



City of Brecksville, Ohio
City Council Regular Meeting
Ralph W. Biggs City Council Chambers
September 2, 2025 – 8:00 PM

In compliance with the Americans with Disabilities Act, those requiring accommodation for meetings should notify the City Clerk's Office at least three days prior to the meeting at (440)526-2609.

AGENDA

To view/listen to the live stream of the meeting please go to:

<https://brecksvilleoh.portal.civicclerk.com> on the City's website: www.brecksville.oh.us. Questions and comments may be e-mailed to ttabor@brecksville.oh.us or by phone to (440) 526-2609 and will be forwarded to the appropriate personnel for a response.

Call to Order

Pledge of Allegiance

Roll Call

Approval of Minutes

1. Approval August 19, 2025 City Council Minutes

Unfinished Business

New Business

- FIN 1.** ORD 5804 - an Ordinance to Amend Ordinance No. 5758, making appropriations for current expenses of the City of Brecksville during the Fiscal Year Ending December 31, 2025, making necessary appropriation and revenue adjustments.
- LEG 2.** ORD. 5805- an Ordinance enacting and adopting a Supplement to the Codified Ordinances of the City of Brecksville.
- LEG 3.** ORD. 5806 - an Ordinance enacting and adding a new Section 1314.24 to the Building Code to include a Service Fee for processing transactions by electronic means.
- FIN 4.** RES. 5705 - Approval of a Resolution Making Necessary Transfers Between Certain Funds for the Fiscal Year Ending December 31, 2025.
- FIN 5.** RES. 5706 - a Resolution authorizing the execution of a Then and Now Certificate by the Fiscal Officer and payment of amount due; and declaring an emergency.
- FIN 6.** RES. 5707 - a Resolution authorizing the Mayor to enter into a payment processing agreement with CSG Forte Payments, Inc.

Report of Council Representatives and Committees

Reports of Department Directors

Report of the Mayor

Adjournment

"To find joy in work is to
discover the fountain of youth."

- Pearl S. Buck

Mayor and Safety Director: Daryl Kingston

City Council Members: Dominic Caruso, President; Beth Savage, Vice President; Dan Bender; AJ Ganim; Mark Jantzen; Ann Koepke; Brian Stucky.

Clerk: Tammy Tabor

Call to Order

8:00 PM

Pledge of Allegiance

Roll Call

Present: Council President Caruso, Council Vice President Savage, Council Member Bender, Council Member Ganim, Council Member Jantzen, Council Member Koepke, Council Member Stucky

Also Present: Mayor D. Kingston, Law Director D. Matty, Assistant Law Director L. Sabol, Engineer G. Wise, Finance Director L. Starosta, Fire Chief M. Bender, Police Chief Korinek, Purchasing Director M. Bartkiewicz, Assistant CBO S. Synek, Service Director J. Kickel, Media Specialist M. Rapkin, Clerk T. Tabor.

Absent: None.

Approval of Minutes

1. Approval of August 5, 2025 City Council Minutes

Motion made by Koepke, Seconded by Savage.

Voting Yea: Bender, Caruso, Jantzen, Koepke, Savage, Stucky.

Voting Nay: 0

Abstain: Ganim.

Unfinished Business

New Business

1. Beautification Committee Presentation

Donna Hulett was present representing the Mayor's Beautification Committee. The Committee will present awards to (4) properties out of the (19) nominations this year.

The Brecksville Beautification Committee presents the 2025 Brecksville Beautification Award to four property owners. This year, they received 19 nominations. The nominations come from neighbors, owners, family members, residents, and members of the Beautification Committee. Each property nominated represents the owner's hard work, love of taking care of their property, pride in their home, and pride in the city of Brecksville.

Joe & Emily, 555 Wood Mill Circle. Color filled plant beds, manicured and sculpted shrubbery, a lush green lawn with so many trees gives it a park-like feel. The curved walkway goes to a wraparound porch with flowering hanging baskets and planters on each side of the front door.

Mike and Gina Sulttus. 8966 Woodstone Drive. The property was nominated once before in 2022 and now is one of the 2025 award winners. The property is beautifully landscaped with colorful beds and coral bells that continue up the front walkway to the front door. Flanked on each side with tall planters filled with impatiens and begonias. The bed curves around to the side of the home. The lawn, beds, and trees are all well-maintained.

Richard and Patricia Wainberg, 10130 Dear Run. This is another property previously nominated in 2021. The clematis surrounds the mailbox and the balloon flowers and the stacked rock border along the driveway all the way up to the house. The rock border continues in the front of the house down the side of the property, giving the appearance of framing the lovely lawn in front and the beautiful array of mature trees on the other side of the border. .

Linda and Jim Maris, 5582 Holly Thorn Drive. The property has a lot of color and the lawn is meticulously edged and beautiful. The islands are filled with red corn flowers, multicolored seaside petunias, daisies, day lilies, coleus, and much more. Impatiens border the walk to the front of the house and the impatiens accentuate the deep green boxwoods behind them. As you approach the front, each step has two planters leading to the front door. From the front of the house, the beautiful beds continue around the slope of the property.

Mayor Kingston thanked all of the recipients this year and Beautification Committee for all they do to make your make your properties look so great. This is the one time a year that we get to acknowledge you that . Mayor Kingston thanked the Committee for all the volunteer hours that you guys do. The flowers around town this year are exquisite. The baskets are beautiful around the downtown. I know

the Committee is entering the busy season coming up here with the scarecrows, which have become a perennial favorite. The reindeer last year, was very popular with families taking their holiday pictures next to the postal annex.

2. RES. 5704 - a Resolution appointing Eric R. Mitrison to the position of full-time Police Officer in the Police Department of the City of Brecksville.

Motion for suspension made by Ganim, Seconded by Koepke.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Voting Nay: None.

MOTION CARRIED: 7- Ayes, 0-Nays, 0-Abstain.

Motion by Stucky, seconded by Bender to pass Resolution 5704.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Voting Nay: None.

Abstain: None.

MOTION CARRIED: 7- Ayes, 0-Nays, 0-Abstain.

Mayor Kingston administered the Oath of Office to Eric Mitrison. Mr. Mitrison is a graduate of Independence Schools, graduated Magna Cum Laude from Kent State University with a degree in Criminal Justice. Police Chief Korinek said he received many unsolicited positive recommendations regarding Eric Mitrison. Eric's parents, Michelle and Roger, installed the badge on their son. Many Police, Fire and family members were in attendance supporting the appointment of Office Mitrison.

Report of Council Representatives and Council Committees: Board of Zoning Appeals, Planning Commission, Recreation Commission, Human Services Advisory Board

BOARD OF APPEALS

Council Member Stucky reported the next meeting of the Board of Zoning Appeals will be September 8, 2025 at 7:30 PM.

APPEAL 2025-43 Approval of a variance from Section 1119.09(d) not to install the required public sidewalks until such time as the City deems appropriate, located at 6714 Westview Dr., PPN 603-20-018
Section 1185.03 (a) to allow a 4' tall post and rail fence around the pond in the front yard (not allowed), located at 11401 Snowville Road, PPN 605-18-003.

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Motion Passes 7-Ayes, 0-Nays.

APPEAL 2025-44 Approval of a variance from Section 1326.02 that a generator be located in the rear yard to allow in the side yard, located at 10056 Barr Rd., PPN 604-12-025.

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Motion Passes 7-Ayes, 0-Nays.

APPEAL 2025-45 Approval of a (1) a variance from Section 1185.03(a) maximum 4' fence height to allow 6' (2) variance from Section 1185.02(d) to allow a ventilating privacy type fence (not allowed), in the rear yard, located at 10902 Brookview Dr., PPN 602-01-067.

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Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Motion Passes 7-Ayes, 0-Nays.

APPEAL 2025-46 Approval of a variance from Section 1326.02 that a generator be located in the rear to allow in the side yard, located at 10216 Woodlands Dr., PPN 605-22-032 contingent on natural screening that is approved by the City's arborist and is planted near the structure to conceal it from view.

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Motion Passes 7-Ayes, 0-Nays.

APPEAL 2025-47 Approval of a variance from Section 1151.24 minimum 70' rear yard setback required to allow 57' for a deck, located at 10408 Dewey Rd., PPN 605-24-012.

