



NOTICE OF PUBLIC MEETING

Notice is hereby given that:

Recent, and temporarily amended sections of Ohio's Revised Code, specifically R.C. 121.22 Public meeting - exceptions, together with orders and directives from the Ohio Attorney General and the Ohio Department of Health, as well as the safety directives from the President and Center for Disease Control regarding health risks posed by COVID-19, compel the City of North Canton to take unprecedented actions to continue the business of government while limiting gatherings so as to prevent the spread of COVID-19. Accordingly, in this limited circumstance, where the Governor has declared a state of emergency and the Director of the Ohio Department of Health is limiting gatherings to prevent the spread of COVID-19, the City shall hold its public meetings via teleconference; all other requirements of Ohio's Open Meetings Act, R.C. 121.22, shall be fulfilled.

Meeting notices shall provide instructions for the public on how they may hear the discussions and deliberations of all members of the public body, and in certain circumstances, address the public body themselves.

The Council of the City of North Canton shall hold the **regular council meeting** on **Monday April 27, 2020 at 7:00 PM** via teleconference.

Instructions to hear and perhaps participate in the meeting described above are as follows:

FOR THOSE WISHING TO WATCH THE MEETING:

The meetings will be livestreamed via the City's YouTube page. The livestream can be accessed at the link below and will begin at approximately 6:55 p.m., Monday, April 27, 2020.

https://youtu.be/wrC3wtC9_rs

THOSE WISHING TO PARTICIPATE IN RECOGNITION OF VISITORS at the Council Meeting on Monday, April 27, 2020, must email a request to the Council Clerk at citycouncil@northcantonohio.gov with your **name, email and telephone number** no later than **3:00 PM Monday, April 27, 2020**.

Once your email has been received, the clerk will contact you with information on how to join the meeting. Members of the public wishing to participate will be called to speak in the order requests are received by Council's office.

Residents wishing to address Council may alternatively submit a written statement to the office of Council to be entered into the public record by **emailing such statements as a word or pdf attachment to byoung@northcantonohio.gov by 5:00 pm, April 27, 2020**. Statements must include the attributed party's **name and address**.

BY THE ORDER OF THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

04/21/2020

Date


Benjamin R. Young
Clerk of Council

NORTH CANTON CITY COUNCIL MEETING
April 27, 2020 , 7:00 p.m., via Teleconference
Agenda

1. Call to Order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll Call
5. Consideration

2021 Revenue Projections

6. Recognition of Visitors
7. New Business

a. Ordinance No. 22-2020 – 1st Reading, Community and Economic Development Committee

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement with the Stark County Commissioners to accept and utilize the Stark County Community Development Block Grant Program (“CDBG Program”) for Fiscal Years 2021, 2022, and 2023.

b. Ordinance No. 23-2020 – 1st Reading, Community and Economic Development Committee

An ordinance to amend Chapter 1133 Single-Family and Two-Family Residential Districts, of the Codified Ordinances of the City of North Canton, specifically Section 1133.08(e), Fences and Walls, as described below.

8. Department Reports

Deputy Director of Administration
Director of Administration
Mayor Wilder
Director of Law

Director of Finance
City Engineer
Council Clerk

9. Council Reports

Ward 1 - Doug Foltz
Ward 2 - Daniel Peters
Ward 3 - Stephanie Werren
Ward 4 - Dominic Fonte

At Large - Daryl Revoldt
At Large - Mark Cerreta
At Large - Matthew Stroia

10. Final Call for New Business

11. Meetings Calendar

a. May 4, 2020 – Virtual Committee of the Whole

12. Adjourn

City of North Canton

City Charter Section 3.05(3): Next Year's Revenue Budget Forecast

				COVID-19 \$(2,629,900.00)	4/22/2020	Due to COVID-19 Variance is Calculated as Over/ (Under) 2019	
Account	Description	2018 Actual	2019 Actual	2020 Budget	2021 Projection	Increase / (Decrease)	% Change
Grand Total:		\$35,846,527.17	\$38,686,712.31	\$47,070,460.00	\$37,711,390.00		
101 GENERAL FUND		\$7,459,726.15	\$7,983,636.31	\$8,842,750.00	\$7,852,000.00	(\$131,636.31)	-1.65%
203 INCOME TAX FUND		\$8,018,749.80	\$7,998,216.07	\$5,870,100.00	\$7,200,000.00	(\$798,216.07)	-9.98%
204 FIRE OPERATING FUND		\$441,364.79	\$443,442.87	\$784,667.00	\$492,000.00	\$48,557.13	10.95%
205 EMS OPERATING FUND		\$1,777,674.10	\$1,761,509.08	\$1,903,000.00	\$1,897,000.00	\$135,490.92	7.69%
206 COMPUTER TRUST FUND		\$2,826.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
207 ENFORCEMENT AND EDUCATION FUND		\$2,033.27	\$2,161.00	\$2,500.00	\$3,000.00	\$839.00	38.82%
208 STREET CONSTR, MAINT, REPAIR FUND		\$751,300.43	\$975,486.10	\$977,000.00	\$950,000.00	(\$25,486.10)	-2.61%
209 STORM SEWER IMPRVMTS LEVY FUND		\$366,792.32	\$473,384.74	\$376,000.00	\$374,000.00	(\$99,384.74)	-20.99%
210 STREET IMPRVMTS LEVY FUND		\$372,108.96	\$373,381.73	\$376,000.00	\$374,000.00	\$618.27	0.17%
211 MUNICIPAL ROAD FUND		\$122,335.52	\$211,100.47	\$327,998.00	\$75,000.00	(\$136,100.47)	-64.47%
212 GENERAL TRUST FUND		\$14,065.00	\$11,120.00	\$1,250.00	\$2,000.00	(\$9,120.00)	-82.01%
213 LAW ENFORCEMENT TRUST FUND		\$8,807.64	\$594.89	\$15,000.00	\$1,000.00	\$405.11	68.10%
215 CONTINUING PROF EDUCATION FUND		\$9,640.00	\$0.00	\$5,500.00	\$0.00	\$0.00	0.00%
330 CAPITAL IMPROVEMENTS FUND		\$2,418,205.00	\$2,313,942.76	\$9,799,750.00	\$2,285,000.00	(\$28,942.76)	-1.25%
331 PARKS DEVELOPMENT FUND		\$30,000.00	\$375,000.00	\$1,192,495.00	\$0.00	(\$375,000.00)	-100.00%
332 OPWC/ISSUE II IMPROVEMENTS FUND		\$38,954.00	\$2,002,988.71	\$3,031,000.00	\$1,285,440.00	(\$717,548.71)	-35.82%
334 INDOOR FIREARMS TRAINING RANGE FUND		\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
335 (INACTIVE FUND)		\$286,721.69	(\$286,721.69)				
650 WATER SERVICE FUND		\$7,146,654.57	\$6,930,298.34	\$6,385,000.00	\$7,085,000.00	\$154,701.66	2.23%
651 WATER CAPITAL FUND		\$1,200,000.00	\$1,200,000.00	\$1,449,950.00	\$1,939,950.00	\$739,950.00	61.66%
652 SEWER SERVICE FUND		\$2,974,070.92	\$3,555,143.33	\$3,110,000.00	\$3,450,000.00	(\$105,143.33)	-2.96%
654 GARBAGE SERVICE FUND		\$1,039,200.61	\$1,076,456.18	\$1,120,000.00	\$1,120,000.00	\$43,543.82	4.05%
761 INSURANCE FUND		\$1,256,328.32	\$1,235,568.66	\$1,441,000.00	\$1,266,000.00	\$30,431.34	2.46%
871 PERMIT FEE FUND		\$3,616.82	\$5,533.97	\$5,000.00	\$5,000.00	(\$533.97)	-9.65%
873 REQUIRED DEPOSITS FUND		\$39,884.25	\$21,885.99	\$27,500.00	\$28,000.00	\$6,114.01	27.94%
874 UNCLAIMED MONIES FUND		\$5,998.72	\$1,559.10	\$2,000.00	\$2,000.00	\$440.90	28.28%
875 NORTH RIDGE DEVELOPER PAYMENTS FUND		\$9,468.29	\$21,023.70	\$25,000.00	\$25,000.00	\$3,976.30	18.91%

