

AGENDA

DATE: MONDAY, JUNE 4, 2007
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE TWO PUBLIC HEARINGS TONIGHT

ORDINANCE NO. 50 – 2007 AT 6:30PM REZONING FOR LINCOLN CENTER III
ORDINANCE NO. 51 – 2007 AT 6:35PM REZONING FOR 3RD ST AND FEDERAL AVENUE

1. ROLL CALL
2. INVOCATION BY COUNCILMAN RON MANG
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 64 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed.

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into the purchase agreement for the sale of a 0.220 acre parcel of land owned by the City and not needed for any municipal purpose in the City of Massillon, Stark County, Ohio, to Elum Music Co., and declaring an emergency.

ORDINANCE NO. 65 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed.

AN ORDINANCE repealing Ordinance No. 132 – 2000, and rescinding the Enterprise Zone Agreement with Rayco Manufacturing, Inc., and declaring an emergency.

ORDINANCE NO. 66 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed.

AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to acquire three (3) parcels of land from the Ohio Department of Transportation (ODOT), located on the north end of Neocom Industrial Park, Stark County, Ohio, and declaring an emergency.

ORDINANCE NO. 67 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed.

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to convey three (3) parcels of land located on the north end of Neocom Industrial Park to the Massillon Community Improvement Corporation (CIC), and declaring an emergency.

ORDINANCE NO. 68 – 2007

BY: ENVIRONMENTAL COMMITTEE

1st. Reading

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement to arbitration an ongoing dispute with Kokosing Construction concerning issues with the sewer plant upgrade, and declaring an emergency.

ORDINANCE NO. 69 – 2007

BY: HEALTH, WELFARE & BLDG REGULATIONS

1st. reading

AN ORDINANCE amending CHAPTER 351 "PARKING GENERALLY" of the Codified Ordinances of the City of Massillon, and enacting a new Subsection 351.21 "FRONT YARD PARKING" and 351.22 "OFF-STREET PARKING IN RESIDENTIAL DISTRICTS OR ANY PARCELS USED FOR DWELLING PURPOSES" of CHAPTER 351 "PARKING GENERALLY",.

ORDINANCE NO. 70 – 2007

BY: FINANCE COMMITTEE

Passed.

AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund and the General Fund, for the year December 31, 2007, and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR MAY 2007
- B). AUDITOR SUBMITS MONTHLY REPORT FOR MAY 2007
- C). MAYOR SUBMITS MONTHLY REPORT FOR APRIL 2007

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 50 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed.

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from B-3 General Business and I-1 Light Industrial to B-2 Central Business District.

ORDINANCE NO. 51 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to B-2 Central Business District.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 61 – 2007

BY: FINANCE COMMITTEE

Passed

AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, for the year December 31, 2007, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS
17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA
18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL

DATE: JUNE 4, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

80 amended 6/18

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 64 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into the purchase agreement for the sale of a 0.220 acre parcel of land owned by the City and not needed for any municipal purpose in the City of Massillon, Stark County, Ohio, to Elum Music Co., and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, adopted a plan declaring said real estate to be under a plan of urban development and hereby determines it to be in the best interest of the citizens of Massillon to sell the 0.220 acre parcel of land owned by the City and not needed for any municipal purpose to Elum Music Co.

Section 2:

The Director of Public Service and Safety is authorized to sell said real estate to Elum Music Co., and the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a purchase agreement for the sale of the 0.220 acre parcel, for the sum of Fifteen Thousand Four Hundred Sixty Dollars (\$15,460.00)

Section 3:

The terms of said sale shall be as set forth in the purchase agreement attached hereto as exhibit "A".

Section 4:

The Auditor is hereby directed to deposit the monies from sale of said land into the Economic Development Fund 1237.905.1830.

Section 5:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the further reason of such emergency arising out of the necessity to dispose of real estate no longer needed for any municipal purpose for the purpose. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2007

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR., MAYOR

PURCHASE AGREEMENT

This Agreement made and concluded at Massillon, Ohio, this day of , 2007, by and between the CITY OF MASSILLON, OHIO hereinafter designated as SELLER, and ELUM MUSIC CO., an Ohio Corporation hereinafter designated as BUYER.

W I T N E S S E T H, THAT:

WHEREAS, SELLER has this day agreed to sell, and BUYER has this day agreed to buy from SELLER, the following described real estate, also known for United States mailing purposes as

See Attached Exhibit A.

