procured from the Building Official a Certificate of Registration permitting such person to perform electrical work as an electrical contractor, except that in no case shall this provision apply to employees of the City in the performance of their regular duties.

Each applicant for an Electrical Certificate of Registration shall provide a copy, and maintain a current Electrical Contractors License issued by the State of Ohio Construction Industry Examining Board.

1305.03 REGISTRATION FEES.

Each electrical contractor shall pay a fee of one hundred dollars (\$100.00) if registered or renewed by January 31 of each year. If registered or renewed after January 31 of each year, the fee will be one of the following: \$150.00 from February 1 to December 31 or \$75.00 on or after September 1 to December 31. Said fee shall be paid for a full year or any part thereof. All registrations shall expire on December 31 of each year.

If work is started before the contractor is registered, the registration fee shall be doubled.

1305.04 REVOCATION OF REGISTRATION.

Any Certificate of Registration provided for herein may be revoked at any time for the incompetency, the fraudulent use thereof or a violation of the laws of the State, or the Electrical Code of the City, or any other electrical code incorporated therein by reference, or any Building Code of the City, or any other rule or regulation provided for by the City pertaining to the work of an electrical contractor after full hearing by the Board of Review.

- (a) After revocation for any of the causes above, no Certificate of Registration shall be issued to the party for at least three months after the revocation.
- (b) In all cases of revocation, no new Certificate of Registration shall be issued until the applicant has paid the same fee as for the original registration.

1305.05 BOARD OF REVIEW.

The Board of Review shall be the same Board of Review and the same procedure shall apply as is set forth in Section 1307.04.

1305.06 BOND AND INSURANCE REQUIRED.

(a) An electrical contractor, before the issuance of a Certificate of Registration, shall furnish a surety bond on a form to be approved by the City Manager, in the penal sum of twenty- five thousand dollars (\$25,000), stating that the applicant will save the City harmless from all damages that may arise from negligence of the applicant, or anyone in his employ, and as a guarantee that the electrical contractor will conform to and abide by the Electrical Code of the City and any and all other electrical codes which may be incorporated into the Codified Ordinances by reference, and any and all City Building Codes and such other requirements as the City may make in relation to electrical work or installations, and to the directions of the Building Official or the authorized representative of the City. Such bond is to be in force from the date of its acceptance and the issuance of the Certificate of Registration by the Building Official to the end of the year covered by the Certificate of Registration.

(b) Every applicant for a Certificate of Registration, upon submitting a completed application and furnishing the required bond, shall provide evidence of liability insurance for bodily injury in the amount of one hundred thousand/three hundred thousand dollars (\$100,000/\$300,000) and for property damage in the amount of fifty thousand dollars (\$50,000) annually and upon renewal of all Certificates of Registration.

(c) In the event explosives of any kind, nature or quantity are to be used on any job, then the registered electrical contractor shall first secure a rider, to be annexed to the original insurance policy so filed, or an additional insurance policy indemnifying the applicant and/or the City in the sum of fifty thousand dollars (\$50,000) for injury to one person, and one hundred thousand dollars (\$100,000) for injury to more than one person, and fifty thousand dollars (\$50,000) for property damage in any one accident by reason of acts of negligence by the licensee or his employees in performing the work, as herein above described, which cause personal injury or damage resulting from the use of explosives. Such additional coverage required for the use of explosives may be a continuous coverage, or may be secured as a separate coverage for each job done in which explosives are to be used.

1305.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree for each offense.

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to modify and enforce the Contractor Registration Code, and therefore, this Ordinance shall become effective immediately.

PASSED:

Paul W. Hach, II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 1306.03 OF THE PAINESVILLE CODE OF 1998, RELATING TO GENERAL CONTRACTOR REGISTRATION FEES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That Section 1306.03 of the Painesville Code of 1998 is hereby amended to read as follows:

1306.01 DEFINITION.

"General contractor" means any person or entity doing construction work in the City that requires a building permit by the Building or Zoning Code. A general contractor shall not include HVAC, sewer, electrical, fire suppression, and plumbing contractors, which are otherwise regulated by City ordinances. The term "general contractor" excludes a resident or owner of a one, two or three family home that performs their own work. However, if an owner of a one, two or three family home performs their own work, they shall obtain a building permit if required but shall not be required to comply with this chapter. The term shall not include interior and exterior painters and landscapers, unless their work requires a building permit through the City.

The term "subcontractor" means a person or other legal entity that contracts with a general contractor or subcontractor to perform work in the City that requires a permit by the Building or Zoning Code, but does not contract directly with the purchasing person or entity that purchases the services of the general contractor. A subcontractor must register with the City unless otherwise exempted by this chapter. A subcontractor is exempted from registration with the City if they are working directly for a general contractor or subcontractor who is already registered with the City. If a subcontractor contracts directly with a purchasing person, or entity that is not registered with the City, then the subcontractor must register with the City.

1306.02 LICENSE CERTIFICATE OF REGISTRATION REQUIRED.

No person shall engage in, or work at the business of a general contractor in the City, without having first procured from the Building Official or their authorized representative a Certificate of Registration permitting such person to perform general contracting work, except in no case shall this provision apply to employees of the City in the performance of their regular duties on City property.