City of North Canton
 City Charter Section 3.05(3): Next Year's Revenue Budget Forecast

		COVID-19 \$(2,629,900.00)			4/22/2020	Due to COVID-19 Variance is Calculated as Over/ (Under) 2019	
Grand Total:		\$35,846,527.17	\$38,686,712.31	\$47,070,460.00	\$37,711,390.00	Increase /	% Change
Account	Description	2018 Actual	2019 Actual	2020 Budget	2021 Projection	(Decrease)	
101	GENERAL FUND						
101.000.4100	REAL ESTATE & PERSONAL PROP	\$876,474.62	\$902,828.98	\$915,000.00	\$943,000.00	\$40,171.02	4.45%
101.000.4200	REAL ESTATE ROLLBACK TAX	\$57,268.59	\$120,300.81	\$90,000.00	\$94,000.00	(\$26,300.81)	-21.86%
101.000.4201	LOCAL GOV'T COUNTY	\$285,171.47	\$302,061.80	\$300,000.00	\$300,000.00	(\$2,061.80)	-0.68%
101.000.4202	LOCAL GOV'T STATE	\$0.00	\$27,948.94	\$80,000.00	\$80,000.00	\$52,051.06	186.24%
101.000.4205	HOTEL-MOTEL TAX	\$25.24	\$33.12	\$50.00	\$100.00	\$66.88	201.93%
101.000.4206	LIQUOR PERMIT FEES	\$12,973.80	\$12,403.30	\$12,000.00	\$12,000.00	(\$403.30)	-3.25%
101.000.4212	VACANT BUILDING REG FEE	\$8,400.00	\$5,800.00	\$5,000.00	\$5,000.00	(\$800.00)	-13.79%
101.000.4300	LICENSES & PERMITS COLLECTIONS	\$337,927.03	\$363,295.03	\$360,000.00	\$360,000.00	(\$3,295.03)	-0.91%
101.000.4400	DOGWOOD SHELTER CHARGES	\$22,877.66	\$25,571.34	\$5,000.00	\$25,000.00	(\$571.34)	-2.23%
101.000.4401	CIVIC CENTER RENTS	\$43,528.56	\$57,832.35	\$5,000.00	\$50,000.00	(\$7,832.35)	-13.54%
101.000.4402	RECREATION PROGRAM FEES	\$1,540.00	\$1,495.00	\$1,200.00	\$1,600.00	\$105.00	7.02%
101.000.4403	POOL COLLECTIONS	\$66,904.00	\$54,376.00	\$0.00	\$70,000.00	\$15,624.00	28.73%
101.000.4405	PRICE PARK SHELTER FEES	\$8,020.00	\$9,935.00	\$5,000.00	\$9,000.00	(\$935.00)	-9.41%
101.000.4406	EASTWOODS SHELTER FEES	\$846.00	\$1,089.00	\$1,000.00	\$1,000.00	(\$89.00)	-8.17%
101.000.4407	WITWER PARK SHELTER FEES	\$526.50	\$1,588.50	\$1,000.00	\$1,000.00	(\$588.50)	-37.05%
101.000.4409	SECURITY FEES	(\$600.00)	\$3,100.00	\$1,500.00	\$2,000.00	(\$1,100.00)	-35.48%
101.000.4410	CLEANING FEES	\$17,555.00	\$21,605.00	\$5,000.00	\$20,000.00	(\$1,605.00)	-7.43%
101.000.4500	MAYORS COURT COLLECTIONS	\$37,012.20	\$19,256.00	\$18,000.00	\$18,300.00	(\$956.00)	-4.96%
101.000.4501	POLICE DEPT COLLECTIONS	\$10,085.00	\$209,767.44	\$210,000.00	\$210,000.00	\$232.56	0.11%
101.000.4600	MISCELLANEOUS	\$77,753.79	\$43,234.51	\$50,000.00	\$50,000.00	\$6,765.49	15.65%
101.000.4603	RENTAL - LEASE FEES	\$71,000.00	\$15,000.00	\$0.00	\$0.00	(\$15,000.00)	-100.00%
101.000.4700	INTEREST	\$421,756.94	\$450,837.19	\$210,000.00	\$200,000.00	(\$250,837.19)	-55.64%
101.000.4900	TRANSFERS FROM TAX	\$5,091,240.00	\$5,285,000.00	\$5,320,000.00	\$5,400,000.00	\$115,000.00	2.18%
101.000.4949	RETURN OF ADVANCE	\$0.00	\$30,000.00	\$1,248,000.00	\$0.00	(\$30,000.00)	-100.00%
101.000.4950	PROCEEDS FROM SALE OF ASSETS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
101.000.4961	POOL RESERVE PORTION	\$0.00	\$27,188.00	\$0.00	\$0.00	(\$27,188.00)	-100.00%