NOW, THEREFORE, in consideration the purchase price for the sale of property shall be Fifteen Thousand Four Hundred Sixty Dollars (\$15,460.00) payable as follows:

- (1) BUYER shall pay to SELLER \$ 0 .00 as a down payment, and the balance of the purchase price shall be paid in cash at the closing of this real estate transaction.
- (2) POSSESSION - SELLER shall give BUYER possession of the property immediately upon closing of this real estate transaction.
- (3) CLOSING - Shall be held within thirty (30) days at such time and place as BUYER and SELLER shall agree upon.
- (4) EVIDENCE OF TITLE - For each parcel of real estate to be conveyed SELLER shall furnish and pay for A Title Guaranty Insurance Commitment ("Commitment") certified to the date of the delivery of the Deed, and, after the closing, an Title Guaranty Insurance Policy in the amount of the total purchase price

The Commitment shall show in SELLER and the policy shall insure in BUYER a good and marketable title in fee simple free and clear of all liens and encumbrances except: (i) those created by or assumed by BUYER; (ii) those specifically set forth in this Agreement; (iii) zoning ordinances; (iv) legal highways; and (v) restrictions, conditions and utility easements of record created or reserved as a part of a general plan in and for the subdivision in which said property is located, provided the same do not prevent BUYER'S intended use.

Copies of all documents constituting the exceptions referred to in the Commitment shall be attached thereto.

Any endorsements requested by BUYER or BUYER'S lender shall be at BUYER'S sole expense.

If the title to all or part of the parcels to be conveyed is defective or not marketable, or if any part of the property is subject to liens, encumbrances, easements, conditions or restrictions other than those excepted in this Agreement, or in the event of any encroachment, SELLER shall have a reasonable time, not to exceed thirty days, after written notice thereof, within which to remedy or remove any such defect, lien, encumbrance, easement, condition, restriction or encroachment. If SELLER is unable to remedy or remove, or secure title insurance or a title guaranty against such defect, lien, encumbrance, easement, condition, restriction or encroachment within said thirty day period, the amount of the down payment, if any, shall be returned to BUYER forthwith, and this transaction shall be null and void.

It is agreed by the parties hereto that marketability shall be determined in accordance with the Standards of Title Examination adopted by The Ohio State Bar Association and any matter which comes within the scope of said Standards shall not constitute a valid objection to the title provided SELLER complies with the requirements of said Standards.

(5) SELLER and BUYER agreed to equally pay the costs of the survey which is needed in

order to obtain an accurate legal description of the property. After the property is conveyed to BUYER the conveyed property and existing property owned by BUYER shall be replatted into a single parcel and given a designated lot number. BUYER and SELLER agree to also equally share the costs of the survey work necessary for the replat.

(6) DEED - SELLER shall convey to BUYER a good and marketable title in fee simple to each parcel by transferable and recordable General Warranty Deed, free and clear of all liens and encumbrances, except those above mentioned, and the following:

(7) TAXES AND ASSESSMENTS - The real estate taxes and assessments, if any, shall be prorated through the date of the delivery of the Deed. The proration of undetermined taxes shall be based on a three hundred sixty-five day year and on the last available tax rate and valuation, and the amount so computed and adjusted shall be final.

Except as hereinafter set forth, SELLER warrants that all assessments now a lien are shown on the treasurer's duplicate and that no improvements (site or area) have been installed by public authority, the cost of which is to be assessed against said premises in the future; and SELLER further warrants that SELLER has not been notified of possible future improvements by any public authority.

- (8) GENERAL PROVISIONS - All warranties, representations and covenants herein contained shall survive the delivery of the Deed executed and delivered in performance hereof and if said Deed and this Agreement are inconsistent, the provision of this Agreement shall control.

This Agreement shall be governed by the laws of the State of Ohio.

This Agreement is not assignable by either party without the written consent of all other parties hereto.

Each signatory party hereto shall be bound irrespective of prior negotiation contemplating binding other parties not signatory hereto.

IN WITNESS WHEREOF, the parties herein have executed this Agreement as of the day and year first above written.

Witnesses as to SELLER:

CITY OF MASSILLON, OHIO

MICHAEL J. LOUDIANA
Safety-Service Director

Witnesses as to BUYER:

ELUM MUSIC CO.

Its _____

DATE: JUNE 4, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 65 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 132 - 2000, and rescinding the Enterprise Zone Agreement with Rayco Manufacturing, Inc., and declaring an emergency.

