

Ordinance 04-2014

AN ORDINANCE TO AMEND SECTION 1218.06 OF THE CODIFIED ORDINANCES REGARDING COSTS RELATED TO FINAL PLATS AND SUBDIVISION IMPROVEMENTS, AND TO DECLARE AN EMERGENCY

WHEREAS, the Council enacted Ordinance 6-2004 which amended Section 1218.06 of the Codified Ordinances in 1989 to ensure that the administrative costs of review and inspection of plats and improvements are passed through and ultimately borne by the developer of the subdivision; and

WHEREAS, it is necessary and appropriate to revisit and update the fees for such costs from time to time; and

WHEREAS, Council hereby finds and determines that an appropriate fee structure is needed to allow for detailed and professional review and approval of plat and subdivision improvements;

NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

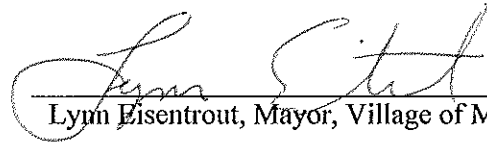
Section 1. Section 1218.06 is hereby amended to read as follows:

For a subdivision within the Village, the subdivider shall pay to the Village an amount equal to ten percent (10%) (ten percent) of the estimated cost of improvements. Such fee is to cover the Village's expenses related to for plan reviews, engineering, construction inspections and testing, legal services, and administrative other expenses incidental to such improvements related to the development of the subdivision, including infrastructure. In addition, such fee is to cover a pro rata portion of the Village's expenses with regard to annexation, zoning and approval of the preliminary development plan and development standards text, which pro rata portion shall be determined by the Mayor based on actual invoices for professional services allocated on a per lot basis. This fee shall be paid by the subdivider-divider prior to start of any construction and prior to obtaining the required signatures on the final plat. If the subdivision includes more than one plat, the fee shall be paid on a plat-by-plat basis. If Expenses are estimated to be incurred beyond this the amount of ten percent (10%) of the estimated cost of improvements, the Mayor shall estimate the additional deposit ("Additional Deposit") necessary to cover the Village's costs and this Additional Deposit will be billed to the subdivider payable within thirty (30) days. Upon written application by the subdivider to the Mayor within twelve months from the date of final acceptance of the improvements, any remaining balance of the Additional Deposit shall be refunded to the depositor. If the depositor fails to make such written application for refund of the remaining balance of the Additional Deposit, the funds shall be forfeited to the Village. will be billed to the subdivider payable within 30 days. Payments due not received within 30 days shall be charged a late fee at a rate of 1.5% monthly or 18% annually.


Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.


Section 3. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village and for the further reason that it is advisable to have updated fees in full force and effect in advance of acceptance of any new annexations and/or approval of any zoning measures for new developments within the Village; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.


Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: May 10, 2014
Second Reading: May 19, 2014
Third Reading: June 2, 2014
Passed: June 2, 2014


Attest Lynda Sudderberg, Fiscal Officer,
Village of Minerva Park


Reviewed by Counsel