101.000.4999	REVENUE CLEARING ACCOUNT	\$11,349.75	(\$7,921.00)	\$0.00	\$0.00	\$7,921.00	-100.00%
101 GENERAL FUND		\$7,459,726.15	\$7,983,636.31	\$8,842,750.00	\$7,852,000.00	(\$131,636.31)	-1.65%
203	INCOME TAX FUND						
203.000.4110	INCOME TAX COLLECTIONS	\$7,912,896.95	\$7,880,298.85	\$5,770,100.00	\$7,100,000.00	(\$780,298.85)	-9.90%
203.000.4111	INHOUSE TAX COLLECTIONS	\$29,186.36	\$29,581.20	\$25,000.00	\$25,000.00	(\$4,581.20)	-15.49%
203.000.4201	STATE REMITTED INCOME TAX	\$76,666.49	\$88,005.40	\$75,000.00	\$75,000.00	(\$13,005.40)	-14.78%
203 INCOME TAX FUND		\$8,018,749.80	\$7,998,216.07	\$5,870,100.00	\$7,200,000.00	(\$798,216.07)	-9.98%
204	FIRE OPERATING FUND						
204.000.4100	REAL ESTATE & PERSONAL PROP	\$172,129.28	\$164,539.86	\$165,000.00	\$170,000.00	\$5,460.14	3.32%
204.000.4200	REAL ESTATE ROLLBACK TAX	\$11,240.97	\$22,077.05	\$23,000.00	\$17,000.00	(\$5,077.05)	-23.00%
204.000.4207	STATE & FEDERAL GRANTS	\$54,980.00	\$0.00	\$291,667.00	\$0.00	\$0.00	0.00%
204.000.4400	PERMIT & INSPECTION FEES	\$100.00	\$2,340.00	\$2,000.00	\$2,000.00	(\$340.00)	-14.53%
204.000.4402	FIRE SERVICE FEES	\$1,500.00	\$1,400.00	\$1,000.00	\$1,000.00	(\$400.00)	-28.57%
204.000.4600	MISCELLANEOUS	\$1,414.54	\$3,085.96	\$2,000.00	\$2,000.00	(\$1,085.96)	-35.19%
204.000.4900	TRANSFERS	\$200,000.00	\$250,000.00	\$300,000.00	\$300,000.00	\$50,000.00	20.00%
204.000.4950	PROCEEDS FROM SALE OF ASSETS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
204 FIRE OPERATING FUND		\$441,364.79	\$443,442.87	\$784,667.00	\$492,000.00	\$48,557.13	10.95%
205	EMS OPERATING FUND						
205.000.4100	REAL ESTATE & PERSONAL PROP	\$860,697.70	\$822,720.40	\$826,000.00	\$850,800.00	\$28,079.60	3.41%
205.000.4200	REAL ESTATE ROLLBACK TAX	\$56,204.91	\$110,385.29	\$116,000.00	\$85,100.00	(\$25,285.29)	-22.91%
205.000.4207	STATE & FEDERAL GRANTS	\$0.00	\$2,765.00	\$0.00	\$0.00	(\$2,765.00)	-100.00%
205.000.4400	AMBULANCE FEES	\$652,388.74	\$614,738.46	\$700,000.00	\$700,000.00	\$85,261.54	13.87%
205.000.4401	CPR TRAINING FEES	\$8,134.00	\$6,909.00	\$7,500.00	\$7,500.00	\$591.00	8.55%
205.000.4600	MISCELLANEOUS	\$248.75	\$3,990.93	\$3,500.00	\$3,600.00	(\$390.93)	-9.80%
205.000.4900	TRANSFERS	\$200,000.00	\$200,000.00	\$250,000.00	\$250,000.00	\$50,000.00	25.00%
205.000.4950	PROCEEDS FROM SALE OF ASSETS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
205 EMS OPERATING FUND		\$1,777,674.10	\$1,761,509.08	\$1,903,000.00	\$1,897,000.00	\$135,490.92	7.69%
206	COMPUTER TRUST FUND						
206.000.4500	MAYORS COURT COLLECTIONS	\$2,826.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
206 COMPUTER TRUST FUND		\$2,826.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
207	ENFORCEMENT AND EDUCATION FUND						
207.000.4500	BD OF PHARMACY - COURT	\$872.00	\$665.00	\$1,000.00	\$1,000.00	\$335.00	50.38%
207.000.4501	DUI COURT COLLECTIONS	\$1,161.27	\$1,496.00	\$1,500.00	\$2,000.00	\$504.00	33.69%
207 ENFORCEMENT AND EDUCATION FUND		\$2,033.27	\$2,161.00	\$2,500.00	\$3,000.00	\$839.00	38.82%

