

VILLAGE OF PENINSULA, OHIO  
ORDINANCE NO.: 7-2015  
INTRODUCED BY: DEE HOLODY  
DATE PASSED: NOVEMBER 9, 2015

THIS ORDINANCE IS FOR THE PURPOSE TO AMEND ORDINANCE 396-1994 TO CREATE A FEE STRUCTURE AND PROCEDURE FOR THE PERFORMANCE OF ROAD OPENINGS, CLOSURES, AND SPECIAL HAULING IN A VILLAGE RIGHT OF WAY, AND DECLARING AN EMERBENCY.

**WHEREAS**, it is necessary to establish a system of permit procedures and fees to regulate and control right of way work, temporary road closures, and special hauling within the Village of Peninsula; and

**WHEREAS**, it is the intent that the Council of the Village of Peninsula allows citizens and others to temporarily close entire or portions of Village streets or sidewalks for various purposes including utility street cuts, construction on adjacent property, dumpster placement and in conjunction with outdoor special events as permitted by the Zoning Inspector/Police Chief.

**WHEREAS**, all applications for permit of temporary road closures must be submitted for consideration by the Zoning Inspector at a minimum of 60 days prior to the event or road closure to allow for review, comment, and approval.

**WHEREAS**, if temporary event signs are proposed for any temporary road closures, all Village sign ordinances/regulations apply and the appropriate sign permits must be obtained through the Zoning Inspector.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

Section 1 Effective immediately:

**A. Permits for Road Openings:**

No person, company or corporation shall dig, trench excavate, grade, tunnel, cut an existing curb or do any work in or over or under any public street, avenue, alley, lane, sidewalk or any public grounds within the limits of the Village without first obtaining a permit from the Zoning Inspector or his/her appointee.

**a. Exceptions:**

No permit shall be required for any person, company, or corporation performing work for or under contact with the Village or performing work on a new allotment or site improvement shown on the plans and specifications approved by the Village under the provisions of the subdivision regulations.

**B. Permit for Temporary Road Closures for events.**

1. No person, company or corporation shall temporarily close any Village roadway without first obtaining a permit from the Zoning Inspector or his/her appointee.
2. One hundred dollars (\$100.00) non-refundable permit fee to cover the cost of application review, processing and inspection shall be paid at the time of the application for **Temporary Road Closures** for events.
3. One-hundred twenty-five dollars (\$125.00) non-refundable fee for each time (one per day) the time road is closed. The Village of Peninsula Police Department will provide coverage at the event. This fee is set by the Village of Peninsula Police Chief or officers that are maintaining the event.
4. The Village of Peninsula Police Department will provide coverage at the event. This fee is set by the Village of Peninsula Police Chief for the event.

**C. Permit Requirements:**

1. Applications for Road Opening Permits shall be made by the property owner or his authorized agent, to the Zoning Inspector or his/her appointee as enforcement officer, on forms provided by the Village.
2. A One Hundred dollar (\$100.00) non-refundable permit fee to cover the cost of application review, processing, and inspection shall be paid at the time of application for **Road Opening** Permit as submitted.
3. A One-hundred dollars (\$100.00) non-refundable permit fee to cover the cost of application review, processing, and inspection shall be paid at the time of application for **Temporary Road Closure** Permit as submitted. Additional \$125.00 non-refundable per day for each day of the Temporary Road Closure.
4. A One-hundred dollars (\$100.00) non-refundable permit fee to cover the cost of application review, processing, and inspection shall be paid at the time of application for **Special Hauling** Permit as submitted. **Special Hauling** is defined as overweight/oversized loads. Each trip one-way shall require a separate permit.
5. A bond must be filed with the Village prior to issuance of any **Road Opening Permit**. The bond shall be in the form of a certified check, cashier's check, or money order made payable to the Village of Peninsula. Cash will not be accepted. The bonds shall not be released for a period of at least six (6) months following completion of construction. Bond amounts shall conform to the following schedule:

Single Family Residential Driveway and/or culvert	\$500.00
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Commercial/Multi Family Street

## ORDINANCE 7-2015

and/or culvert	\$500.00
Underground Utility Tap-in Short Side	\$200.00
Underground Utility Tap-in Long Side	\$1,000.00 bore only
Across Roadway Curb/ditch to Curb/ditch	\$2,500.00
Utility extensions parallel to pavement and being more than ten feet 10' off the edge of the pavement	\$2.50/ft.

6. The applicant shall notify the Village Police Department, Valley Fire District, schools, and any other affected agencies at least forty-eight hours (48 hours) prior to the start of construction.
  7. The Zoning Inspector or his/her designee may impose such other reasonable conditions or requirements upon the issuance of a permit as he/she deems necessary or proper to assure faithful compliance with this Ordinance.
- D. **Operations:** All work conducted in connection with a Road Opening Permit shall be conducted in conformance with the rules, regulations, procedures and standards established by the Village. Failure to conform to these conditions may cause the Village to stop work.
- E. **Penalty:** Whoever violates any provision of this Ordinance shall be fined not more than Five-hundred dollars (\$500.00) per offense and each day's violation shall be considered a separate offense.