WHEREAS, in Ordinance No. 132 - 2000, Council authorized a tax abatement with Rayco Manufacturing, Inc.; and

WHEREAS, pursuant to the passage of this ordinance, the City of Massillon entered into an Enterprise Zone Agreement; and

WHEREAS, the company has ceased operations and has relocated and consolidated its business operations at its Wayne County facility; and

WHEREAS, in order for the Stark County Auditor and the State of Ohio to adjust the records, the tax abatement needs to be rescinded.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

That Ordinance NO. 132 - 2000 be and is hereby repealed.

Section 2:

There the Enterprise Zone Agreement between the City of Massillon and Rayco Manufacturing Inc. is hereby rescinded.

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare the community, and for the additional reason that the ordinance needs to be repealed and the Enterprise Zone Agreement needs to be rescinded so that the government entities may be rightfully adjusted. Provided it receives the affirmative vote of two-thirds of the elected members to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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DATE: JUNE 4, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to acquire three (3) parcels of land from the Ohio Department of Transportation (ODOT), located on the north end of Neocom Industrial Park, Stark County, Ohio, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Director of Public Service and Safety is authorized to acquire three (3) parcels of land from the Ohio Department of Transportation (ODOT), located on the north end of Neocom Industrial Park. The total cost of these three (3) parcels is Thirty-Nine Thousand Four Hundred Thirty-Five Dollars (\$39,435.00) and the funds to purchase the same will be paid by the Massillon Development Foundation (MDF).

Section 2:

This Ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that the acquisition of the real estate is necessary for the purpose of further economic development. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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DATE: JUNE 4, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 67 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to convey three (3) parcels of land located on the north end of Neocom Industrial Park to the Massillon Community Improvement Corporation (CIC), and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be in the best interest of the citizens of Massillon to convey three (3) parcels of land located on the north end of Neocom Industrial Park to the Massillon Community Improvement Corporation (CIC).

Section 2:

The Director of Public Service and Safety is authorized to convey said real estate to the Massillon Community Improvement Corporation (CIC).

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the further reason the Massillon Community Improvement Corporation (CIC) plan to use said property for the purpose of economic development. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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DATE: JUNE 4, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 68 -2007

Filed Jun 6/18

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement to arbitrate an ongoing dispute with Kokosing Construction concerning issues with the sewer plant upgrade, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into an agreement to arbitrate an ongoing dispute with Kokosing Construction concerning issues with the sewer plant upgrade. .

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into an agreement to arbitrate between the City of Massillon and Kokosing Construction for the purpose of determining the responsibility of the parties for the operation of the tertiary filter systems at the Wastewater Treatment Plant and issues regarding cost overruns and change orders.

Section 3:

The arbitration agreement is attached hereto as exhibit "A".

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to enter an agreement to arbitration to determine the responsibility of the parties for the operation of tertiary filter systems at the Wastewater Treatment Plant and issues regarding cost overruns and change orders. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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DATE: JUNE 4, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 69 - 2007

1st Reading
LEGISLATIVE DEPARTMENT

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

2nd Reading 6/18
1/2-Tabled 8/6/07
Passed 9/4/07
TITLE: AN ORDINANCE amending CHAPTER 351 "PARKING GENERALLY" of the Codified Ordinances of the City of Massillon, and enacting a new SubSection 351.21 "FRONT YARD PARKING" and 351.22 "OFF-STREET PARKING IN RESIDENTIAL DISTRICTS OR ANY PARCEL USED FOR DWELLING PURPOSES" of CHAPTER 351 "PARKING GENERALLY", and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

CHAPTER 351 "PARKING GENERALLY" be and is hereby amended by enacting additional SubSections.

Section 2:

There be and is hereby is enacted a new SubSection 351.21 "FRONT YARD PARKING" and 351.22 "OFF-STREET PARKING IN RESIDENTIAL DISTRICTS OR ANY PARCEL USED FOR DWELLING PURPOSES" of CHAPTER 351 "PARKING GENERALLY". SubSections shall read as follows:

SEE ATTACHED EXHIBIT "A"

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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351.21 FRONT YARD PARKING.

(a) Definitions.