City of North Canton
 City Charter Section 3.05(3): Next Year's Revenue Budget Forecast

		COVID-19 \$(2,629,900.00)			4/22/2020	Due to COVID-19 Variance is Calculated as Over/ (Under) 2019	
Grand Total:		\$35,846,527.17	\$38,686,712.31	\$47,070,460.00	\$37,711,390.00	Increase /	% Change
Account	Description	2018 Actual	2019 Actual	2020 Budget	2021 Projection	(Decrease)	
208	STREET CONST M & R FUND						
208.000.4201	STATE GASOLINE EXCISE TAX	\$596,076.76	\$726,119.05	\$827,000.00	\$800,000.00	\$73,880.95	10.17%
208.000.4202	MOTOR VEHICLE REG FEES	\$106,157.80	\$105,024.83	\$110,000.00	\$110,000.00	\$4,975.17	4.74%
208.000.4203	ADD'L PERMISSIVE LICENSE TAX	\$41,785.85	\$42,078.14	\$40,000.00	\$40,000.00	(\$2,078.14)	-4.94%
208.000.4207	STATE & FEDERAL GRANTS	\$4,564.01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
208.000.4600	MISCELLANEOUS	\$2,716.01	\$2,264.08	\$0.00	\$0.00	(\$2,264.08)	-100.00%
208.000.4900	TRANSFERS	\$0.00	\$100,000.00	\$0.00	\$0.00	(\$100,000.00)	-100.00%
208.000.4950	PROCEEDS FROM SALE OF ASSETS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
208	STREET CONSTR, MAINT, REPAIR FUND	\$751,300.43	\$975,486.10	\$977,000.00	\$950,000.00	(\$25,486.10)	-2.61%
209	STORM SEWER IMPROVE LEVY FUND						
209.000.4100	REAL ESTATE & PERSONAL PROP	\$344,310.35	\$329,230.61	\$330,000.00	\$340,000.00	\$10,769.39	3.27%
209.000.4200	REAL ESTATE ROLLBACK TAX	\$22,481.97	\$44,154.13	\$46,000.00	\$34,000.00	(\$10,154.13)	-23.00%
209.000.4900	TRANSFERS	\$0.00	\$100,000.00	\$0.00	\$0.00	(\$100,000.00)	-100.00%
209	STORM SEWER IMPRVMTS LEVY FUND	\$366,792.32	\$473,384.74	\$376,000.00	\$374,000.00	(\$99,384.74)	-20.99%
210	STREET IMPROVE LEVY FUND						
210.000.4100	REAL ESTATE & PERSONAL PROP	\$344,308.99	\$329,227.60	\$330,000.00	\$340,000.00	\$10,772.40	3.27%
210.000.4200	REAL ESTATE ROLLBACK TAX	\$22,481.97	\$44,154.13	\$46,000.00	\$34,000.00	(\$10,154.13)	-23.00%
210.000.4207	STATE & FEDERAL GRANTS	\$5,318.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
210	STREET IMPRVMTS LEVY FUND	\$372,108.96	\$373,381.73	\$376,000.00	\$374,000.00	\$618.27	0.17%
211	MUNICIPAL ROAD FUND						
211.000.4201	MUNICIPAL ROAD	\$122,335.52	\$8,100.47	\$124,998.00	\$75,000.00	\$66,899.53	825.87%
211.000.4209	COUNTY ROAD	\$0.00	\$0.00	\$203,000.00	\$0.00	\$0.00	0.00%
211.000.4901	ADVANCE FROM GENERAL FUND	\$0.00	\$203,000.00	\$0.00	\$0.00	(\$203,000.00)	-100.00%
211	MUNICIPAL ROAD FUND	\$122,335.52	\$211,100.47	\$327,998.00	\$75,000.00	(\$136,100.47)	-64.47%
212	GENERAL TRUST FUND						
212.000.4601	CONTRIBUTIONS - PARK	\$50.00	\$440.00	\$250.00	\$300.00	(\$140.00)	-31.82%
212.000.4606	CONTRIBUTIONS - POLICE DEPT	\$2,500.00	\$0.00	\$0.00	\$500.00	\$500.00	100.00%
212.000.4607	CONTRIBUTIONS - SRO	\$200.00	\$200.00	\$200.00	\$200.00	\$0.00	0.00%
212.000.4608	CONTRIBUTIONS - FIRE DEPT	\$2,545.00	\$465.00	\$300.00	\$500.00	\$35.00	7.53%
212.000.4609	CONTRIBUTIONS - EMS	\$1,270.00	\$515.00	\$500.00	\$500.00	(\$15.00)	-2.91%
212.000.4613	CONTRIBUTIONS - GOLD STAR	\$7,500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
212.000.4614	CONTRIBUTIONS - MSB US FLAGS	\$0.00	\$9,500.00	\$0.00	\$0.00	(\$9,500.00)	-100.00%
212	GENERAL TRUST FUND	\$14,065.00	\$11,120.00	\$1,250.00	\$2,000.00	(\$9,120.00)	-82.01%
213	LAW ENFORCEMENT TRUST FUND						
213.000.4500	CONTRABAND PROCEEDS	\$8,807.64	\$594.89	\$15,000.00	\$1,000.00	\$405.11	68.10%
213	LAW ENFORCEMENT TRUST FUND	\$8,807.64	\$594.89	\$15,000.00	\$1,000.00	\$405.11	68.10%
215	CONTINUING PROF EDUCATION FUND						
215.000.4208	OHIO PEACE OFFICERS TRAINING	\$9,640.00	\$0.00	\$5,500.00	\$0.00	\$0.00	0.00%
215	CONTINUING PROF EDUCATION FUND	\$9,640.00	\$0.00	\$5,500.00	\$0.00	\$0.00	0.00%
330	CAPITAL IMPROVEMENT FUND						
330.000.4207	STATE & FEDERAL GRANTS	\$86,245.00	\$48,942.76	\$0.00	\$0.00	(\$48,942.76)	-100.00%
330.000.4800	PROCEEDS FROM SALE OF NOTES /	\$0.00	\$0.00	\$7,300,000.00	\$0.00	\$0.00	0.00%
330.000.4900	TRANSFERS FROM INCOME TAX	\$2,131,960.00	\$2,265,000.00	\$2,499,750.00	\$1,785,000.00	(\$480,000.00)	-21.19%
330.000.4901	TRANSFERS FROM GENERAL FUND	\$200,000.00	\$0.00	\$0.00	\$500,000.00	\$500,000.00	100.00%
330	CAPITAL IMPROVEMENTS FUND	\$2,418,205.00	\$2,313,942.76	\$9,799,750.00	\$2,285,000.00	(\$28,942.76)	-1.25%
331	PARK DEVELOPMENT FUND						
331.000.4205	STATE AND FEDERAL GRANTS	\$0.00	\$0.00	\$1,017,495.00	\$0.00	\$0.00	0.00%
331.000.4601	PARK DEVELOPMENT DONATIONS	\$30,000.00	\$375,000.00	\$175,000.00	\$0.00	(\$375,000.00)	-100.00%
331	PARKS DEVELOPMENT FUND	\$30,000.00	\$375,000.00	\$1,192,495.00	\$0.00	(\$375,000.00)	-100.00%
332	OPWC ISSUE 2 IMPROVEMENT FUND						
332.000.4207	OPWC PROCEEDS - S MAIN	\$0.00	\$83,033.56	\$0.00	\$0.00	(\$83,033.56)	-100.00%
332.000.4209	OPWC PROCEEDS W MAPLE	\$14,404.40	\$60,834.00	\$0.00	\$0.00	(\$60,834.00)	-100.00%
332.000.4212	ODOT/SCATS FUNDING - W MAPLE ST I	\$24,549.60	\$297,978.40	\$0.00	\$0.00	(\$297,978.40)	-100.00%
332.000.4213	ODOT/SCATS FUNDING - MAIN RESURF	\$0.00	\$341,142.75	\$0.00	\$768,000.00	\$426,857.25	125.13%
332.000.4214	OPWC PROCEEDS - APPLGROVE	\$0.00	\$0.00	\$200,000.00	\$0.00	\$0.00	0.00%
332.000.4215	OPWC PROCEEDS - EASTHILL	\$0.00	\$0.00	\$845,000.00	\$0.00	\$0.00	0.00%
332.000.4217	ODOT/SCATS FUNDING - EAST MAPLE	\$0.00	\$0.00	\$1,524,000.00	\$0.00	\$0.00	0.00%
332.000.4218	ODOT/SCATS FUNDING - PORTAGE	\$0.00	\$0.00	\$462,000.00	\$0.00	\$0.00	0.00%
332.000.4219	OPWC PROCEEDS - 10TH STREET	\$0.00	\$0.00	\$0.00	\$517,440.00	\$517,440.00	100.00%
332.000.4901	ADVANCE FROM GENERAL FUND	\$0.00	\$1,220,000.00	\$0.00	\$0.00	(\$1,220,000.00)	-100.00%
332	OPWC/ISSUE II IMPROVEMENTS FUND	\$38,954.00	\$2,002,988.71	\$3,031,000.00	\$1,285,440.00	(\$717,548.71)	-35.82%