1306.03 CERTIFICATE OF REGISTRATION FEE.

Each general contractor shall pay a fee of one hundred dollars (\$100.00) if registered or renewed by January 31 of each year. If registered or renewed after January 31 of each year, the fee will be one of the following: \$150.00 from February 1 to December 31 or \$75.00 on or after September 1 to December 31. Said fee shall be paid for a full year or any part thereof. All registrations shall expire on December 31 of each year.

If work is started before the contractor is registered, the registration fee shall be doubled.

1306.04 REVOCATION OF REGISTRATION.

Certificate of Registration provided for herein may be revoked at any time for incompetence, the fraudulent use thereof or a violation of the laws of the State, the International Residential Code, or any Building Code of the City, or any other rule or regulation provided for by the City pertaining to the work of a general contractor after full hearing by the Board of Review.

(a) After revocation for any of the causes above, no Certificate of Registration shall be issued to the party for at least three months after the revocation.

(b) In all cases of revocation, no new Certificate of Registration shall be issued until the applicant has paid the same fee as for the original registration.

1306.05 BOARD OF REVIEW.

The Board of Review shall be the same Board of Review and the same procedure shall apply as is set forth in Section 1307.04.

1306.06 BOND AND INSURANCE REQUIRED.

(a) A general contractor, before the issuance of a Certificate of Registration shall furnish a surety bond on a form to be approved by the City Manager, in the penal sum of twenty- five thousand dollars (\$25,000) stating that the applicant will save the City harmless from all damages that may arise from negligence of the applicant, or anyone in his employ, and as a guarantee that the general contractor will conform to and abide by the Building Code of the City, and any and other codes which may be incorporated into the Codified Ordinances by reference, and such other requirements as the City may make in relation to general contracting work or installations, and to the directions of the Building Official or the authorized representative of the City. Such bond is to be in force from the date of its acceptance and the issuance of the Certificate of Registration by the Building Official to the end of the year covered by the Certificate of Registration.

(b) Every applicant for a Certificate of Registration, upon submitting a completed application and furnishing the required bond, shall provide evidence of liability insurance for bodily injury in the amount of one hundred thousand/three hundred thousand dollars (\$100,000/\$300,000) and for property damage in the amount of fifty thousand dollars (\$50,000) annually and upon renewal of all Certificates of Registration.

(c) In the event explosives of any kind, nature or quantity are to be used on any job, then the registered general contractor shall first secure a rider, to be annexed to the original insurance policy so filed, or an additional insurance policy indemnifying the applicant and/or the City in the sum of fifty thousand dollars (\$50,000) for injury to one person, and one hundred thousand dollars (\$100,000) for injury to more than one person, and fifty thousand dollars (\$50,000) for property damage in any one accident by reason of acts of negligence by the licensee or his employees in performing the work, as herein above described, which cause personal injury or damage resulting from the use of explosives. Such additional coverage required for the use of explosives may be a continuous coverage, or may be secured as a separate coverage for each job done in which explosives are to be used.

1306.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree for each offense.

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to modify and enforce the Contractor Registration Code, and therefore, this Ordinance shall become effective immediately.

PASSED:

Paul W. Hach, II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 1307.02 OF THE PAINESVILLE CODE OF 1998, RELATING TO PLUMBING CONTRACTOR REGISTRATION FEES and DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That Section 1307.02 of the Painesville Code of 1998 is hereby amended to read as follows:

1307.01 CERTIFICATE OF REGISTRATION REQUIRED.

No person shall engage in, or work at, the business of plumbing in the City, without having first procured from the Building Official, a Certificate of Registration permitting the person to perform such work, except that in no case shall this provision apply to employees of the City in the performance of their regular duties or to contractors performing work on regularly awarded City contracts.

(a) Each applicant for a Plumbing Contractors Certificate of Registration shall provide a copy and maintain a current Plumbing Contractors License issued by the State of Ohio Construction Industry Examining Board.

1307.02 CERTIFICATE OF REGISTRATION FEE.

Plumbing contractors shall pay a fee of one hundred dollars (\$100.00) if registered or renewed by January 31 of each year. If registered or renewed after January 31 of each year, the fee will be one of the following: \$150.00 from February 1 to December 31 or \$75.00 on or after September 1 to December 31. ~~Said fee shall be paid for a full year or any part thereof.~~ All registrations shall expire on December 31 of each year.

If work is started before the contractor is registered, the registration fee shall be doubled.

1307.03 REVOCATION OF REGISTRATION.

Any Certificate of Registration provided for in this chapter may, at any time, be revoked for the incompetence, the fraudulent use thereof, or a violation of the laws of the State pertaining to the Health Code; or the Plumbing Code of the City or the rules and regulations of the Board of Health after a full hearing by the Board of Review.

(a) After revocation for any of the causes above, no Certificate of Registration shall be issued to the party for at least three months after the revocation.

(b) In all cases of revocation, no new Certificate of Registration shall be issued until the applicant has paid the same fee as for the original Certificate of Registration.

1307.04 BOARD OF REVIEW.

There is hereby operated a Board of Review consisting of the City Engineer, the Superintendent of Electric Power, the Superintendent of Water, the Chief of the Fire Division, and the Superintendent of Water Pollution Control. The City Manager shall serve, ex-officio, as a member of the Board, but shall not be entitled to a vote for decision unless his vote is necessary to break a tie vote. If more than one of the positions is held by the same person, the Board shall not be enlarged to compensate for the same. The Board shall elect a chairman of the Board. A majority of the members shall constitute a quorum for the transaction of business, and it shall require a majority vote of the members to grant, refuse, revoke, or reject any license, application, appeal or request previously granted by or existing or coming before the Board.