- (1) "Driveway" means an improved area used as a means of ingress and egress, not exceeding twenty-four (24) feet in width and being of equal width from the traveled portion of the public or private road right-of-way to the terminus of the improved area, provided that such driveway shall not occupy over forty percent (40%) of the total required front yard on the lot.
- (2) "Front yard" means the area between any portion of a residential structure, extending across the full distance of the lot or lots and facing a street and the street right-of-way line. In the case of any parcel of land which borders on more than one street, "front yard" means those yards which extend across the full distance of the lot along all streets which border such parcel and being the perpendicular distances between the street right-of-way lines and the nearest portion of any building or structure, excluding fences, existing on such lot.
- (3) "Improved area" means a driveway and/or parking area constructed of asphalt, concrete, gravel, brick or similar materials for the purpose of accommodating vehicular parking, flow or access to the property.
- (4) "Parking area" means any improved area not meeting the definition of a driveway and being used to park or store automobiles, motorcycle, boats, recreational vehicles or similar devices.

(b) Driveway and Parking Area Construction/Usage. Any new driveway or parking area shall be constructed and maintained in accordance with these regulations and all other applicable regulations including those stipulated in the City's Zoning Code. Existing driveways and parking areas shall be maintained as they are and may not be expanded unless in accordance with these and other City Code requirements. No such driveway or parking area shall be utilized unless constructed in accordance with all City Code requirements.

(c) Front Yard Parking Prohibited. No person shall park or leave unattended, or cause to leave parked or unattended, a vehicle, motorcycle, boat, recreational vehicle or similar device wholly or partially within a front yard of any residential property, regardless of type, unless such vehicle, motorcycle, boat, recreational vehicle or similar device is wholly within a driveway or parking area.

(d) Registered Owner Responsible. The registered owner of a vehicle found in violation of this section shall be held prima-facie responsible for any such violation.

(e) Exemption of Emergency Vehicles. The provisions of this section shall not apply to authorized public safety or emergency vehicles while in use for emergency purposes.

(f) Corner Lots. Corner lots with side driveways shall be governed by the same regulations that pertain to those lots that have front driveways. In the case of any parcel of land which borders on more than one street, "front yard" means those yards which extend across the full distance of the lot along all

streets which border such parcel and being the perpendicular distances between the street right-of-way lines and the nearest portion of any building or structure, excluding fences, existing on such lot.

(g) Obstructing View. Parking of any vehicle or object in the front or side designated parking area of a dwelling or place of business that creates a hazard to others by obstructing the view of ingress or egress from any abutting property is prohibited.

(h) Penalty. Whoever violates any provision of this section is guilty of a minor misdemeanor.

351.22 OFF-STREET PARKING IN RESIDENTIAL DISTRICTS OR ANY PARCEL USED FOR DWELLING PURPOSES.

(a) Definitions. For the purpose of this section, certain terms and words are hereby defined:

- (1) "Driveway" means the principal means of egress, not exceeding twenty-four (24) feet in width, into a property from the traveled portion of a road right-of-way, upon which grass or other ground cover vegetation is not nurtured, provided however, that such driveway shall not occupy over forty percent (40%) of the total front yard area of the lot.
- (2) "Front yard" means the setback area between any portion of a structure, extending to the side lot lines, and the street line.
- (3) "Residential district" means any district in the City zoned primarily for residential purposes on the current adopted District Map, and also for the purpose of this section, any parcel used for dwelling purposes, irrespective of its zoning classification.
- (4) "Setback" means the minimum horizontal distance by which any building or structure will be separated from a lot line or street line.

(b) Parking Prohibited. No person shall park or leave unattended or suffer to remain parked or left unattended, a vehicle wholly or partly within a front yard or upon a vacant lot in a residential district, unless such vehicle is wholly within a driveway.

(c) Registered Owner Responsibility. If any vehicle is found to be in violation of this section, the owner or person in whose name such vehicle is registered shall be held prima-facie responsible for such violation.

(d) Exceptions. The provisions of this section shall not apply to authorized emergency vehicles while in use for emergency purposes; or to construction equipment when such equipment can effectively operate only from within such front yards; or during the time when a snow emergency parking ban is in effect.

(e) Penalty. Whoever violates any provision of this section is guilty of a minor misdemeanor.

DATE: JUNE 4, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 70 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund and the General Fund, for the year ending December 31, 2007, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2007, the following:

\$39,435.00 to an account entitled "Services/Contracts" 1237.845.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the General Fund, for the year ending December 31, 2007, the following:

\$5,010.00 to an account entitled "Services/Contracts" 1100.150.2392

Section 3:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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