City of North Canton

City Charter Section 3.05(3): Next Year's Revenue Budget Forecast

		COVID-19 \$(2,629,900.00)			4/22/2020	Due to COVID-19 Variance is Calculated as Over/ (Under) 2019	
Grand Total:		\$35,846,527.17	\$38,686,712.31	\$47,070,460.00	\$37,711,390.00	Increase /	% Change
Account	Description	2018 Actual	2019 Actual	2020 Budget	2021 Projection	(Decrease)	
334	INDOOR FIREARMS TRAINING RANGE IMPROV						
334.000.4900	TRANSFERS FROM INCOME TAX	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
334	INDOOR FIREARMS TRAINING RANGE FUND	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
335	CAPITAL PROJECTS RESERVE						
335.000.4207	STATE & FEDERAL GRANTS	\$0.00	\$0.00				
335.000.4600	MISCELLANEOUS	\$9,290.69	(\$9,290.69)	AUDITORS INACTIVATED THIS FUND			
335.000.4900	TRANSFERS	\$277,431.00	(\$277,431.00)				
335 (INACTIVE FUND)		\$286,721.69	(\$286,721.69)				
650	WATER REVENUE FUND						
650.000.4400	CHARGES FOR SERVICES	\$7,026,666.68	\$6,845,135.33	\$6,300,000.00	\$7,000,000.00	\$154,864.67	2.26%
650.000.4401	WATER PERMITS	\$73,755.75	\$40,622.50	\$35,000.00	\$35,000.00	(\$5,622.50)	-13.84%
650.000.4402	WATER LINE EXTENSION FEES	\$100.00	\$6,402.25	\$6,500.00	\$6,500.00	\$97.75	1.53%
650.000.4403	BULK WATER SALES	\$1,000.00	\$500.00	\$500.00	\$500.00	\$0.00	0.00%
650.000.4499	UNAPPLIED CASH	(\$6,338.90)	(\$6,469.09)	\$3,000.00	\$3,000.00	\$9,469.09	-146.37%
650.000.4600	MISCELLANEOUS	\$51,471.04	\$44,107.35	\$40,000.00	\$40,000.00	(\$4,107.35)	-9.31%
650.000.4950	PROCEEDS FROM SALE OF ASSETS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
650	WATER SERVICE FUND	\$7,146,654.57	\$6,930,298.34	\$6,385,000.00	\$7,085,000.00	\$154,701.66	2.23%
651	WATER EXP, REPLACE & IMP FUND						
651.000.4205	CDBG PITTSBURG WATERLINE RPLCM	\$0.00	\$0.00	\$249,950.00	\$249,950.00	\$249,950.00	100.00%
651.000.4206	OPWC PROCEEDS -GLENWOOD WATEF	\$0.00	\$0.00	\$0.00	\$490,000.00	\$490,000.00	100.00%
651.000.4900	TRANSFERS	\$1,200,000.00	\$1,200,000.00	\$1,200,000.00	\$1,200,000.00	\$0.00	0.00%
651	WATER CAPITAL FUND	\$1,200,000.00	\$1,200,000.00	\$1,449,950.00	\$1,939,950.00	\$739,950.00	61.66%
652	SEWER REVENUE FUND						
652.000.4400	CHARGES FOR SERVICES	\$2,920,506.35	\$3,503,457.81	\$3,060,000.00	\$3,400,000.00	(\$103,457.81)	-2.95%
652.000.4401	SEWER PERMIT FEE - COUNTY	\$18,000.00	\$31,275.00	\$25,000.00	\$25,000.00	(\$6,275.00)	-20.06%
652.000.4402	SEWER LINE EXTENSION FEES	\$16,500.00	\$11,020.30	\$15,000.00	\$15,000.00	\$3,979.70	36.11%
652.000.4403	SEWER PERMIT FEE - CITY	\$7,475.00	\$2,375.00	\$2,500.00	\$2,500.00	\$125.00	5.26%
652.000.4600	MISCELLANEOUS	\$11,589.57	\$7,015.22	\$7,500.00	\$7,500.00	\$484.78	6.91%
652.000.4950	PROCEEDS FROM SALE OF ASSETS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
652	SEWER SERVICE FUND	\$2,974,070.92	\$3,555,143.33	\$3,110,000.00	\$3,450,000.00	(\$105,143.33)	-2.96%
654	GARBAGE SERVICE FUND						
654.000.4207	SOLID WASTE GRANTS	\$59,615.00	\$46,085.85	\$40,000.00	\$40,000.00	(\$6,085.85)	-13.21%
654.000.4400	CHARGES FOR SERVICES	\$979,585.61	\$1,030,163.80	\$1,080,000.00	\$1,080,000.00	\$49,836.20	4.84%
654	GARBAGE SERVICE FUND	\$1,039,200.61	\$1,076,456.18	\$1,120,000.00	\$1,120,000.00	\$43,543.82	4.05%
761	INSURANCE FUND						
761.000.4400	INSURANCE PREMIUM PROCEEDS	\$1,074,256.61	\$1,071,257.02	\$1,281,000.00	\$1,123,000.00	\$51,742.98	4.83%
761.000.4401	EMPLOYEE PREMIUM	\$182,071.71	\$164,311.64	\$160,000.00	\$143,000.00	(\$21,311.64)	-12.97%
761	INSURANCE FUND	\$1,256,328.32	\$1,235,568.66	\$1,441,000.00	\$1,266,000.00	\$30,431.34	2.46%
871	PERMIT FEE FUND						
871.000.4300	STATE BUILDING PERMIT FEE	\$3,616.82	\$5,533.97	\$5,000.00	\$5,000.00	(\$533.97)	-9.65%
871	PERMIT FEE FUND	\$3,616.82	\$5,533.97	\$5,000.00	\$5,000.00	(\$533.97)	-9.65%
873	REQUIRED DEPOSITS FUND						
873.000.4300	STREET OPENING DEPOSITS	\$10,021.27	\$26,238.58	\$25,000.00	\$25,000.00	(\$1,238.58)	-4.72%
873.000.4400	WATER DEPOSITS	\$1,862.98	\$7,187.41	\$2,500.00	\$3,000.00	(\$4,187.41)	-58.26%
873.000.4500	FIRE LOSS ESCROW DEPOSIT	\$28,000.00	(\$11,540.00)	\$0.00	\$0.00	\$11,540.00	-100.00%
873	REQUIRED DEPOSITS FUND	\$39,884.25	\$21,885.99	\$27,500.00	\$28,000.00	\$6,114.01	27.94%
874	UNCLAIMED MONIES						
874.000.4300	UNCLAIMED MONIES	\$5,998.72	\$1,559.10	\$2,000.00	\$2,000.00	\$440.90	28.28%
874	UNCLAIMED MONIES FUND	\$5,998.72	\$1,559.10	\$2,000.00	\$2,000.00	\$440.90	28.28%
875	NORTH RIDGE DEVELOPER PAYMENTS						
875.000.4300	NORTH RIDGE DEVELOPER	\$9,468.29	\$21,023.70	\$25,000.00	\$25,000.00	\$3,976.30	18.91%
875	NORTH RIDGE DEVELOPER PAYMENTS FUND	\$9,468.29	\$21,023.70	\$25,000.00	\$25,000.00	\$3,976.30	18.91%

North Canton City Council
Community and Economic Development Committee

ORDINANCE 22 - 2020

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement with the Stark County Commissioners to accept and utilize the Stark County Community Development Block Grant Program (“CDBG Program”) for Fiscal Years 2021, 2022, and 2023.

WHEREAS, the Board of Stark County Commissioners participates in the U.S. Department of Housing and Urban Development Community Development Block Grant Program; and

WHEREAS, the City desires the opportunity to participate in the Department of Housing and Urban Development Community Development Block Grant and receive funds from such program; and

WHEREAS, no participating political units may be excluded from the program and the Stark County Commissioners requested the City’s signed agreement for fiscal years 2021, 2022, and 2023 by June 7, 2020.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized to enter into an agreement with the Stark County Commissioners to accept and utilize the Stark County Community Development Block Grant Program for Fiscal Years 2021, 2022, and 2023, as attached hereto and incorporated herein as “Exhibit A”.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed: _____

Agreement

Stark County Commissioners

With _____

Dated _____

Subject CITY OF NORTH CANTON
COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT

THIS AGREEMENT, entered into this day, by and between the Board of Stark County Commissioners of Stark County, Ohio, hereinafter referred to as the "County," and duly authorized through a resolution of the Board of Stark County Commissioners adopted on this day, and the City of North Canton, Ohio, hereinafter called "City" and duly authorized through the enactment of Ordinance No. _____ of the Council of the City.