1307.05 DUTIES OF THE SECRETARY.

The Board of Examiners shall appoint a secretary and it shall be the duty of the secretary to preserve and keep all records, books, and papers which are required by the Board to be kept by or filed with the Board, and to perform such other duties as may be required by the Board.

1307.06 BOND AND INSURANCE REQUIRED.

(a) A plumbing contractor, before the issuance of a Certificate of Registration, shall furnish a surety bond on a form to be approved by the City Manager, in the penal sum of twenty- five thousand dollars (\$25,000) stating that the applicant will save the City harmless from all damages that may arise from negligence of the applicant, or anyone in his employ, and as a guarantee that the master plumber will conform to and abide by the Plumbing Code of the City and any and all other codes which may be incorporated into the Codified Ordinances by reference, and such other requirements as the City may make in relation to plumbing and drainage work or installations, and to the directions of the Building Official or the authorized representative of the City. Such bond is to be in force from the date of its acceptance and the issuance of the Certificate of Registration by the Building Official to the end of the year covered by the Certificate of Registration.

(b) Every applicant for a Certificate of Registration, upon submitting a completed application and furnishing the required bond, shall provide evidence of liability insurance for bodily injury in the amount of one hundred thousand/three hundred thousand dollars (\$100,000/\$300,000) and for property damage in the amount of fifty thousand dollars (\$50,000) annually and upon renewal of all Certificates of Registration.

(c) In the event explosives of any kind, nature or quantity are to be used on any job, then the registered plumbing contractor shall first secure a rider, to be annexed to the original insurance policy so filed, or an additional insurance policy indemnifying the applicant and/or the City in the sum of fifty thousand dollars (\$50,000) for injury to one person, and one hundred thousand dollars (\$100,000) for injury to more than one person, and fifty thousand dollars (\$50,000) for property damage in any one accident by reason of acts of negligence by the licensee or his employees in performing the work, as herein above described, which cause personal injury or damage resulting from the use of explosives. Such additional coverage required for the use of explosives may be a continuous coverage, or may be secured as a separate coverage for each job done in which explosives are to be used.

1307.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree for each offense.

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to modify and enforce the Contractor Registration Code, and therefore, this Ordinance shall become effective immediately.

PASSED:

Paul W. Hach, II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 1308 OF THE
PAINESVILLE CODE OF 1998, RELATING TO SEWER
BUILDER CONTRACTOR REGISTRATION FEES and
DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY,
OHIO:

SECTION I. That Section 1308 of the Painesville Code of 1998 is hereby amended
to read as follows:

1308.01 LICENSE REQUIRED.

(a) No person shall engage in, or work at, the business of sewer building in the City, without having first procured from the Building Official, a license permitting the person to perform such work, except that in no case shall this provision apply to employees of the City in the performance of their regular duties or to contractors performing work on regularly awarded City contracts.

(b) Each applicant for a Sewer Builders License shall provide a copy of a current Sewer Builders License issued by Lake, Geauga, or Cuyahoga County Sanitary Engineers Office or hold a valid Sewer Builders License issued by the City of Painesville prior to the adoption of this section, or successfully complete a written sewer builders exam administered by the City of Painesville.

1308.02 CERTIFICATE OF REGISTRATION FEE.

Sewer builders shall pay a fee of one hundred dollars (\$100.00) if registered or renewed by January 31 of each year. If registered or renewed after January 31 of each year, the fee will be one of the following: \$150.00 from February 1 to December 31 or \$75.00 on or after September 1 to December 31. Said fee shall be paid for a full year or any part thereof. All registrations shall expire on December 31 of each year.

If work is started before the contractor is registered, the registration fee shall be doubled.

1308.03 REVOCATION OF LICENSE.

Any license provided for in this chapter may, at any time, be revoked for the incompetence, the fraudulent use thereof, or a violation of the laws of the State pertaining to the Health Code; or the Plumbing Code of the City or the rules and regulations of the Board of Health after a full hearing by the Board of Review.

(a) After revocation for any of the causes above, no license shall be issued to the party for at least three months after the revocation.

(b) In all cases of revocation, no new license shall be issued until the applicant has paid the same fee as for the original Certificate of Registration.

1308.04 BOARD OF REVIEW.

There is hereby operated a Board of Review, consisting of the City Engineer, the Superintendent of Electric Power, the Superintendent of Water, the Chief of the Fire Division, and the Superintendent of Water Pollution Control. The City Manager shall serve, ex-officio, as a member of the Board, but shall not be entitled to a vote for decision unless his vote is necessary to break a tie vote. If more than one of the positions is held by the same person, the Board shall not be enlarged to compensate for the same. The Board shall elect a chairman of the Board. A majority of the members shall constitute a quorum for the transaction of business, and it shall require a majority vote of the members to grant, refuse, revoke, or reject any license, application, appeal or request previously granted by or existing or coming before the Board.

1308.05 DUTIES OF THE SECRETARY.

The Board of Review shall appoint a secretary and it shall be the duty of the secretary to preserve and keep all records, books, and papers which are required by the

Board to be kept by or filed with the Board, and to perform such other duties as may be required by the Board.