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Motion Passes 7-Ayes, 0-Nays.

APPEAL 2025-49 Approval of a variance from Section 1151.25(d)(2)(B) maximum 192 sq/ft. to allow 240 sq/ft. for the construction of shed, located at 11515 Fitzwater Rd., PPN 602-02-011.

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Motion Passes 7-Ayes, 0-Nays.

PLANNING COMMISSION

Council President Caruso reported the Planning Commission has three items for Council consideration. The next meeting of the Planning Commission will be August 21, 2025 at 7:00 PM.

Physicians Ambulance: Approval and recommendation to City Council and Building Department issue a permit for a 93.75 sq. ft. non-illuminated exterior wall sign for Physicians Ambulance, 9200 Noble Park Dr., Brecksville, Ohio, as described in the application dated June 30, 2025 and attached drawings by Brady Signs.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

MOTION CARRIED: 7- Ayes, 0-Nays, 0-Abstain.

Talix 6055 W. Snowville Road: Approval of a 25.8 sq. ft. permanent non-illuminated wall identification sign, and a 30.0 sq. ft. permanent, non-illuminated ground sign for Talix, located at 6055 W. Snowville Rd, Brecksville, Ohio as described in the application dated July 21, 2025 and shown in the attached drawings submitted by Ace Lighting Services, contingent on City Council's approval of the following deviations:

- A deviation from Section 1187.10(c) requirement that ground identification signs be 40' from the ROW to allow a sign 20' from the ROW

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

MOTION CARRIED: 7- Ayes, 0-Nays, 0-Abstain.

Brick & Vine Restaurant 8903 Brecksville Rd.: Approval and recommendation to City Council for a 12.5 sq. ft. non-Illuminated, permanent projection sign on the North side wall, a 12 sq. ft. non-Illuminated permanent, exterior, wall sign on the South side wall, a 8.325 sq. ft. non-Illuminated, permanent exterior wall sign on the East rear wall, and (2) - 3.61 sq. ft. permanent exterior window signs on the front West wall, located at 8903 Brecksville Rd., Brecksville, Ohio, as described in the application dated July 16, 2025 and attached drawings by A Sign Above, Inc., subject to approval of the following deviations:

1. A deviation from Section 1187.09(6) from the permitted 3 feet to allow a bracket sign to extend 5 ft. from the face of a building into the right-of-way

2. A deviation from Section 1187.09(6) from the projection sign to be permitted in lieu of a permitted wall sign to allow both projection and wall signs
3. A deviation from Section 1187.09(6) to permit a 12.5 sq. ft. bracket sign from the permitted 9 sq. ft.
4. A deviation from section 1187.09(c) that wall identification sign be located on the front of building to allow on the South side wall
5. A deviation from section 1187.09(c) that wall identification sign be located on the front of building to allow on the East rear wall
6. A deviation from Section 1187.09(c) from one window sign per unit to be permitted to allow for two window signs
7. A deviation from Section 1187.09(1) total permitted signage area of 39 sq. ft. to allow 40.025 sq. ft.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

MOTION CARRIED: 7- Ayes, 0-Nays, 0-Abstain.

Lot Split & Access Easement 6618 Morningside Dr. : Approval of a lot split for 6618 Morningside Drive, Permanent Parcel Number 60321079 for Northeast Ohio Regional Sewer District to take over the storm water management facility on Parcel A, and to allow for an access easement on Parcel B, as described in the application dated July 7, 2025, and the plat dated June 6, 2025, contingent upon approval of the City Engineer, City Council and Board of Zoning Appeals for the following variances:

- A variance from Section 1117.09 that lots be generally rectangular in form to allow an irregular form for Parcel B
- A variance from Section 1151.24 of a minimum rear yard setback of 60 ft. to allow for 19.4' for Parcel B
- A variance from Section 1151.21(d) that each lot shall abut a dedicated street for a distance not less than 60 percent of the lot width to allow for no frontage for Parcel A

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Solar Panel Installation on Barn 13114 Snowville Rd.: Approval and recommendation to City Council for a Solar Photovoltaic System installation at 13114 Snowville Road, Brecksville, Ohio Permanent Parcel Number 60527002, as described in the application dated July 15, 2025 and attached plans submitted by YellowLite, Inc. contingent on City Council's approval and contingent on submission of the structural certification to the building department

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Council Members Bender and Ganim left the meeting due to a conflict.

CSA Office & Lab 9910 Brecksville Rd.: PRELIMINARY approval for the building and site layout, for a new office and lab development, located at 9910 Brecksville Rd, Brecksville Ohio, PPN 604-09-017 as described in the application dated 7/31/25 and attached plans:

- A. ALTA Land Title Survey, 3 pages
- B. Civil & Landscape
- C. Traffic Study Part One
- C. Traffic Study Part Two
- D. Floor Plans, 3 pages
- E. Elevations, 3 pages
- F. Soils Report
- G. SWM Report, 9 pages
- H. Site Grading & Section Study, 2 pages
- I. Turning Radius Studies, 2 pages
- J. Existing Facility Parking, 1 page
- K. Renderings, 12 pages
- L. Exterior Façade Example, 1 page

M. Previous City Review Letter, 2 pages

1. A deviation from section 1183.05(b) which requires the proposed use to have at least 957 parking spaces to allow a minimum of 363 spaces.

Contingent on approval of the City Engineer, City Council, and approval from the Board of Zoning Appeals for the follow variances:

2. A variance from Section 1157.29 (d)(1) which requires a minimum rear yard building setback of 75 ft to allow for 62.4 ft.

3. A variance from Section 1157.29 (a)(4) which requires a minimum front yard parking setback of 85 ft to allow for 68.5 ft.

4. A variance from Section 1157.29 (c)(2) which requires a minimum side yard parking setback of 25 ft to allow for 0.8 ft on the South side.

5. A variance from Section 1157.29(d)(2) which requires a minimum rear yard parking setback of 25 ft to allow for 6 ft.

6. A variance from section 1183.04(c) which requires that parking space dimensions be 10 x 20 ft to allow 9 x 18 ft parking spaces.

CSA Office & Lab 9910 Brecksville Rd: PRELIMINARY and FINAL approval for Mass Grading and Storm Water Management (SWPPP) for a new office and lab development, located at 9910 Brecksville Rd, Brecksville Ohio, PPN 604-09-017 as described in the application dated 7/31/25 and attached plans:

A. ALTA Land Title Survey, 3 pages

B. Civil & Landscape

F. Soils Report

G. SWM Report, 9 pages

H. Site Grading & Section Study, 2 pages

I. Turning Radius Studies, 2 pages

M. Previous City Review Letter, 2 pages

and contingent upon (1) revising the top of the mound immediately North of the building to 1123.00 and (2) revising the top of the pad for future use to 1107.50

Council President Caruso invited members of the audience to speak regarding this matter.

John Woelfl, 10216 Woodview Way, Brecksville, Ohio. Mr. Woelfl wrote a letter to uh Council member Stucky regarding the Valor Acres development. Mr. Woelfl said he attended the Planning Commission meeting August 7th and the letter was primarily a result of that meeting. Also, a result of the fact that every time he and his wife go out they see Valor Acres site and it doesn't seem like that site right now is being developed the way the voters have intended or authorized it to be developed. Mr. Woelfl said he would like Council to send the application back to the Planning Commission. Mr. Woelfl read his letter:

"Mr. Councilman, three concerns regarding Valor Acres. Number one, DiGeronimo Company has apparently turned the Valor Acres site into a material storage yard for their various companies. This was not what the voters voted for when approving the Valor's Acres Development. Where were the drawings and the renderings that showed the voters the 30-foot tall weed-infested mountains of dirt, slag, broken concrete, broken down construction shacks, jersey barriers, those concrete road barriers and used mud barriers that now occupy the site. The site has become a nuisance and an eyesore. The city remains complicit and delinquent as long as it lets this situation continue. Second, the Planning Commission meeting of August 7th regarding the proposed CSA Office Building at Valor Acres was a real spectacle for an hour and a half. In a hard to hear and hard to follow discussion, the Commission decided within the last 30 seconds literally to pass a proposal regarding one of the most controversial aspects of the project. The proposal included specific design development which was development criteria which was just read here that was hurriedly cobbled together by three members of the Commission who huddled together for about five minutes and seemingly pulled the criteria out of the air based on who knows what. The activities were a total farce which made a mockery of the planning review process and I recommend that the Council send this proposal back to the Planning Commission with the directions to redevelop this, revisit this issue and better substantiate their recommendations. I have absolutely no idea how they came up with their recommendation that was read as part of this proposal to you at this time. Finally, it was indicated that a major concern of the CSA building as proposed are its elevation and its site grading. These concerns are seemingly related to the amount of field material that is currently occupying the site and whether

or not it is economical to remove these materials to bring the site back down to the originally proposed development plans. If this is in fact a driver of the current review, it is best I would recommend that the Council to remember that it is their duty to remember the best interest of the voters as they voted for this plan over at the Valor Acres. The city has no responsibility, no right or authority to accommodate the consequences of some bad business decisions to bring all that field material over into the area over there. The city's responsibility is to look after the best interests of its citizens as reflected in the plans for the Valor Acre site as they originally proposed. Finally, these types of issues regarding the grades on the sites for the various proposals going forward are going to continue to be an issue as long as the city does not address this issue, of all that fill material over on the site over there. Thank you very much. That's my concern."

Council Member Stucky said this is a concern, not going too deep into this, that there is a building, a very big building that's proposed to be put on 10 foot of fill originally, that was reviewed and taken back to the contractor and were told it is too much fill. Council Member Stucky said Brecksville's City Engineer either said to come down 4 foot or 5 foot, it's something that they could look at and the (Developer) came back at a height of 7 and 1/2 ft underneath. Council Member Stucky said the City has two senior members on the Planning Commission who pointed out multiple times that there is a code issue with just bringing in dirt, property owners can't just bring in dirt. Council Member Stucky said they have to be cut and fill and it has to be equal, not changing the topography of a property. When there is 10 foot under a building, that's changing at seven and a half. Council Member Stucky said what he heard multiple times was people who were willing to suggest bringing it down a foot, that even a foot would help the topography. It would help the slopes and everything else. Council Member Stucky said he never heard a reason why one foot couldn't be taken off this building So he will back the city engineer, and the people from the Planning Commission who have been on there for many years or the senior people saying that their recommendation is to take this down a foot and make it a usable product and he heard the only reason it couldn't be taken out because of financial reasons and that's not a good enough reason for me to go against what these people have to say.

Kevin DiGeronimo - Kevin DiGeronimo, 8524 Weise Road. Mr. DiGeronimo said part of part of the submission (for Application) it's implied and we do things called cut/fill maps. Factually 85% of the square foot of the building is on a cut and it was like that before we lowered the building and compromised. It's the amount of fill that is at the northeast corner of the building. Mr. DiGeronimo said that relates to the discussion, for the record, DiGeronimo Companies have built buildings that were on 50 foot of fill before. Most of this building itself is sitting on a cut. So DiGeronimo will actually have to excavate more material to set it and then fill on the northeast corner. Mr. DiGeronimo said this is a very common practice. Mr. DiGeronimo said he disagrees that they had a cut to fill overage, there's more cut on this site for the building than there is fill. Mr. DiGeronimo said, I'm not going to change some minds. Mr. DiGeronimo said DiGeronimo Companies has not brought a single yard of clay that you see in the piles to the site. Every one of those piles of clay have been a result of construction on this site. So, just for the record to be very clear, the other piles, broken concrete and the aggregates, those have been brought in. They will need about three times as much material to finish this project. So, there will be more. Mr. DiGeronimo said this is a subjective opinion the company really focuses on efficiency and so they are one of the larger groups in the area and they don't like to buy and bring things in on a single truckload. Mr. DiGeronimo said they like to do it with efficiency in mind. DiGeronimo Companies have brought in aggregate in large scales and you see those piles and they use them every day. They have broken and used recycled concrete in the form of broken concrete from the VA Hospital itself and then crush and recycled it. Mr. DiGeronimo said DiGeronimo Companies is one of the largest recyclers in the country. Valor Acres is a very organized and a very thought out, and well planned out site. Mr. DiGeronimo said the irony in all this conversation is, the sooner this plan moves forward, the sooner all those piles go away. Mr. DiGeronimo said they have a great tenant and that's what we've been really focused on and he wishes that some way that this could be done faster, cleaner without all the disruption. Mr. DiGeronimo said in the business that they're in, maybe they do take for granted some of the things that we think are more easy and best than standards of a pretty messy industry. Mr. DiGeronimo said he can relate to all the drive bys and while he might appreciate something and why others might not.

Mr. DiGeronimo said you get punished for trying to negotiate and do the right thing up front. That's sort of where the company landed on this in my opinion. DiGeronimo Companies did not want to lower the building a single foot. Mr. DiGeronimo said what they proposed is what they thought was the best and still feel is the best design because they want the front door of this really great company, who wants to come to Brecksville and expand and grow and not just for Brecksville, for Northeast Ohio, for our country. Mr. DiGeronimo said that is

what's at stake in terms of their growth and what their plans are. Mr. DiGeronimo said they want them to have the best experience and what we promised in this overall development is that we were going to attract the very best and in order to do that they needed to use all these efficiencies of the mixed use of these neighbors. Mr. DiGeronimo said they created a luxury industrial model that other cities and other regions wish they could replicate. They are being differential to the tenant who wants to be here and their connection to the mixed use. Mr. DiGeronimo said if there is a selfish motive, we brought DiGeronimo Companies here too and want them to be connected to us as well. Mr. DiGeronimo said it is subjective from our point of view, but it's very much focused on what CSA wants. Mr. DiGeronimo said everyone has their right to their opinion and they're all valid. Mr. DiGeronimo said he wanted to clear up a few things, if there are any more questions, he would be happy to answer.

Council President Caruso said he appreciates the comments and the first submission was rejected by Brecksville Planning Commission and the DiGeronimo team worked very hard and very quickly to come back with a significant number of compromises to try and find some middle ground. This whole process has been collaborative and I'd like to see it continue to be collaborative. Council President Caruso said there's always going to be some give and take. And so unless anyone else has anything to add or ask, I'll say we can take the roll call.

Council Member Koepke asked if the project does move forward, when will the pile closest to SR 21 be moved. Mr. DiGeronimo said the predominance of the fill materials will be removed from the site probably starting in spring of 2026. The time is running out to move it this year, even over the summer there's probably been 30,000 to 40,000 yards removed from the site in the southwest corner towards Sherwin Williams, The company sent out a couple dozen loads today and will continue to do so bit by bit.

Council Member Koepke said a large portion will be done predominantly in 2026 and by this time next year there are no piles, and if this does not move forward? Mr. DiGeronimo said there are no plans to move the piles.

Council member Stucky asked Engineer Wise if a project like this will have a private inspector to inspect the compacted material? Will they have a geotechnical engineer and a third party testing company to verify compaction? Engineer Wise said they will have their own compaction firm out there and they will most likely have to have certified pad to deliver to the applicant.

Mr. DiGeronimo said they will have third party inspectors on site.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage.

Nays: Stucky

MOTION CARRIED: 6- Ayes, 1-Nays, 0-Abstain.

Council Members Bender and Ganim returned to the meeting.

Council Member Ganim reported the next meeting of the Recreation Commission will be August 25, 2025 at 7:00 PM.

Council Member Koepke reported the next meeting of the Human Services Advisory Board will be September 9, 2025 at 3:00 PM.

Reports of Committees

Safety Service - Council Member Koepke reported the Committee met earlier and has no items for Council consideration.

Streets & Sidewalks - Council Member Ganim reported the Committee met earlier and has two items for Council consideration.

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Council Member Stucky was excused due to a conflict.

Brecksville Road CATTS Construction - Approval of Change Order No. 4 to Catts Construction in the amount of \$0.00 for the Brecksville Road (S.R. 21) Resurfacing CUY SR 021 0.00-0.82 Project. Account #C4800171-35010 Project ID RD24000707.

Motion made by Ganim, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage.

Council Member Stucky returned to the meeting.