WITNESSETH:

WHEREAS, The Congress of the United States has enacted the Housing and Community Development Act of 1974, which has as its primary objective the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate incomes; and

WHEREAS, both the City and County are desirous of entering into community development activities within Stark County, which are directed toward said objective and are desirous of seeking such federal funding as may be available to them pursuant to the Act; and

WHEREAS, the Act contemplates and encourages the joining by agreement of counties and municipalities for the purpose of carrying out the objectives of the Act; and

WHEREAS, municipalities and counties in Ohio have authority under Section 307.15 of the Revised Code of Ohio to enter into agreements whereby a board of county commissioners may undertake, and is authorized by a municipality, to exercise any power, perform any function, or render any service in behalf of a municipality, which such municipality may exercise, perform, or render; and

WHEREAS, the City and the County each have authority to carry out the kinds of activities which are the objectives of the Act pursuant to Sections 303.26 and 307.85, as well as other statutes of the Revised Code of Ohio; and

WHEREAS, the County and the City agree to cooperate to undertake or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, the City and the County have agreed that it is in the best interests of their constituents that the objectives of the Act be carried out within Stark County and that the City and the County should join in community development activities; and

WHEREAS, the National Affordable Housing Act of 1990 created the HOME Investment Partnership program, hereinafter referred to as "HOME" which has its purpose the provision of affordable housing opportunities to low and moderate income purposes, which program is also covered by this Agreement.

NOW, THEREFORE, IN CONSIDERATION of the provisions hereinbefore and hereinafter contained, it is mutually agreed as follows:

1. The City and the County shall cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing.

2. The County shall have the authority to carry out activities which will be funded from annual Community Development Block Grants and HOME from Fiscal Years 2021, 2022, 2023 appropriations and from any program income generated from the expenditure of such funds.

3. This Agreement shall be in effect from the date of its execution by the Board of Stark County Commissioners and shall continue through the County's 2021, 2022, and 2023 Community Development program years, inclusive. This Agreement shall be automatically renewed for participation in successive three-year qualification periods, unless the County or the City provides written notice that they elect not to participate in a new qualification period. A copy of the notice not to participate must be sent to: Department of Housing and Urban Development, 200 North High Street, Columbus, Ohio 43215. The County shall notify the City of its right to elect to not participate in the next three-year qualification period, in accordance with guidelines and deadlines as specified in HUD's Urban County Requalification notice for the next qualification period.

Failure by either the County or the City to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements as set forth in the Urban County Requalification Notice applicable for a subsequent three-year urban

county qualification period, and to submit the amendment to HUD as provided in the urban county qualification notice, shall void the automatic renewal of such qualification period.

This Agreement remains in effect until the CDBG and HOME funds and program income received with respect to Fiscal Years 2021, 2022, and 2023 and any successive qualification period, are expended and the funded activities are completed.

4. This Agreement may not be terminated by either the City or the County during the period this Agreement is in effect.

5. The City hereby authorizes the County to undertake, and assist the City in undertaking, all essential activities and objectives of the Housing and Community Development Act of 1974, as amended, and as reauthorized and further amended under Title I of the Housing and Urban-Rural Recovery Act of 1983 (Public Law 98-181), and the National Affordable Housing Act of 1990, in accordance with any and all applicable provisions of said Acts and the administrative regulations of the U.S. Department of Housing and Urban Development as set forth in the Federal Register, Volume 53, Number 172, dated Tuesday, September 6, 1988, 24 CFR Part 570, and any applicable revisions which may become effective pursuant to the execution of this agreement.

6. The City agrees to cooperate to undertake, or assist in undertaking, community renewal activities, specifically urban renewal and publicly assisted housing.

7. The City, by executing this agreement understands that:

- a) it may not apply for grants under the Small Cities or State CDBG program from appropriations for Fiscal Years 2021, 2022, 2023; and
- b) it may not participate in a HOME consortium except through Stark County, regardless of whether Stark County receives a HOME formula allocation.

8. The County shall prepare and submit an application to the Secretary of Housing and Urban Development for a grant under the terms of the Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, as amended. This application shall set forth a five-year comprehensive Consolidated Plan and the One Year Updates which identifies community development and housing needs, and specifies both short- and long-term community development objectives, which have been developed in accordance with area wide development planning and national urban growth policies, and otherwise conform with applicable requirements of the Act.

9. The City may prepare recommended projects and activities for community development within its boundaries, which objectives and activities must be in accordance with the objectives of the Acts. These shall be submitted to the Stark County Regional Planning Commission, which has been designated by the County as the reviewing agency for all proposed objectives and activities to be included in the Consolidated Plan and subsequent One Year Updates. It is understood between the parties that the Stark County Regional Planning Commission, in conjunction with the SCRPC Citizens' Advisory Council, shall make recommendations to the County for the contents of the Consolidated Plan and for recommended priorities among these various projects and activities. It is also understood between the parties that the County shall have the authority and responsibility to make these decisions concerning the contents of the Consolidated Plan, and as to whether the projects and activities for which approval and urban county formula funding is sought under the application shall be in conformance with the purposes of the Acts. It is understood between the parties that the Acts place emphasis on those activities which further comprehensive neighborhood revitalization and principally benefit low and moderate income persons, including housing-related activities.

10. If projects or activities within the City are approved and funded pursuant to the application, the County may undertake the implementation of those activities which are to take place within the City. The parties acknowledge that the County will have the sole responsibility and authority for the overall implementation of the program and for the proper use of the urban county entitlement funds in accordance with the requirements of the Acts; and that nothing in this Agreement shall be construed to authorize the City to veto, restrict, or in any way limit the ability of the County, or the Stark County Regional Planning Commission working in conjunction with the County, to administer and implement the Community Development and Housing Assistance activities referred to in the Community Development Program, including the Consolidated Plan, included in the three-year plans covered by this Agreement, or to disapprove an activity after the plan in which it is included is submitted to the Department of Housing and Urban Development.

11. The County shall develop a uniform administrative procedure for the development of the Application and the review of project proposals submitted by the City. These procedures will, of necessity, reflect the requirements of the Secretary of Housing and Urban Development and the regulations which the Secretary may develop for the administration and implementation of the Community Development Block Grant program and HOME program.

12. The City authorizes the County to do, on behalf of the City in accordance with the conditions of this Agreement, all things which the City could do in its own behalf relative to the expenditure of CDBG funds.

13. The County and the City shall take all actions necessary to assure compliance with the urban county's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act, and will affirmatively further fair housing, in accordance with 24 CFR 91.225(a) and 5.105(a). Furthermore, the County and the City must also comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 of Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Section 3 of the Housing and Urban Development Act of 1968, and all other applicable laws. Further, funding is prohibited for activities in or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with its fair housing certification. It is expressly understood by the parties to this Agreement that this provision is required because noncompliance by a unit of general local government included in an urban county may constitute noncompliance by the grantee (i.e. the entire urban county) which may provide cause for funding sanctions or other remedial actions by the U.S. Department of Housing and Urban Development.

14. The City, pursuant to 24 CFR 570.501(b), is subject to the same requirements applicable to subrecipients, including the requirement of a written agreement set forth in 24 CFR 570.503.

15. With respect to the expenditure of program income, the County and the City hereby agree as follows:

- a) that the City shall inform the County of any income generated by the expenditure of CDBG and/or HOME funds received by the City;
- b) that any such program income must be paid to the County or that the City may, upon consent of the County, retain program income subject to the requirements of the Section 2 CFR 200.307, and the provision of Section 570.504 of the "Community Development Block Grant Regulations – Final Rule" as published in the Federal Register, Vol. 53, No. 172, dated September 6, 1988;

- c) that any program income the City is authorized to retain may only be used for eligible activities in accordance with all CDBG and/or HOME requirements as may then apply;
- d) that the County has the responsibility for monitoring and reporting to HUD on the use of any such program income thereby requiring appropriate recordkeeping and reporting by the City as may be needed for this purpose; and
- e) that in the event of CDBG grant close-out or change in eligibility status of the City, any program income that is on hand or received subsequent to said close-out or change in status shall be paid to the County.