1308.06 BOND AND INSURANCE REQUIRED.

(a) A sewer builder, before the issuance of a Certificate of Registration, shall furnish a surety bond on a form to be approved by the City Manager, in the penal sum of twenty-five thousand dollars (\$25,000) stating that the applicant will save the City harmless from all damages that may arise from negligence of the applicant, or anyone in his employ, and as a guarantee that the sewer builder will conform to and abide by the Plumbing Code of the City and any and all other codes which may be incorporated into the Codified Ordinances by reference, and such other requirements as the City may make in relation to drainage work or installations, and to the directions of the Building Official or the authorized representative of the City. Such bond is to be in force from the date of its acceptance and the issuance of the Certificate of Registration by the Building Official to the end of the year covered by the Certificate of Registration.

(b) Every applicant for a Certificate of Registration, upon submitting a completed application and furnishing the required bond, shall provide evidence of liability insurance for bodily injury in the amount of one hundred thousand/three hundred thousand dollars (\$100,000/\$300,000) and for property damage in the amount of fifty thousand dollars (\$50,000) annually and upon renewal of all Certificates of Registration.

(c) In the event explosives of any kind, nature or quantity are to be used on any job, then the registered sewer builder shall first secure a rider, to be annexed to the original insurance policy so filed, or an additional insurance policy indemnifying the applicant and/or the City in the sum of fifty thousand dollars (\$50,000) for injury to one person, and one hundred thousand dollars (\$100,000) for injury to more than one person, and fifty thousand dollars (\$50,000) for property damage in any one accident by reason of acts of negligence by the registered contractor or his employees in performing the work, as herein above described, which cause personal injury or damage resulting from the use of explosive. Such additional coverage required for the use of explosives may be a continuous coverage, or may be secured as a separate coverage for each job done in which explosives are to be used.

1308.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree for each offense.

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to modify and enforce the Contractor Registration Code, and; therefore, this Ordinance shall become effective immediately.

PASSED:

Paul W. Hach, II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 1309 OF THE PAINESVILLE CODE OF 1998, RELATING TO HEATING, VENTILATING AND AIR CONDITIONING CONTRACTOR REGISTRATION FEES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That Section 1309 of the Painesville Code of 1998 is hereby amended to read as follows:

1309.01 DEFINITION.

"Heating, ventilating and air conditioning contractor" means a person who contracts with another person, firm or corporation for the installation of space heating, refrigeration or boiler work, but does not include:

(a) Those persons who perform maintenance or repair work upon heating appliances; or

(b) Maintenance men engaged in heating work regularly in the employ of a person, firm or corporation and while doing such work for and on the premises of the employer in the regular course of employment.

1309.02 CERTIFICATE OF REGISTRATION REQUIRED.

No person shall engage in or work at the business of a heating, ventilating and air conditioning contractor in the City without having first procured from the Building Official, a Certificate of Registration permitting such person to perform such work as a heating, ventilating and air conditioning contractor, except that in no case shall this provision apply to employees of the City in the performance of their regular duties.

Each applicant for a Heating, Ventilation and Air Conditioning Contractors (HVAC) Certificate of Registration shall provide a copy, and maintain a current HVAC Contractors License issued by the State of Ohio Construction Industry Examining Board.

1309.03 CERTIFICATE OF REGISTRATION FEE.

Each heating, ventilating and air conditioning contractor shall pay a fee of one hundred dollars (\$100.00) if registered or renewed by January 31 of each year. If registered or renewed after January 31 of each year, the fee will be one of the following: \$150.00 from February 1 to December 31 or \$75.00 on or after September 1 to December 31. Said fee shall be paid for a full year or any part thereof. All registrations shall expire on December 31 of each year.

If work is started before the contractor is registered, the registration fee shall be doubled.

1309.04 REVOCATION OF CERTIFICATE OF REGISTRATION.

(a) Any Certificate of Registration provided for herein may be revoked at any time for the incompetency, the fraudulent use thereof or a violation of the laws of the State or any building code of the City or any other rule or regulation provided for by the City pertaining to the work of a heating, ventilating and air conditioning contractor, after full hearing by the Board of Review.

(b) After revocation for any of the causes above, no Certificate of Registration shall be issued to such party for at least three months after the revocation. In all cases of revocation, no new Certificate of Registration shall be issued until the applicant has paid the same fee as for the original Certificate of Registration.

1309.05 BOARD OF REVIEW.

The Board of Review, shall be the same Board of Review and the same procedure shall apply as is set forth in Section 1307.04.

1309.06 BOND AND INSURANCE REQUIRED.

(a) A heating, ventilating and air conditioning contractor, before the issuance of a Certificate of Registration, shall furnish a surety bond, on a form to be approved by the City Manager, or other person designated by him, in the penal sum of twenty-five thousand dollars (\$25,000) stating that the applicant will save the City harmless from all damages that may arise from negligence of the applicant, or anyone in his employ, and as a guarantee that the heating, ventilating and air conditioning contractor will conform to and abide by any and all code requirements of the City, including any and all City building codes and such other requirements as the City may make in relation to space heating work or installations, and to the directions of the Building Official or the authorized representative of the City. Such bond is to be in force from the date of its acceptance and the issuance of the registration by the Building Official, to the end of the year covered by the registration and must be renewed annually on the reissuance of the registration.