Brecksville Road (S.R. 21) Resurfacing CUY SR 021 2.93-5.18 – Ronyak Change Order No. 2 - Approval of a motion accepting CO-2 to Ronyak Paving Inc., in the amount of \$0.00 for the Brecksville Road (S.R. 21) Resurfacing CUY SR 021 2.93-5.18. Account #C4800171-35010 Project ID RD230013.

Motion made by Ganim, Seconded by Bender.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Utilities - Council Member Ganim reported the Committee met earlier and has no items for Council consideration.

Buildings & Grounds - Council Member Jantzen reported the Committee met earlier and has one item for Council consideration.

Human Services Exterior Caulking - Recommend to Council approval of a motion accepting the proposal of Kapton Caulking in the amount of \$16,950.00 to caulk the exterior of the Human Services Building on the Courtyard side and to clean and caulk the stone for the Portico. Account C4900330-32020. Project ID BI250006

Motion made by Jantzen, Seconded by Koepke.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Legislation - Council Member Bender reported the Committee met earlier and has no items for Council consideration.

Finance - Council Member Savage reported the Committee met earlier and has no items for Council consideration.

Reports of Department Directors: Director of Law, Engineer, Director of Finance, Chief Building Official, Director of Human Services, Director of Service, Director of Purchasing, Chief of Police Department, Chief of Fire Department, Director of Recreation

Director of Law, No Report.

Engineer, No Report.

Director of Finance, No Report.

Chief Building Official: No Report.

Director of Human Services, No Report.

Director of Service, No Report.

Director of Purchasing, No Report.

Chief of Police Department, No Report.

Chief of Fire Department, No Report.

Report of the Mayor

Adjournment

Motion made by Caruso, Seconded by Savage.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

President of Council

Clerk of Council

Mayor and Safety Director: Daryl Kingston

City Council Members: Dominic Caruso, President; Beth Savage, Vice President; Dan Bender; AJ Ganim; Mark Jantzen; Ann Koepke; Brian Stucky.

Clerk: Tammy Tabor

**AN ORDINANCE TO AMEND ORDINANCE NO. 5758,
MAKING APPROPRIATIONS FOR CURRENT
EXPENSES OF THE CITY OF BRECKSVILLE
DURING THE FISCAL YEAR ENDING
DECEMBER 31, 2025, MAKING NECESSARY
APPROPRIATION AND REVENUE ADJUSTMENTS;
AND DECLARING AN EMERGENCY**

WHEREAS, the appropriations heretofore set to certain accounts of the City of Brecksville are insufficient to pay expenses incurred during the fiscal year ending December 31, 2025.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. That the Director of Finance be authorized to increase and decrease appropriations in the General fund.

(28,662.97)	Gas	1100161-29010
(16,371.22)	Electric	1100161-29020
1,934.29	Water & Sewer	1100161-29030
(620.59)	Gas	1100163-29010
1,500.00	Electric	1100163-29020
(28.48)	Water & Sewer	1100163-29030
(30,139.32)	Gas	1100171-29010
(46,108.09)	Electric	1100171-29020
(6,018.47)	Water & Sewer	1100171-29030
64.62	Gas	1100172-29010
4,663.34	Electric	1100172-29020
(27.59)	Water & Sewer	1100172-29030
(479.21)	Gas	1100210-29010
(2,837.19)	Electric	1100210-29020
(1,480.40)	Water & Sewer	1100210-29030
(8,784.50)	Electric	1100230-29020
(18,573.52)	Electric	1100240-29020
3,487.16	Gas	1100330-29010
6,248.88	Electric	1100330-29020
(3,463.15)	Water & Sewer	1100330-29030
55,000.00	FT Employee	1100510-11020
797.50	Medicare	1100510-12010
7,700.00	PERS	1100510-13010
40.00	Life Insurance	1100510-14010
2,000.00	Medical Insurance	1100510-14050
100.00	Dental Insurance	1100510-14060
150.00	Vision Insurance	1100510-14080
(22,000.00)	FT Employee	1100181-11020
(62.51)	Medicare	1100181-12010
(583.03)	PERS	1100181-13010
(24.91)	Life Insurance	1100181-14010
(2,000.00)	Medical Insurance	1100181-14050
(100.00)	Dental Insurance	1100181-14060
(150.00)	Vision Insurance	1100181-14080
65,000.00	FT Employee	1100171-11020
20,000.00	FT Employee	1100320-11020
8,000.00	Seasonal	1100320-11040
15,000.00	Medical	1100320-14050

20,000.00	Seasonal	1100420-11040
10,000.00	Overtime	1100420-11060
45,000.00	FT Employee	1100430-11020
15,000.00	Medical Insurance	1100430-14050
5,000.00	Seasonal	1100530-11040
5,000.00	Overtime	1100530-11060
30,000.00	FT Employee	1100630-11020
5,000.00	Seasonal	1100630-11040
5,000.00	PERS	1100630-13010
10,000.00	Medical Insurance	1100630-14050
(70,000.00)	FT Employee	1100621-11020
(25,000.00)	Medical Insurance	1100621-14050
(30,000.00)	FT Employee	1100622-11020
(30,000.00)	Medical Insurance	1100622-14050
(55,000.00)	FT Employee	1100623-11020
(10,000.00)	Overtime	1100623-11060
(10,000.00)	Medical Insurance	1100623-14050

SECTION 2. That the Director of Finance be authorized to increase and decrease appropriations in the Community Center fund.

(9,751.56)	Gas	2400710-29010
2,573.94	Electric	2400710-29020
(1,791.90)	Water & Sewer	2400710-29030

SECTION 3. That the Director of Finance be authorized to decrease appropriations in the Fire fund.

(4,034.80)	Gas	2900260-29010
(2,554.81)	Electric	2900260-29020
(1,033.77)	Water & Sewer	2900260-29030

SECTION 4. That the Director of Finance be authorized to increase appropriations in the General Bond Retirement fund.

110,000.00	Principal Pay-Miller/77 II	3100811-45222
54,713.75	Interest Payment – Miller/77 Ph II	3100812-46222

SECTION 5. That the Director of Finance be authorized to increase and decrease appropriations in the Urban Redevelopment TIE - VA Sherwin Williams fund.

20,000.00	School District Compensation	4102150-21131
(20,000.00)	Roads	C4102171-35010

SECTION 6. That the Director of Finance be authorized to increase estimated resources and appropriations in the Municipal Public Improvement TIE – South End fund.

168,759.66	Service Payments	R4201141-02521
2,000.00	Auditor's Fees	4201150-21180

SECTION 7. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that it is necessary to make adjustments to appropriations of the City, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: September 2, 2025

APPROVED: September 2, 2025

MAYOR

CLERK OF COUNCIL

**AN ORDINANCE ENACTING AND
ADOPTING A SUPPLEMENT TO THE
CODIFIED ORDINANCES OF
THE CITY OF BRECKSVILLE;
AND DECLARING AN EMERGENCY**

WHEREAS, the City's Codifier has completed the Municode Supplement 1 to the Codified Ordinances of the City of Brecksville, which supplement contains all Ordinances of a general and permanent nature enacted since the recodification and subsequent Supplements of the Codified Ordinances of the City of Brecksville; and

WHEREAS, the City's Codifier has also recommended revisions and/or supplementation of certain sections of the Codified Ordinances of the City of Brecksville which are based upon or make reference to certain sections of the Ohio Revised Code; and

WHEREAS, it is the intent of City Council to accept these updated sections in accordance with the changes made in the laws of the State of Ohio:

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Municode Supplement 4 to the Codified Ordinances of the City of Brecksville, as submitted by the City's Codifier, a complete copy of which is attached hereto as Exhibit "A" and expressly made a part hereof by reference be, and the same is, hereby adopted in its entirety.

SECTION 2. Any existing Sections of the Codified Ordinances of the City of Brecksville which are inconsistent with the provisions contained in the aforesaid Supplement 4 to the Codified Ordinances of the City of Brecksville be and the same are hereby repealed from and after the effective date of this Ordinance.

SECTION 3. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the necessity to update the Codified Ordinances of the City of Brecksville, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: September 2, 2025

APPROVED: September 2, 2025

MAYOR

CLERK OF COUNCIL

SUPPLEMENT NO. 4
August 2025

CODE OF ORDINANCES

City of

BRECKSVILLE, OHIO

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 5776, enacted March 18, 2025.