**Section 2** Severability – This Ordinance and the various parts, sentences, paragraphs, sections, and clauses thereof are hereby declared severable. Should any part, sentence, paragraph, section, or clause be declared unconstitutional, null, or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining parts, sentences, paragraphs, sections, and clauses of this Resolution.

**Section 3** Open Meeting- That it is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any 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** Emergency - That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, comfort, convenience, and general welfare of the inhabitants. This Resolution has received the necessary number of votes to take effect and will be enforced from and after its passage at the earliest period allowed by law.

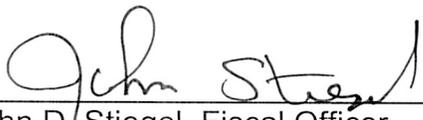
**Section 5**

EFFECTIVE DATE -This Ordinance shall take effect on the 9 day of Nov., 2015

Passed:

  
\_\_\_\_\_  
Douglas G. Mayer, Mayor

Attest:

  
\_\_\_\_\_  
John D. Stiegel, Fiscal Officer

I, John D. Stiegel, Fiscal Officer of the Village of Peninsula, Summit County, Ohio do hereby certify that the foregoing Ordinance was duly passed by the Council of the Village of Peninsula, State of Ohio, on the 9 day of Nov., 2015

  
\_\_\_\_\_  
John D. Stiegel, Fiscal Officer

Please note that a non-refundable application fee of one hundred dollars (\$100.00) must be submitted with this form for consideration of a Village permit. A final permit fee, in addition to the application fee, will be determined based on the information you provide in this application. Application and permit fees can be paid in the form of cash or check (personal, business, or bank check).

Event Name/Title: \_\_\_\_\_

**Organizer Contact Information:**

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**Type of Event:**

- |  |  |                                      |
|--|--|--------------------------------------|
| <input type="checkbox"/> Community Event       | <input type="checkbox"/> Non-Community Event (note: will require paid police coverage) |                                      |
| <input type="checkbox"/> Festival/Concert      | <input type="checkbox"/> Parade  | <input type="checkbox"/> Run/Walk    |
| <input type="checkbox"/> Political/Issue Rally | <input type="checkbox"/> Private party   | <input type="checkbox"/> Other _____ |

Event Date(s): Begins: \_\_\_/\_\_\_/\_\_\_ (mm/dd/yy) Ends: \_\_\_/\_\_\_/\_\_\_ (mm/dd/yy)

If limited to specific day(s) of the week, please indicate.

- Mon    Tues    Wed    Thu    Fri    Sat    Sun

Event Time(s): Begins \_\_\_\_\_ (AM) (PM) Ends: \_\_\_\_\_ (AM) (PM)  
Begins \_\_\_\_\_ (AM) (PM) Ends: \_\_\_\_\_ (AM) (PM)

Additional information: -

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Submitted by: \_\_\_\_\_ DATE: \_\_\_\_\_

**FOR OFFICE USE ONLY:**

Application Fee paid: Amount \$ \_\_\_\_\_ Check # \_\_\_\_\_ Circle if CASH

Rev: 11-13-15

**THE FOLLOWING IS FOR OFFICE USE ONLY**

**VILLAGE OF PENINSULA**  
**TEMPORARY ROAD CLOSURE – PERMIT APPLICATION**  
 Village Ordinance 7-2015

**THE FOLLOWING IS FOR OFFICE USE ONLY**

Please check all who must review this application:

Village Authority		Approved?	
<input type="checkbox"/>	Mayor	YES	NO - Reason:
<input type="checkbox"/>	Fiscal Officer	YES	NO - Reason:
<input type="checkbox"/>	Zoning Inspector	YES	NO - Reason:
<input type="checkbox"/>	Chief of Police	YES	NO - Reason:
<input type="checkbox"/>	Chief of Fire Dept.	YES	NO - Reason:
<input type="checkbox"/>	Service Department	YES	NO - Reason:
<input type="checkbox"/>	Village Engineer	YES	NO - Reason:

Calculation of Permit Fee if approved:

# of closings \_\_\_\_\_ X \$125/closing = \$ \_\_\_\_\_

**NOTE: Permit Fee must be paid in full prior to issuing the final permit.**

Final Permit approved by:

Signature/Title: \_\_\_\_\_ DATE: \_\_\_\_\_

Permit Number Assigned: \_\_\_\_\_ Date Issued: \_\_\_\_\_

**FOR OFFICE USE ONLY:**

Permit Fee paid: Amount \$ \_\_\_\_\_ Check # \_\_\_\_\_ Circle if **CASH**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_