(b) Every applicant for a Certificate of Registration, upon submitting a completed application and furnishing the required bond, shall provide evidence of liability insurance for bodily injury in amount of one hundred thousand/three hundred thousand dollars (\$100,000/\$300,000), and for property damage in the amount of fifty thousand dollars (\$50,000) annually and upon renewal of all Certificates of Registration.

(c) In the event explosives of any kind, nature or quantity are to be used, on any job, then the registered heating, ventilating and air conditioning contractor shall first secure a rider, to be annexed to the original insurance policy so filed, or an additional insurance policy indemnifying the applicant and/or the City in the sum of fifty thousand dollars (\$50,000) for injury to one person, and one hundred thousand dollars (\$100,000) for injury to more than one person, and fifty thousand dollars (\$50,000) for property damage in any one accident by reason of acts of negligence by the licensee or his employees in performing the work, as hereinabove described, which cause personal injury or damage resulting from the use of explosives. Such additional coverage required for the use of explosives may be a continuous coverage, or may be secured as a separate coverage for each job done in which explosives are to be used.

1309.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree for each offense.

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to modify and enforce the Contractor Registration Code, and therefore, this Ordinance shall become effective immediately.

PASSED:

Paul W. Hach, II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

ORDINANCE NO. 10-15

AN ORDINANCE AMENDING SECTION 167.071, 167.09, 167.11, AND 167.12 OF THE PAINESVILLE CODE OF 1998 RELATING TO THE CLASSIFICATION AND COMPENSATION PLAN, and DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION 1. That Section 167.071, 167.09, 167.11 and 167.12 is hereby amended to read as follows:

SECTION 167.071 COLLECTIVE BARGAINING AGREEMENTS

(a) The Collective Bargaining Agreement between the Painesville City Firefighters, IAFF, Local 434, and the City of Painesville, effective April 1, 2012, through March 31, 2015, is hereby adopted and incorporated into [Chapter 167](#) of the Codified Ordinances of the City of Painesville as setting forth the applicable rates of compensation, benefit provisions, and working conditions for the members of that local.

(b) The Collective Bargaining Agreement between the Fraternal Order of Police, Ohio Labor Council and Lodge No. 90, and the City of Painesville, effective April 1, ~~2009~~ 2015, through March 31, ~~2015~~ 2018, is hereby adopted and incorporated into [Chapter 167](#) of the Codified Ordinances of the City of Painesville, as setting forth the applicable rates of compensation, benefit provisions, and working conditions for the members of that lodge.

(c) The Collective Bargaining Agreement between the Fraternal Order of Police, Ohio Labor Council, and Lodge No. 90 sergeants and lieutenants, and the City of Painesville, effective April 1, ~~2012~~ 2015, through March 31, ~~2015~~ 2018, is hereby adopted and incorporated into [Chapter 167](#) of the Codified Ordinances of the City of Painesville, as setting forth the applicable rates of compensation, benefit provisions, and working conditions for the members of that union.

(d) The Collective Bargaining Agreement between the International Union of Operating Engineers 18S and the City of Painesville, effective April 1, ~~2012~~ 2015 through March 31, ~~2015~~ 2018 is hereby adopted and incorporated into [Chapter 167](#) of the Codified Ordinances of the City of Painesville, as setting forth the applicable rates of compensation, benefit provisions and working conditions for the members of that union.

(e) The Collective Bargaining Agreement between the International Brotherhood of Electrical Workers and the City of Painesville, effective April 1, 2014 through March 31, 2015 is hereby adopted and incorporated into [Chapter 167](#) of the Codified Ordinances of the City of Painesville, as setting forth the applicable rates of compensation, benefit provisions, and working conditions for members of that union.

(f) The Collective Bargaining Agreement between the American Federation of State, County and Municipal Employees, Ohio Council 8 and the City of Painesville, effective April 1, 2012 through March 31, 2015, is hereby adopted and incorporated into [Chapter 167](#) of the Codified Ordinances of the City of Painesville, as setting forth the applicable rates of compensation, benefit provisions, and working conditions for the members of that union.

(g) The City Manager is authorized and directed to execute the above Collective Bargaining Agreements.

SECTION 167.09 UNCLASSIFIED POSITIONS AND COMPENSATION

THE FOLLOWING SHALL COMPRISE THE UNCLASSIFIED POSITIONS OF THE CITY, WITH SUCH CHANGES AS MAY BE MADE FROM TIME TO TIME BY CITY COUNCIL, BY AMENDMENT TO THIS SECTION, ALONG WITH THE RATE OF PAY FOR SUCH OFFICIALS AND EMPLOYEES:

ELECTIVE OFFICIALS

PRESIDENT OF COUNCIL.....	\$ 583.33	MONTHLY
COUNCIL MEMBERS.....	\$ 500.00	MONTHLY

ADMINISTRATIVE OFFICIALS

DIRECTOR OF LAW			
Effective April 1, 2015	2,858.40	BI-WEEKLY	(1)
Effective April 1, 2016	2,929.86	BI-WEEKLY	(1)
Effective April 1, 2017	2,973.81	BI-WEEKLY	(1)