See the Code Comparative Table for further information.

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Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.

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CD3:7, CD3:8	OC	CD3:81, CD3:82	3
CD3:9, CD3:10	OC	CD3:83, CD3:84	3
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CD3:17	3	CD3:91, CD3:92	3
CD3:19, CD3:20	3	CD3:93, CD3:94	3
CD3:20.1	3	CD3:95, CD3:96	3
CD3:21, CD3:22	OC	CD3:97, CD3:98	3
CD3:23, CD3:24	OC	CD3:99, CD3:100	3
CD3:25, CD3:26	3	CD3:100.1, CD3:100.2	3
CD3:27	3	CD3:101, CD3:102	OC
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CD3:125, CD3:126	OC	CD3:199	OC
CD3:127, CD3:128	3	CD3:201, CD3:202	OC
CD3:129, CD3:130	3	CD3:203, CD3:204	OC
CD3:131, CD3:132	OC	CD3:205, CD3:206	OC
CD3:133, CD3:134	OC	CD3:207, CD3:208	3
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CD3:143, CD3:144	3	CD3:217, CD3:218	3
CD3:145, CD3:146	3	CD3:219, CD3:220	3
CD3:146.1	3	CD3:221, CD3:222	3
CD3:147, CD3:148	OC	CD3:223, CD3:224	3
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CD3:151, CD3:152	OC	CD5:3, CD5:4	OC
CD3:153, CD3:154	OC	CD5:5, CD5:6	OC
CD3:155, CD3:156	3	CD5:7, CD5:8	OC
CD3:157, CD3:158	3	CD5:9	OC
CD3:158.1	3	CD5:11, CD5:12	3
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CD3:167, CD3:168	3	CD5:21, CD5:22	3
CD3:169, CD3:170	OC	CD5:23, CD5:24	3
CD3:171, CD3:172	OC	CD5:25, CD5:26	3
CD3:173, CD3:174	OC	CD5:27, CD5:28	3
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CD5:38.1	3	CD5:111, CD5:112	OC
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CD5:51, CD5:52	OC	CD5:125, CD5:126	3
CD5:53, CD5:54	OC	CD5:126.1	3
CD5:55, CD5:56	3	CD5:127, CD5:128	OC
CD5:57, CD5:58	3	CD5:129, CD5:130	OC
CD5:59, CD5:60	3	CD5:131, CD5:132	OC
CD5:60.1	3	CD5:133, CD5:134	OC
CD5:61, CD5:62	OC	CD5:135, CD5:136	3
CD5:63, CD5:64	OC	CD5:137, CD5:138	3
CD5:65, CD5:66	OC	CD5:139, CD5:140	3
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CD5:183, CD5:184	OC	CD5:259, CD5:260	OC
CD5:185, CD5:186	OC	CD5:261, CD5:262	OC
CD5:187, CD5:188	OC	CD5:263, CD5:264	OC
CD5:189, CD5:190	OC	CD5:265, CD5:266	OC
CD5:191, CD5:192	OC	CD5:267, CD5:268	OC
CD5:193, CD5:194	OC	CD5:269, CD5:270	OC
CD5:195, CD5:196	OC	CD5:271, CD5:272	OC
CD5:197, CD5:198	OC	CD5:273, CD5:274	OC
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CD5:251, CD5:252	3	CD7:11	2
CD5:252.1	3	CD7:13, CD7:14	OC
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CD7:53, CD7:54	OC	CD7:131, CD7:132	OC
CD7:55, CD7:56	OC	CD7:133, CD7:134	OC
CD7:57, CD7:58	OC	CD7:135, CD7:136	OC
CD7:59, CD7:60	OC	CD7:137, CD7:138	OC
CD7:61, CD7:62	OC	CD7:139, CD7:140	OC
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CD7:87, CD7:88	OC	CD7:165, CD7:166	OC
CD7:89, CD7:90	OC	CD7:167, CD7:168	OC
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CD9:1	OC	CD11:19, CD11:20	OC
CD9:3, CD9:4	OC	CD11:21, CD11:22	OC
CD9:5, CD9:6	OC	CD11:23, CD11:24	OC
CD9:7, CD9:8	OC	CD11:25, CD11:26	OC
CD9:9, CD9:10	OC	CD11:27, CD11:28	OC
CD9:11, CD9:12	OC	CD11:29, CD11:30	OC
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CD9:17, CD9:18	OC	CD11:35, CD11:36	OC
CD9:19, CD9:20	OC	CD11:37, CD11:38	OC
CD9:21, CD9:22	OC	CD11:39, CD11:40	OC
CD9:23, CD9:24	OC	CD11:41, CD11:42	OC
CD9:25, CD9:26	OC	CD11:43, CD11:44	OC
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CD9:43, CD9:44	OC	CD11:61, CD11:62	OC
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CD11:1, CD11:2	OC	CD11:79, CD11:80	OC
CD11:3	OC	CD11:81, CD11:82	OC
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CD11:93, CD11:94	OC	CD11:171, CD11:172	OC
CD11:95, CD11:96	OC	CD11:173, CD11:174	OC
CD11:97, CD11:98	OC	CD11:175, CD11:176	OC
CD11:99, CD11:100	OC	CD11:177, CD11:178	OC
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CD11:123, CD11:124	OC	CD11:201, CD11:202	OC
CD11:125, CD11:126	OC	CD11:203, CD11:204	OC
CD11:127, CD11:128	OC	CD11:205, CD11:206	OC
CD11:129, CD11:130	OC	CD11:207	OC
CD11:131, CD11:132	OC	CD11:209, CD11:210	OC
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CD11:157, CD11:158	OC	CD11:235, CD11:236	OC
CD11:159, CD11:160	OC	CD11:237, CD11:238	OC
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CD11:257, CD11:258	OC	CD13:21, CD13:22	OC
CD11:259, CD11:260	OC	CD13:23, CD13:24	OC
CD11:261	OC	CD13:25, CD13:26	4
CD11:263, CD11:264	OC	CD13:27, CD13:28	OC
CD11:265, CD11:266	OC	CD13:29, CD13:30	OC
CD11:267, CD11:268	OC	CD13:31, CD13:32	OC
CD11:269, CD11:270	OC	CD13:33, CD13:34	OC
CD11:271, CD11:272	OC	CD13:35, CD13:36	OC
CD11:273, CD11:274	OC	CD13:37, CD13:38	OC
CD11:275, CD11:276	OC	CD13:39, CD13:40	OC
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CD11:289, CD11:290	OC	CD13:53, CD13:54	OC
CD11:291, CD11:292	OC	CD13:55, CD13:56	OC
CD11:293, CD11:294	OC	CD13:57, CD13:58	OC
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CD13:87, CD13:88	1	CD15:27, CD15:28	OC
CD13:89, CD13:90	1	CD15:29, CD15:30	OC
CD13:91, CD13:92	1	CD15:31, CD15:32	OC
CD13:93, CD13:94	1	CD15:33, CD15:34	OC
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SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code and are considered "Included." Ordinances that are not of a general and permanent nature are not codified in the Code and are considered "Omitted."

In addition, by adding to this table with each supplement, users of this Code of Ordinances will be able to gain a more complete picture of the Code's historical evolution.