16. With respect to real property acquired or improved in whole or in part using CDBG funds, the County and the City hereby agree as follows:

- a) the City shall notify the County in a timely manner of any modification or change in the use of any real property from the planned or intended use at the time of acquisition or improvement, including disposition of real property subsequent to acquisition or improvement using CDBG funds;
- b) the City shall reimburse the County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of real property acquired or improved with CDBG funds which is sold or transferred for a use which does not qualify under the CDBG regulations; and
- c) that any program income generated from the disposition or transfer of property prior to or subsequent to the close-out of a CDBG-funded activity, change of eligibility status of the City, or termination of the cooperation agreement between the County and the City shall be returned to the County.

17. The City has adopted and is enforcing:

- a) a policy prohibiting the use of excessive force by law enforcement officials within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject

of such non-violent civil rights demonstrations within the City's jurisdictions.

18. The City may not sell, trade, or otherwise transfer all or any portion of such funds (CDBG) to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives such funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title 1 of the Housing and Community Development Act of 1974, as amended.

IN WITNESS WHEREOF, the parties have hereunto set their hands this day of _____

WITNESSES:

BOARD OF COUNTY COMMISSIONERS OF
STARK COUNTY, OHIO

BY: _____
Richard Regula, President

BY: _____
William Smith, Vice President

BY: _____
Janet Creighton, Member

WITNESSES:

CITY OF NORTH CANTON

BY: _____

ITS: _____

THE TERMS AND PROVISIONS OF THIS AGREEMENT ARE FULLY AUTHORIZED UNDER STATE AND LOCAL LAW AND THIS AGREEMENT PROVIDES FULL LEGAL AUTHORITY FOR THE COUNTY TO UNDERTAKE OR ASSIST IN UNDERTAKING ESSENTIAL COMMUNITY DEVELOPMENT AND HOUSING ASSISTANCE ACTIVITIES, SPECIFICALLY URBAN RENEWAL AND PUBLICLY ASSISTED HOUSING.

David E. Deibel
Prosecutor's Office, Civil Division
Stark County, Ohio

THIS AGREEMENT IS IN ACCORDANCE
WITH THE LAWS OF THE STATE OF OHIO
AND THE CITY OF NORTH CANTON

Counsel for City (please print name)

North Canton City Council
Community and Economic Development Committee

ORDINANCE 23 - 2020

An ordinance to amend Chapter 1133 Single-Family and Two-Family Residential Districts, of the Codified Ordinances of the City of North Canton, specifically Section 1133.08(e), Fences and Walls, as described below.

WHEREAS, The City seeks to clarify and improve the standards for fences, walls, and hedges within city limits; and

WHEREAS, Such changes will modernize city planning standards to the benefit of the safety, security, and aesthetic aspects of the city; and

WHEREAS,

WHEREAS, The changes contained in this ordinance have received the favorable recommendation of the Planning Commission.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 1133 Single-Family and Two-Family Residential Districts, of the Codified Ordinances of the City of North Canton, specifically Section 1133.08(e), Fences and Walls, be, and is hereby amended to read as follows:

(e) Fences, Walls, and Hedges. Fences, walls, and hedges shall comply with the following.

(1) Zoning Certificate Required

A. No person shall construct or erect a fence or wall without first obtaining a zoning certificate and/or a building permit, if applicable, from North Canton Building Department. A zoning certificate is not required for repairs of existing fences, for replacement of a fence for which the original zoning certificate, or permit, can be produced.

B. A zoning certificate shall not be required for vegetative hedges or invisible fences, but they shall be subject to any applicable requirements of this section.

(2) General Requirements

A. All fences, walls, and hedges located in a vision clearance triangle shall not exceed 36 inches in height.

1. For intersections of streets with other streets, a vision clearance triangle area, which may include private property and/or public right-of-way, is a triangular area defined by measuring 30 feet from the intersection of the extension of the front and side street curb lines (or edge-of-pavement lines where there is no curb) and connecting the lines across the property. See Illustration 1133.08(e)(2)A.1.



Illustration 1133.08(e)(2)A.1. Traffic safety vision clearance for intersecting streets.

2. For intersections of streets with driveways, the vision clearance area shall be created by measuring 25 feet from the edge of the driveway

along the street and 20 feet along the driveway from the street. See Illustration 1133.08(e)(2)A.2.

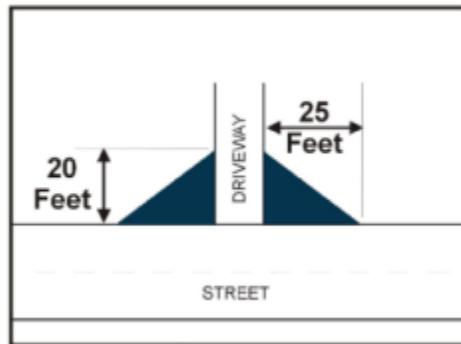


Illustration 1133.08(e)(2)A.2. Vision clearance for driveway and street intersections.

B. Small portions of fences, such as decorative fencing used for landscaping, that are not longer than 20 feet in length or more than three feet in height, but which comply with the yard and maintenance requirements set forth in this subsection, shall not require a zoning certificate.

C. All fences, walls, hedges and invisible fences, and any related supporting structures or appurtenances, shall be contained within the lot lines of the applicable lot, and shall not encroach into adjoining or abutting lots and/or any right-of-way.

D. The smooth finished side of the fence or wall shall be the side of the fence that faces outward from the lot or yard being fenced. If a fence has two similarly finished sides, either side may face the adjacent property.

E. All fences, walls, and hedges shall be maintained in a neat and orderly manner.

F. Walls shall be prohibited within all utility easements. To accommodate necessary work in a utility easement, the City or public utility company may remove fences placed in the easement; replacement shall be at the owner's expense.

G. Fences, walls, and hedges shall not impede, inhibit, or obstruct culverts, drains, natural watercourses, or storm water drainage in any zoning district.

H. It shall be the duty of each lot owner and contractor, or an agent thereof, to determine lot lines and to ascertain that the fence or wall does not deviate from the plans as approved by the Chief Building Official issuing the zoning certificate, and that the fence does not encroach on another lot or existing easement. The issuance of the permit and/or zoning certificate and any inspection by the City shall not be construed to mean the City has determined the fence is not encroaching on another lot, nor shall it relieve the property owner of the duty imposed on him or her herein.

(3) Materials

A. No fence shall be composed of scrap materials, tires, canvas, cardboard, asphalt style shingles, or corrugated metal, welded rolled wire, chicken wire, or sheet metal, except wire mesh, chicken wire, and welded wire shall be allowed as a backing material for split-rail fences.

B. Fencing that is electrically charged and/or includes barbed wire or other sharp-pointed material shall be prohibited.

C. The style or type of fences permitted in the front yard shall be: picket, split rail, wrought iron, solid vinyl, painted aluminum, welded steel, *decorative masonry*, or hedges.