ASSISTANT LAW DIRECTOR/PROSECUTOR			
Effective April 1, 2015	1,429.18	BI-WEEKLY	
Effective April 1, 2016	1,464.91	BI-WEEKLY	
Effective April 1, 2017	1,486.88	BI-WEEKLY	

ASSISTANT LAW DIRECTOR		
Effective April 1, 2015	788.46	BI-WEEKLY
Effective April 1, 2016	808.17	BI-WEEKLY
Effective April 1, 2017	820.29	BI-WEEKLY

CLERK OF COURT			
Effective April 1, 2015	2,585.58	BI-WEEKLY	(1) (3)
Effective April 1, 2016	2,650.22	BI-WEEKLY	(1) (3)
Effective April 1, 2017	2,689.97	BI-WEEKLY	(1) (3)

CLERK OF COUNCIL/COMMUNICATIONS COORDINATOR			
Effective April 1, 2015	1,576.93	BI-WEEKLY	(1)
Effective April 1, 2016	1,616.35	BI-WEEKLY	(1)
Effective April 1, 2017	1,640.60	BI-WEEKLY	(1)

OTHER POSITIONS

SCHOOL CROSSING GUARD	(2)
RECREATION ASSISTANT	(2)
CAMP COUNSELOR	(2)
SENIOR LEADER	(2)
RECREATION SPECIALIST	(2)
SENIOR (SEASONAL)	(2)
CO-OP STUDENT TRAINEE	(2)
CLERK TYPIST (SEASONAL/PART-TIME)	(2)
JUNIOR (SEASONAL)	(2)
PARKING ENFORCEMENT OFFICER	(2) (1)
SPECIAL POLICE OFFICER/COURT SECURITY OFFICER	(2)
PROBATION OFFICER	(2) (1)

- (1) WHICH SHALL BE ADJUSTED BY INTERNAL REVENUE SERVICE (I.R.S.) APPROVED PUBLIC EMPLOYEES RETIREMENT SYSTEM (P.E.R.S.) EMPLOYER "PICK-UP" PLAN.
- (2) AS DETERMINED BY THE CITY MANAGER.
- (3) SUBJECT TO ANNUAL COST OF LIVING INCREASE AS ESTABLISHED FOR THE MUNICIPAL COURT JUDGE.

VOLUNTEER POSITIONS

VOLUNTEERS ARE NOT REGULAR EMPLOYEES OF THE CITY BUT PERFORM SERVICES FOR THE CITY ON AN "ON CALL", "AS AVAILABLE" BASIS.

SPECIAL POLICE OFFICER AND PART TIME FIREFIGHTER:

ENTRANCE	\$10.34 PER HOUR
AFTER ONE (1) YEAR	\$11.57 PER HOUR
AFTER THREE (3) YEARS	\$13.34 PER HOUR

PART-TIME FIREFIGHTER PARAMEDIC

ENTRANCE	\$11.39 PER HOUR
AFTER ONE (1) YEAR	\$12.62 PER HOUR
AFTER THREE (3) YEARS	\$14.39 PER HOUR

SECTION 167.11 SALARY AND HOURLY RATED EMPLOYEES

THE COMPENSATION PLAN FOR ALL SALARY AND HOURLY RATED EMPLOYEES FOR ALL NON-UNION POSITIONS, EXCEPT THOSE POSITIONS SPECIFICALLY DESIGNATED IN THE APPROPRIATE COMPENSATION SECTION, IS HEREBY ADOPTED ACCORDING TO THE FOLLOWING SCHEDULE, AS OF APRIL 1, 2015 AND MAY BE ADJUSTED BY THE PROVISIONS OF AN APPLICABLE EMPLOYER PENSION PICK-UP PLAN:

COMPENSATION PLAN EFFECTIVE APRIL 1, 2015 2.5%

		BI-WEEKLY SALARY AND HOURLY RATES					
		STEP <u>1</u>	STEP <u>2</u>	STEP <u>3</u>	STEP <u>4</u>	STEP <u>5</u>	STEP <u>6</u>
		INTERMEDIATE RATES					
		MAXIMUM					
GRADE		ENTR- ANCE RATE	AFTER 1 YEAR*	AFTER 2 YEARS*	AFTER 3 YEARS*	AFTER 4 YEARS*	AFTER 5 YEARS*
1	HOURLY	11.2485	11.8113	12.4016	13.0219	13.6731	14.3568
2	HOURLY	11.8113	12.4016	13.0219	13.6731	14.3568	15.0743
3	HOURLY	12.4016	13.0219	13.6731	14.3568	15.0743	15.8280
4	HOURLY	13.0219	13.6731	14.3568	15.0743	15.8280	16.6197

5	HOURLY		13.6731	14.3568	15.0743	15.8280	16.6197	17.4501
6	HOURLY		14.3568	15.0743	15.8280	16.6197	17.4501	18.3226
7	HOURLY		15.0743	15.8280	16.6197	17.4501	18.3226	19.2395
8	HOURLY		15.8280	16.6197	17.4501	18.3226	19.2395	20.2012
9	HOURLY		16.6197	17.4501	18.3226	19.2395	20.2012	21.2111
10	HOURLY		17.4501	18.3226	19.2395	20.2012	21.2111	22.2717
11	HOURLY		18.3226	19.2395	20.2012	21.2111	22.2717	23.3853
12	HOURLY		19.2395	20.2012	21.2111	22.2717	23.3853	24.5550
13	HOURLY		20.2012	21.2111	22.2717	23.3853	24.5550	25.7821
14	HOURLY		21.2111	22.2717	23.3853	24.5550	25.7821	27.0714
15	HOURLY		22.2717	23.3853	24.5550	25.7821	27.0714	28.4254
16	HOURLY		23.3853	24.5550	25.7821	27.0714	28.4254	29.8459
17	HOURLY		24.5550	25.7821	27.0714	28.4254	29.8459	31.3385
18	HOURLY		25.7821	27.0714	28.4254	29.8459	31.3385	32.9053