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5437(Res.)	5-16-23	Omitted
5438(Res.)	5-16-23	Omitted
5449(Res.)	7- 5-23	Omitted
5606	7-18-23	Included
5607	7-18-23	Included
5608	7-18-23	Included
5609	7-18-23	Included
5610	7-18-23	Included
5611	7-18-23	Included
5623	6-20-23	Omitted
5630	6-20-23	Omitted
5649	10- 3-23	Omitted
5658	11- 7-23	Included
5659	11- 7-23	Omitted
5660	11- 7-23	Included
5661	11-21-23	Included
Supp. No. 2		
5486(Res.)	12-19-23	Omitted
5487(Res.)	12-19-23	Omitted
5530(Res.)	2- 6-23	Omitted
5531(Res.)	2- 6-23	Omitted
5534(Res.)	3- 5-24	Omitted
5581	1-17-23	Included
5586	2- 7-23	Included
5590	3- 7-23	Included
5591	3- 7-23	Included
5592	3- 7-23	Omitted
5604	4- 4-23	Omitted
5619	5-16-23	Included
5667	12- 5-23	Included
5671	12- 5-23	Included
5675	1-16-24	Included

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5685	2-20-24	Included
5697	4- 2-24	Included
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5566	11-15-22	Included
5566(Res.)	6- 4-24	Omitted
5582(Res.)	8- 6-24	Omitted
5585(Res.)	8- 6-24	Omitted
5586(Res.)	8- 6-24	Omitted
5587(Res.)	8- 6-24	Omitted
5593(Res.)	8-20-24	Omitted
5605(Res.)	9-17-24	Omitted
5606(Res.)	9-17-24	Omitted
5608(Res.)	9-17-24	Omitted
5623(Res.)	12- 3-24	Omitted
5705	6- 4-24	Included
5710	6- 4-24	Omitted
5712	6- 4-24	Included
5717	7-16-24	Omitted
5718	7-16-24	Omitted
5724	8- 6-24	Included
5726	7-16-24	Included
5727	7-16-24	Included
5728	8- 6-24	Omitted
5755	12- 3-24	Included
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5765	1- 7-25	Omitted
5769	3- 4-25	Omitted
5770	2-18-25	Omitted
5771	3- 4-25	Omitted
5772	3- 4-25	Included
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5776	3-18-25	Omitted

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- (5) Where enclosures are located adjacent to residential areas or in other visually sensitive areas, as determined by the Planning Commission, trash enclosures shall be further screened with a landscaped buffer as approved by the Planning Commission.
- (h) *Design of parking lots.* Parking areas shall be appropriately designed and developed as required by the Planning Commission with landscaped areas, pedestrian walkways, and planted islands reasonably distributed throughout so as to interrupt the expanse of paved areas. The parking areas shall meet the requirements of section 1183.15
- ('64 Code, § 1155.31; Ord. 2550, passed 8-18-81; Am. Ord. 3741, passed 7-20-99; Am. Ord. 3824, passed 8-1-00)

Sec. 1155.32. Schedule of planning criteria.

District, Building or Use	Min. Required Setback from ^c		Minimum Landscaped Yard	Min. Yards Required When Adjacent To:			
	Arterial Streets	Collector and Local		R-60, R-40, R-20 Districts		R-16, R-8, R-A Districts	
	(feet)	(feet)		SIDE (feet)	REAR (feet)	SIDE (feet)	REAR (feet)
Office Build- ing District Building	100 ^a	50 ^a	25	40	80	20	40
Parking and Drives	100 ^a	50 ^a		20	20	20	20
Local Business District Build- ing	100	100	20	40	100	40	80
Parking and Drives	20	20		20	20	20	20
Shopping Cen- ter District Building	20 ^b	20 ^b	10	40	100	40	80
Parking and Drives	20	20		20	20	20	20
Commercial Service Dis- trict Building	100	100	10	40	100	40	80
Parking and Drives	20	20		20	20	20	20
Motor Service District Build- ing	100	75	20	80	100	40	80
Parking and Drives	30	30		20	20	20	20

District, Building or Use	Min. Required Setback from ^c		Minimum Landscaped Yard	Min. Yards Required When Adjacent To:			
	Arterial Streets	Collector and Local		R-60, R-40, R-20 Districts		R-16, R-8, R-A Districts	
	(feet)	(feet)	(Percent)	SIDE (feet)	REAR (feet)	SIDE (feet)	REAR (feet)
^a May be reduced to 20 feet when within 500 feet of a Shopping Center District.							
^b If parking is designated in front of the building, the setback shall be not less than 100 feet.							
^c Provided the setback of any building and parking area within 50 feet of a Residential District shall not be less than that of a dwelling in the adjacent Residential District.							

('64 Code, § 1155.32; Ord. 2159, passed 5-20-75)

Sec. 1155.33. Business planned development area.

(a) *Definition.* The business planned development area (BPDA) is a conditional development and an option of the city to grant by conditional use permit after recommendation of the Planning Commission and approval of Council for any Business Zoning District when:

- (1) It is determined by the commission and Council that it is in keeping with the intent of the city's objectives, the character of the city and will enhance and complement the city; and
- (2) It complies with the standards and regulations for the district in which the BPDA is located, unless such standards and regulations are specifically modified as may be permitted within this chapter.

(b) *Planning and organization.* The BPDA shall be an area of a totally planned development project under one organization. This organization shall be responsible for:

- (1) Establishment of the overall General Development Plan, development concept, site plan, architectural theme; and
- (2) The preparation of overall preliminary plans and for obtaining approval of the conditional use permit and overall preliminary plans.

The final and total BPDA may be developed by a single or separate entities. Any separate entity shall be bound by the provisions of the BPDA General Development Plan.

(c) *General Development Plan.* The overall development shall be described in a General Development Plan which shall include the following documentation:

- (1) General description of the development organization.
- (2) General description of the development area
- (3) General description of uses.
- (4) All requested deviations from the city Codes.

- (2) *Maximum building or building unit exterior sign area.* The maximum permanent sign face area allowed on the exterior frontage of the building and each building unit shall be determined by the formula: (Building or building unit frontage width) $W \times 0.75$. Window or projecting signs are not included in this measurement.
- (3) *Maximum sign area per building unit.* The maximum allowable area (square feet) of all permanent signs for an individual unit of a building shall be a direct percentage of that building unit's frontage width to the building total frontage width of the maximum sign area of the building from subsection 1187.09(b)(1).
- (c) *Schedule of business sign regulations.* Signs as permitted shall conform to the number, area, height, location and any other requirements of this chapter:

Type of Sign		Maximum Number	Maximum Size of Single Face Area (square feet)	Maximum Height (feet)	Location Minimum Setback (feet)	Other Requirements
Identification	(Ground)	1/zoning	30	5	5 from ROW 25 from lot line	100 ft. from residential district line
	(Wall)	1/unit	"W" x .75	3 on sign	Front of Building	3 ft. minimum from end of building unit
	(Canopy or awning)	1	5	8 inches		Business name only
	(Door/Window)	1	2		Door	Business name and address**
	(Name-plate)	1	2		Door/wall	Business name
	(Window*)	1/unit	5		Front of Building	Permitted in lieu of wall sign
Directional		2	2	3 if ground 5 if on wall	1 from ROW 5 from side lot line	Minimum 10 feet from residential line
* Provided that the total of all window signs, temporary and permanent, do not exceed 25% of the total window area.						
** Emergency off-site telephone number with numbers not to exceed two (2) inches in height.						

(d) *Special provisions.*

- (1) *Uses within enclosed mall or arcade.* Uses (building units) with entrances located only within an "enclosed" hall or arcade are not counted in the computation of the maximum permitted sign area per building.

- (2) *Uses (building units) above the ground floor.* Signs for business or other uses (building units) above the ground floor of a building are not covered by the sign regulations of subsections 1187.09(a) through 1187.09(c). However, each external facing building unit above the ground floor shall be entitled to one identification wall or window sign not exceeding three square feet in area. Such wall sign shall be located on an inside wall either on the upper floor or on an entrance to the upper floor.
- (3) *Multi-unit building service entrances.* Multi-unit building service entrances, may be identified by the business name and address on a permanent nameplate not exceeding two square feet in single face sign area located on or near the service entrance. The service entrance signs shall be permitted in addition to the signs listed in subsection 1187.09(c). The area shall be permitted in addition to the maximum permanent sign area of § 1187.09(b)(1).
- (4) *Gasoline and automobile service stations.* Such signs shall conform to the district regulations in which they are located, except as permitted below.
 - A. All gasoline and service stations shall be permitted one free-standing permanent identification sign for and on each street the station fronts on.
 - B. Maximum sign face area, for each sign displaying only the price of gasoline and diesel fuel is four square feet per fuel type. No more than two fuel price signs shall be permitted per street frontage. Sign face area for price signs shall be part of the identification sign requirement. No other specific goods price signs are permitted.
 - C. Where building main frontage is less than 40 percent of maximum lot width, the maximum sign face area permitted may be increased up to 25 percent by the Planning Commission.
 - D. Permanent information signs at fuel pumps and service islands are permitted. Such signs shall be limited to the display of information regarding the type of service provided and other information essential in directing and instructing the motoring public, as approved by the Planning Commission.
- (5) *Open space uses.* For purposes of this section, an *open space use* shall be any use permitted in a Business District for which the width at the main or principal building represents 20 percent or less of the main frontage of its lot. For such uses, maximum sign face area for all permanent signs shall be determined by the frontage of the lot x 0.5. However, maximum sign face area shall not exceed 150 square feet for a lot.
- (6) *Projection sign.* A projection identification may be permitted in lieu of a permitted wall or window identification sign. Projections shall not extend more than three feet from the face of a building and less than eight feet above the finished grade of a sidewalk. Maximum single sign face area shall not exceed nine square feet. The Planning Commission may allow additional projection identification signs designed solely for pedestrian traffic and not exceeding 1.5 square feet per sign.
- (7) *Identification sign.*
 - A. Wall identification signs on the frontage of a building may include up to 25 percent of its area listing the general type of goods sold or services rendered except in Office Districts.