D. All latches, hinges, and hardware shall be made of non-rusting materials.

(4) Measurement

A. The maximum fence or wall height shall be measured from the lowest point three feet on either side of the fence to the top most portion of the fence between posts. See Illustration 1133.08(4)(A). The structure posts may exceed the maximum height allowed in this section by up to six inches including any decorative features.

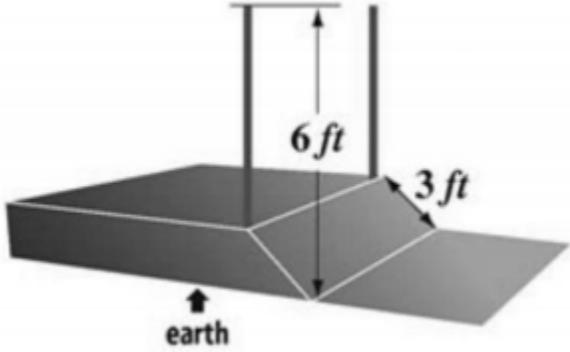


Illustration 1133.08(e)(4)(A).: Illustrating the method of measuring the height of a fence from the lowest point three feet on either side of the fence.

B. Fencing or walls shall follow the natural contour of the land on which it is located. See Illustration 1133.08(e)(4)(B).

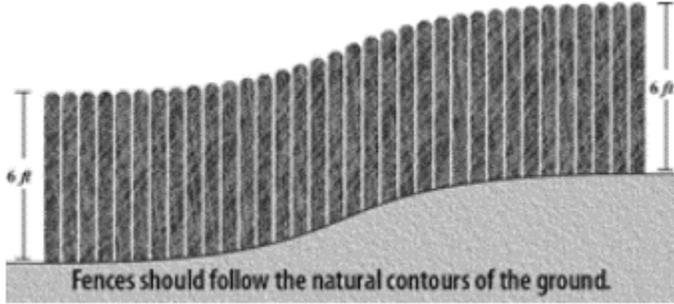


Illustration 1133.08(e)(4)(B).: This illustrates how fencing shall be measured along a natural contour.

C. A fence may be erected on top of a wall, but the combined height of the fence and wall shall not exceed 6 feet in overall height. Fences or walls located on top of a retaining wall shall be measured from the top of the lowest finished grade at the top of the retaining wall.

(5) Retaining Walls

A. Retaining walls shall be measured from the top of the footing to the top of the wall.

B. Retaining walls that exceed 36 inches high shall be benched so that no individual retaining wall exceeds a height of six feet except where the Zoning Board of Appeals determines that topography requires a wall of greater height, and each bench is a minimum width of 36 inches. See Illustration 1133.08(e)(5)(B).

C. Retaining walls over 36 inches shall be approved by the Chief Building Official. Plans for such retaining wall shall be prepared by an Ohio licensed design professional.

D. Retaining walls that exceed four feet in height or support an additional live/dead load above and beyond the weight of the soil being retained shall require a building permit from North Canton Building Department.

E. Retaining walls should substantially follow or preserve the existing grade or contour of land.



Illustration 1133.08(e)(5)(B): This image illustrates a retaining wall that has been benched so that there is not a single, excessively tall, retaining wall.

(6) Fences, Walls, and Hedges in Front Yards The following shall apply to fencing, walls, and hedges in front yards:

A. Fences, walls, and hedges shall not exceed 48 inches in the front yard or along any lot line that is adjacent to a street, including corner lots, with the following additional provisions:

1. Solid fences, walls, or portions thereof that run parallel and adjacent to a street shall not exceed 24 inches in height, except where a rear yard adjoins another rear yard, and located behind the dwelling, a fence shall not exceed 48 inches with an additional 12 inches of lattice. Solid fences or walls include any fence or wall constructed of materials or in such a manner as to be more than 50 percent solid or opaque.
2. Solid fences or walls, as defined above, may exceed 24 inches in height along the side lot lines provided the solid portion is set back a minimum of 20 feet from all front street right-of-way lines.
3. For double frontage lots, fencing in the rear yard may exceed 48 inches if the fencing is set back a minimum of 50 feet from the right-of-way, but in no case shall it exceed the height allowed in rear yards. See *Illustration 1133.08(e)(6)(A)*. This setback shall not apply if the entire block face contains double frontage lots with the rear façade of the buildings facing the same street.

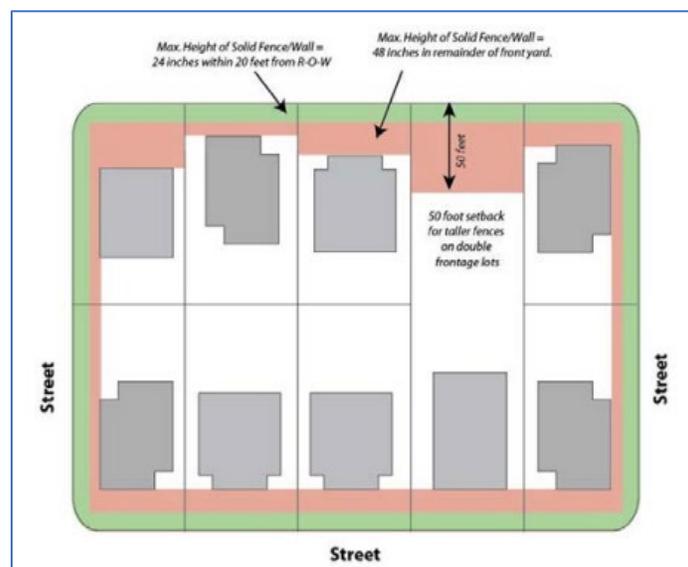


Illustration 1133.08(e)(6)(A): The shaded area in the above illustration illustrates where the maximum front yard fence, wall, and hedge height of 48 inches is applied in a residential district.

(7) Fences, Walls, and Hedges in Side and Rear Yards The following shall apply to fencing, walls, and hedges in side and rear yards:

A. Hedges shall not exceed six feet in any front side yard, except when a residential use adjoins a nonresidential use, *the Chief Building Official may approve a fence up to 8 feet in height behind the front yard.* Hedges not located in the front yard shall not have a height requirement.

B. Fences and walls shall not exceed six feet in any side or rear yard.

(8) Temporary Fences Temporary fences such as construction site fences and snow fences shall be allowed subject to Building Code requirements and the following conditions:

A. Fences around construction sites shall be allowed for the duration of the construction work, and snow fences shall be allowed for a period not to exceed five months in any calendar year.

B. A zoning certificate shall not be required for temporary fences.

(9) Upkeep and Maintenance

A. Any fence, wall, or hedge, under construction or completed, which, through lack of repair, neglect, type of construction, placement or otherwise, is a hazard or endangers any person, animal or property, or causes a blighting effect on the neighborhood, is deemed a nuisance.

B. If such unsafe condition or blighting effect exists in regard to a fence, wall, or hedge, the Chief Building Official shall notify the owner, agent, or person in control of the property upon which the fence, wall, or hedge is located, describing the unsafe condition and blighting effect and ordering abatement of the nuisance by requiring repairs or modifications to be made to render the fence, wall, or hedge safe, or requiring the unsafe fence or hedge or any portion thereof to be removed.

C. If the nuisance is not corrected, then the Chief Building Official is authorized to abate the nuisance and charge all fees to the owner, in addition to any other remedy available by law.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 20__.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed: _____