COMPENSATION PLAN EFFECTIVE APRIL 1, 2016 2.5%

BI-WEEKLY SALARY AND HOURLY RATES

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
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INTERMEDIATE RATES

		MAXIMUM					
GRADE		ENTR- ANCE RATE	AFTER 1 YEAR*	AFTER 2 YEARS*	AFTER 3 YEARS*	AFTER 4 YEARS*	AFTER 5 YEARS*
1	HOURLY	11.5298	12.1066	12.7117	13.3475	14.0149	14.7157
2	HOURLY	12.1066	12.7117	13.3475	14.0149	14.7157	15.4512
3	HOURLY	12.7117	13.3475	14.0149	14.7157	15.4512	16.2237
4	HOURLY	13.3475	14.0149	14.7157	15.4512	16.2237	17.0352
5	HOURLY	14.0149	14.7157	15.4512	16.2237	17.0352	17.8864
6	HOURLY	14.7157	15.4512	16.2237	17.0352	17.8864	18.7806
7	HOURLY	15.4512	16.2237	17.0352	17.8864	18.7806	19.7205
8	HOURLY	16.2237	17.0352	17.8864	18.7806	19.7205	20.7062
9	HOURLY	17.0352	17.8864	18.7806	19.7205	20.7062	21.7414
10	HOURLY	17.8864	18.7806	19.7205	20.7062	21.7414	22.8285
11	HOURLY	18.7806	19.7205	20.7062	21.7414	22.8285	23.9700
12	HOURLY	19.7205	20.7062	21.7414	22.8285	23.9700	25.1689
13	HOURLY	20.7062	21.7414	22.8285	23.9700	25.1689	26.4267
14	HOURLY	21.7414	22.8285	23.9700	25.1689	26.4267	27.7481
15	HOURLY	22.8285	23.9700	25.1689	26.4267	27.7481	29.1360
16	HOURLY	23.9700	25.1689	26.4267	27.7481	29.1360	30.5920
17	HOURLY	25.1689	26.4267	27.7481	29.1360	30.5920	32.1220
18	HOURLY	26.4267	27.7481	29.1360	30.5920	32.1220	33.7280

COMPENSATION PLAN EFFECTIVE APRIL 1, 2017 1.5%

BI-WEEKLY SALARY AND HOURLY RATES

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
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INTERMEDIATE RATES

		MAXIMUM					
GRADE		ENTR- ANCE RATE	AFTER 1 YEAR*	AFTER 2 YEARS*	AFTER 3 YEARS*	AFTER 4 YEARS*	AFTER 5 YEARS*
1	HOURLY	11.7027	12.2882	12.9023	13.5477	14.2252	14.9364
2	HOURLY	12.2882	12.9023	13.5477	14.2252	14.9364	15.6829
3	HOURLY	12.9023	13.5477	14.2252	14.9364	15.6829	16.4670
4	HOURLY	13.5477	14.2252	14.9364	15.6829	16.4670	17.2907
5	HOURLY	14.2252	14.9364	15.6829	16.4670	17.2907	18.1547
6	HOURLY	14.9364	15.6829	16.4670	17.2907	18.1547	19.0624
7	HOURLY	15.6829	16.4670	17.2907	18.1547	19.0624	20.0163
8	HOURLY	16.4670	17.2907	18.1547	19.0624	20.0163	21.0168
9	HOURLY	17.2907	18.1547	19.0624	20.0163	21.0168	22.0675

10	HOURLY		18.1547	19.0624	20.0163	21.0168	22.0675	23.1709
11	HOURLY		19.0624	20.0163	21.0168	22.0675	23.1709	24.3295
12	HOURLY		20.0163	21.0168	22.0675	23.1709	24.3295	25.5464
13	HOURLY		21.0168	22.0675	23.1709	24.3295	25.5464	26.8231
14	HOURLY		22.0675	23.1709	24.3295	25.5464	26.8231	28.1644
15	HOURLY		23.1709	24.3295	25.5464	26.8231	28.1644	29.5730
16	HOURLY		24.3295	25.5464	26.8231	28.1644	29.5730	31.0509
17	HOURLY		25.5464	26.8231	28.1644	29.5730	31.0509	32.6038
18	HOURLY		26.8231	28.1644	29.5730	31.0509	32.6038	34.2339

SECTION 167.12 ADMINISTRATION CLASS DEPARTMENT/DIVISION HEADS AND SENIOR SUPERVISORS
 THE COMPENSATION PLAN FOR DEPARTMENT/DIVISION HEADS AND SENIOR SUPERVISORS AS DESIGNATED UNDER THE ADMINISTRATION CLASS, IN THE CLASSIFIED POSITIONS SECTION, IS HEREBY ADOPTED ACCORDING TO THE FOLLOWING SCHEDULE, WHICH MAY BE ADJUSTED BY THE PROVISIONS OF AN APPLICABLE EMPLOYER PENSION PICK-UP PLAN:

RATES EFFECTIVE APRIL 1, 2015 2.5%

GRADE		MINIMUM RATE	MAXIMUM RATE
19	Bi-Weekly	1943.37	2618.56
	Hourly	24.2921	32.7319
20	Bi-Weekly	2040.58	2749.52
	Hourly	25.5073	34.3690
21	Bi-Weekly	2195.40	2886.95
	Hourly	27.4425	36.0869
22	Bi-Weekly	2249.71	3031.30
	Hourly	28.1214	37.8912
23	Bi-Weekly	2362.17	3182.86
	Hourly	29.5271	39.7857
24	Bi-Weekly	2409.25	3246.30
	Hourly	30.1156	40.5787
25	Bi-Weekly	2529.68	3408.63
	Hourly	31.6210	42.6079
26	Bi-Weekly	2656.17	3579.05
	Hourly	33.2021	44.7381
27	Bi-Weekly	2788.97	3758.02
	Hourly	34.8621	46.9752

(NOTE: UPON APPROVAL OF CITY MANAGER ONLY)

RATES EFFECTIVE APRIL 1, 2016 2.5%

GRADE		MINIMUM RATE	MAXIMUM RATE
19	Bi-Weekly	1991.96	2684.02
	Hourly	24.8995	33.5502
20	Bi-Weekly	2091.59	2818.26
	Hourly	26.1449	35.2283
21	Bi-Weekly	2250.28	2959.12
	Hourly	28.1286	36.9890
22	Bi-Weekly	2305.96	3107.08
	Hourly	28.8245	38.8385
23	Bi-Weekly	2421.22	3262.43
	Hourly	30.2653	40.7804
24	Bi-Weekly	2469.48	3327.46
	Hourly	30.8685	41.5932
25	Bi-Weekly	2592.92	3493.85
	Hourly	32.4115	43.6731
26	Bi-Weekly	2722.57	3668.52
	Hourly	34.0321	45.8565
27	Bi-Weekly	2858.69	3851.97
	Hourly	35.7337	48.1496

(NOTE: UPON APPROVAL OF CITY MANAGER ONLY)

RATES EFFECTIVE APRIL 1, 2017 1.5%

GRADE		MINIMUM RATE	MAXIMUM RATE
19	Bi-Weekly	2021.84	2724.28
	Hourly	25.2729	34.0535
20	Bi-Weekly	2122.97	2860.53
	Hourly	26.5371	35.7567
21	Bi-Weekly	2284.04	3003.51
	Hourly	28.5505	37.5439
22	Bi-Weekly	2340.55	3153.69
	Hourly	29.2568	39.4211
23	Bi-Weekly	2457.54	3311.37
	Hourly	30.7193	41.3921
24	Bi-Weekly	2506.53	3377.37
	Hourly	31.3316	42.2171
25	Bi-Weekly	2631.82	3546.26
	Hourly	32.8977	44.3282
26	Bi-Weekly	2763.41	3723.55
	Hourly	34.5426	46.5444
27	Bi-Weekly	2901.57	3909.75
	Hourly	36.2697	48.8719

(NOTE: UPON APPROVAL OF CITY MANAGER ONLY)

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to amend the Classification and Compensation Plan for the affected employees, and therefore, this Ordinance shall be effective immediately.

PASSED: May 4, 2015

EFFECTIVE: May 4, 2015

Paul W. Hach, II
President of Council

ATTEST:

Tara Diehl
Clerk of Council

RESOLUTION NO. 18-15

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY FOR FEDERAL FUNDING FOR INFRASTRUCTURE IMPROVEMENTS OF JACKSON STREET.

WHEREAS, it is the desire of the Council of the City of Painesville to pursue federal funding infrastructure improvements to Jackson Street and have the funding included on the Northeast Ohio Areawide Coordinating Agency (NOACA) Transportation Improvement Program list and to abide by all NOACA policies; and

WHEREAS, acquisition of said funds is based upon the submission of project applications being submitted to NOACA; and

WHEREAS, the City of Painesville has agreed to be the project sponsor and will pay all non-federal matching share costs from local funds; and

WHEREAS, the City of Painesville will work cooperatively with all affected agencies and obtain cooperative agreements where/if necessary; and

WHEREAS, the City of Painesville is in need of funding for the infrastructure improvements within the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION 1. That the City Manager be and he is hereby authorized and directed to submit an application to the Northeast Ohio Areawide Coordinating Agency for the Transportation Improvement Program Funding for the Improvement of Jackson Street.

SECTION 2. That the City Manager is hereby authorized to execute such forms and contracts as may be required to properly secure said funding.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 action 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 Resolution is hereby declared to be and is passed as an emergency measure for the immediate preservation of the public peace, health and/or safety and for the welfare of the citizens of the City of Painesville, the emergency being that the immediate passage is necessary so as to meet filing deadlines, and therefore, this resolution shall be effective immediately upon its passage by the City Council.

PASSED: May 4, 2015

Paul W. Hach II
President of Council

ATTEST:

Tara Diehl
Clerk of Council