CHAPTER 1312. CERTIFICATE OF OCCUPANCY*

Sec. 1312.01. Certificate required.

No building or structure shall be occupied in whole or in part as a place of human habitation which, after the date hereof, is newly constructed, repaired, altered, improved or moved unless and until the Building Commissioner shall have made a final inspection thereof and he has found that the work thereon has been completed in accordance with all applicable ordinances, statutes and regulations and has issued a certificate of occupancy to the owner, contractor, tenant or other person having control of the occupancy thereof.

('64 Code, § 1312.01; Ord. 1682, passed 6-4-68)

Cross reference—Penalty, see § 1312.99

Sec. 1312.02. Temporary certificate.

The Building Commissioner is hereby authorized to issue a temporary certificate of occupancy in any instance where an existing structure is being or is to be altered, repaired or improved, permitting the occupancy thereof prior to the completion of such work, if he determines that during the progress of the work there shall be substantial compliance with the statutes, ordinances or regulations applicable thereto and governing the health and safety of the public and of the occupants. However, such temporary certificate of occupancy and any successive renewals thereof shall in no event be for an aggregate period exceeding one year from the date of the commencement of the work. When the Building Commissioner determines that all of the work complies with the applicable statutes, ordinances and regulations, he shall then issue the occupancy permit provided for in section 1312.01.

('64 Code, § 1312.02; Ord. 1682, passed 6-4-68)

Sec. 1312.03. Enforcement.

The Building Commissioner is hereby authorized to institute civil action in the name of the municipality against any person, firm or corporation occupying any structure in violation of this chapter, to evict the occupant or occupants thereof or to enjoin any occupancy in violation of this chapter, which remedy shall be in addition to all other provisions for the enforcement of the provisions hereof.

('64 Code, § 1312.03; Ord. 1682, passed 6-4-68)

Sec. 1312.99. Penalty.

Whoever violates any of the provisions of this chapter shall be fined not more than \$500.00, imprisoned for not more than six months, or both, and shall pay costs of prosecution for each offense and shall stand committed until such fines and costs of prosecution shall be paid or discharged by due process of law. Each day during which any violation hereof shall continue shall constitute a separate offense punishable as hereinabove provided.

('64 Code, § 1312.99; Ord. 1682, passed 6-4-68)

***Cross reference**—Certificate of occupancy and building permit required for compliance with Zoning Code, see § 1137.01

State law reference—Removal of unsafe structures, see R.C. §§ 715.26(B) and 715.261

State law reference—State building standards, see R.C. § 3781.10

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CHAPTER 1313. BUILDING PERMIT EXPIRATION*

Sec. 1313.01. Permits required.

(a) No person, firm or corporation shall construct, erect or build, or cause to be erected, constructed or built, any building, structure, sign or addition to or alteration of, any building, structure or sign, without first having obtained a building permit therefor, and except in compliance with the provisions hereinafter set forth in this chapter.

(b) No building permit shall issue for the construction of any new industrial, commercial or residential building used as a shelter or enclosure for persons until the applicant therefor has produced evidence to the Building Commissioner that no real estate tax delinquencies, including current special assessments or current payments thereon, if any, remain unpaid as to the real estate for which such new development is proposed.

(c) No person shall erect, construct, enlarge, alter, repair, or install any equipment or other item within a structure or within the premises of a lot, the installation, alteration, repair, construction or enlargement of which is regulated by this Building Code or Zoning Code, or cause the same to be done, without first making application to the Building Department and obtaining a permit. Permits required under this division (c) shall be exempt from the requirements of section 1313.011.

('64 Code, § 1313.01; Ord. 2358, passed 6-6-78; Am. Ord. 4587, passed 10-5-10)

Cross reference—Penalty, see § 1313.99

Sec. 1313.011. Permit application markers.

Prior to the issuance of a building permit as provided for in section 1313.01, the property owner or lessee of the premises whereon construction is proposed, shall authorize to be placed upon such premises a building permit application marker on which shall be provided the address of the applicant for a building permit, the type structure proposed to be constructed, permit number and the date of issuance of such application marker, and that such marker shall be conspicuously displayed for a period of no less than ten days prior to the issuance of a building permit. The building permit application marker shall be posted outside of the right-of-way line but not more than 25 feet from the curb or edge of pavement in order that the same is conspicuous to any interested person. Typical permits that fall into this category, but not limited to, are as follows: new single-family dwellings, additions/outdoor kitchens/fireplace, sunrooms, decks, swimming pools (in-ground and above-ground), pool houses, hot tub/spa, generators, fences, sheds, garages, gazebos/pavilions/ pergolas, water features/ponds/waterfalls, retaining walls, swing/play sets five feet or more in height, tree houses, chicken coops, accessory structures, or other similar exterior projects. A permit application marker/sign fee of \$5.00 shall be paid at the time of the permit application submittal.

('64 Code, § 1313.011; Ord. 2827, passed 7-1-86; Ord. No. 5772, § 1, 3-4-25)

***Cross reference**—Building permit and certificate of occupancy required for compliance with Zoning Code, see § 1137.01

Cross reference—Grade line determination required prior to permit issuance, see § 1317.04

Cross reference—Permit application time limitation for variances and exceptions, see § 1197.31

Cross reference—Swimming pool permits, see §§ 1323.08 et seq.

Cross reference—Topographic survey to accompany building permit application, see § 1315.01

TABLE OF SPECIAL ORDINANCES

TABLE A

TABLE A

FRANCHISES

Ord. No.	Date Passed	Description
Ord. 80	7-21-25	To C.E.I. — to erect, construct and maintain fixtures and appliances to transmit electricity.
Ord. 633	7-22-46	To East Ohio Gas Co. — to lay, extend, maintain and operate fixtures for furnishing natural gas to the Village and its inhabitants.
Ord. 1069	4-1-57	To Brecksville Road Transit, Inc. — to operate a motor coach transportation system.
Ord. 1307	7-2-62	Amends Ord. 1069 changing the rate and operating schedule of Brecksville Road Transit, Inc.
Ord. 1648	11-21-67	To Brecksville Road Transit, Inc. — to operate a motor bus system; fares, operations and regulations.
Ord. 1900	8-4-70	Ohio Telecable Co. to erect, maintain and operate CATV for 10 years.
Ord. 1923	12-15-70	Amends Ord. 1648 re fare schedule.
Ord. 1970	10-19-71	Amends Ord. 1900 re time extension for CATV service.
Ord. 2390	9-19-78	To Cleveland Electric Illuminating Co. for street lighting service for 9 years from 1-1-79.
Ord. 2594	7-20-82	To Complexicable Management Services, Inc. to erect, maintain and operate CATV for 15 years.
Res. 2253	10-4-83	Approves cable television franchise transfer to Complexicable of Brecksville.
Res. 2254	10-4-83	Permits Complexicable of Brecksville to give security interest on their CATV equipment to finance system construction.
Res. 2289	2-21-84	Extends Complexicable of Brecksville final installation deadline to 4-15-84.
Res. 2401	5-20-86	Approves with modification the rate increase of Complexicable.
Res. 2815	2-2-92	Approves transfer of franchise for provision of Cable Television Service from Cablevision of Midwest, Inc. to V Cable, L.P.
Ord. 3369	8-16-94	Authorizing Cuyahoga County Mayors and Managers Association to negotiate, on behalf of the city, a renewal franchise agreement with its current cable television provider, appropriating the funds therefor.
Ord. 3561	5-20-97	Extending the existing franchise agreement with Cablevision of the Midwest, Inc. until 12-31-97.
Ord. 3621	12-16-97	Extending the current nonexclusive franchise agreement with Cablevision, Inc. until March 31, 1998.
Ord. 3664	7-7-98	Extending the current nonexclusive franchise agreement with Cablevision, Inc. until September 30, 1998.

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Ord. No.	Date Passed	Description
Ord. 3687	12-15-98	Extending the current non-exclusive franchise agreement with Cablevision, Inc. until March 31, 1999.
Ord. 3717	3-16-99	Extending the current non-exclusive franchise agreement with Calbevision, Inc. until September 30, 1999.
Ord. 3736	7-6-99	Granting a non-exclusive franchise to Ameritech New Media, Inc., for the right to provide cable television service to the inhabitants of the city.
Ord. 3756	8-3-99	Granting a non-exclusive franchise to Cablevision of the Midwest for the purpose of transmission and distribution of cable television signals and the sale of said services to the inhabitants of the city, for a period of fifteen (15) years.
Res. 3334	5-2-00	Approving the transfer of the franchise for the provision of cable television service in the city from Cablevision of the Midwest, Inc. to Adelphia Communications Corporation.
Res. 3429	10-2-01	Approving the transfer of the franchise for the provision of cable television service in the city from Ameritech New Media, Inc., to WideOpenWest, Ohio LLC.
4210	10-4-05	Conditionally approving the request for the assignment and transfer of the existing cable television franchise from Adelphia Communications Corporation to Time Warner NY Cable LLC.
4405	4-1-08	In accordance with the requirements of R.C. § 1332.32, all video service providers providing video service in the city pursuant to a video service authorization obtained from the Director of the Ohio Department of Commerce shall pay Video Service Provider Fees ("VSP Fees") in the amount of three percent (3%) of gross revenues received from providing video service in the city, which gross revenues base shall include advertising revenues. The VSP Fee shall be paid quarterly, not sooner than forty-five (45) days nor later than sixty (60) days after the end of each calendar quarter.

TABLE OF SPECIAL ORDINANCES

TABLE B

TABLE B

EASEMENTS

Ord. No.	Date Passed	Description
Res. 121	12-7-26	To C.E.I. — to erect poles and fixtures on River and Vaughan Roads.
Ord. 444	5-1-39	To Cuyahoga County — to construct, maintain and use a trunk sewer over part of Original Lot 24.
Ord. 461	3-4-40	To Cuyahoga County — for a trunk sewer over part of Original Lot 24.
Ord. 470	6-3-40	Purchase from E. L. Kohl — for main line sewer.
Ord. 474	11-4-40	Appropriating certain lands and easements for a trunk sewer, sewage disposal plant and appurtenances (described in Res. 632).
Ord. 483	2-17-41	To Cuyahoga County — granting certain perpetual easements for sewers and a sewage disposal plant over 4 parcels of Original Lot 97.
Ord. 488	4-21-41	To Cuyahoga County — granting perpetual easements for sewers and a sewage disposal plant over part of Original Lot 96.
Ord. 519	10-19-42	Purchase from Hrabak — for trunkline sewer (part of Original Lot 96).
Ord. 607	11-5-45	Accepting for water main in the Glen Valley Club.
Res. 806	6-10-46	From Baum — for sanitary sewer.
Res. 808	6-10-46	From Young — for sanitary sewer.
Ord. 662	5-12-47	To Sinclair Refining Co. — to construct and operate a four-inch pipe line under Boston Road, Barr Road, Highland Drive, Edgerton Road and Oakes Road.
Res. 866	2-9-48	From Green and Lewis — for water main.
Res. 918	11-21-49	From Dudl and Wolodzko — for water main.
Res. 927	2-20-50	To Laura Jackson (owner of subplot 28 in Chippewa Hills Allotment) — to construct and maintain sewer over Village property.
Res. 935	8-21-50	To Webb and Kramer — to construct water main along westerly side of Riverview Road.
Ord. 925	10-26-53	To City of Cleveland — for the construction, maintenance and operation of a water tower.
Ord. 926	10-26-53	To City of Cleveland — purchase for the construction, maintenance and operation of a water tower and for ingress and egress.
Ord. 958	9-20-54	To Cuyahoga County — for construction, operation and maintenance of sanitary sewer over part of Original Lot 96.
Res. 1020	2-21-55	From Glen Valley Club Co. and Breen — for a water main.
Res. 1028	6-13-55	From the English Development Co., Inc. — for a water main.

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Ord. No.	Date Passed	Description
Res. 1037	8-1-55	From George R. Klein — four easements for water mains in Beechwood Drive, Rosemont Road, from Lawnpark Drive to Beechwood Drive and in Westwood Drive.
Ord. 1000	9-23-55	From J. W. Kalna Building, Inc. — for water main in proposed Glenwood Trail.
Ord. 1005	11-21-55	Cancellation of lease and easement from Latimer relative to a spring and water trough.
Res. 1046	11-21-55	From English — for water mains in proposed Cambridge Drive and Greenbrier Drive.
Res. 1049	12-19-55	From Bonimar Construction Corp. — for water mains in Saint Jude Parkway, Julia Drive and Michael Drive.
Ord. 1062	1-7-57	From Kalna Building, Inc. and Branchson, Inc. — for installation and maintenance of water main in Winding Way in Heather Hills Estates Subdivision No. 1.
Res. 1092	8-5-57	From R. Wiese — for water main.
Ord. 1136	7-1-58	From Kalna Building, Inc. and Branchson, Inc. — for installation of water main in Heather Hills Estates Subdivision (proposed Amber Lane).
Res. 1116	10-7-58	From Dudl, Demczyk, Flowers, Ploski and Barriball — for water main in extension of Farview Road.
Res. 1133	4-21-59	From Better Quality Homes, Inc. — for streets, sanitary and storm sewer lines and water mains in proposed Chippewa Village Estates Subdivision.
Res. 1150	10-20-59	To Tom R. Walker, Inc. — for construction of sanitary and storm sewer in Riverview Road.
Res. 1151	11-17-59	From Kalna Building, Inc., Branchson, Inc. and Birds all — for water mains in proposed Woodlawn Estates Subdivision (proposed Laurel Lane, Robin Lane, Tanager Trail and Tanager Oval).
Res. 1168	4-19-60	From English Development Co. — for water main in proposed Cranbrook Subdivision (proposed Lincoln Oval and Cranbrook Drive).
Res. 1170	5-4-60	From Kalna Building, Inc. and Branchson, Inc. — for water main in proposed Woodlawn Estates Subdivision (proposed Sunrise Trail).
Res. 1174	7-5-60	From E. Santora — for water main in proposed Lake Park Estates Subdivision No. 1 (proposed Windswept Drive, Paul Drive and Patty Ann Drive).
Res. 1195	4-4-61	From Kalna Building, Inc. and Branchson, Inc. — for water main in proposed Woodlawn Estates Subdivision No. 2 (proposed Tanager Oval).

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Ord. No.	Date Passed	Description
Res. 1201	6-20-61	From the English Development Co., Inc. — for water mains and sanitary lines in proposed Cranbrook Subdivision (proposed Lincoln Oval and Cranbrook Drive).
Res. 1204	7-11-61	From Ellsworth, Reeves, Bratton, Snow, Wright and Smith — for water main and sanitary sewer in Chaffee Court.
Res. 1212	9-12-61	From Ellsworth, Reeves, Bratton, Snow, Wright and Smith — for water main and sanitary sewer in proposed Chaffee Court.
Res. 1214	9-12-61	From Westchester Estates, Inc. — for water main and sanitary sewer in proposed Carriage Hill Drive.
Res. 1231	3-5-62	From Rice, Weyhenmeyer, Bratton, Carter and Bailey — for water main and sanitary sewer in proposed Daisy Avenue Extension.
Ord. 1289	4-16-62	To Board of Education — to install a storm sewer within right-of-way of Wiese Road.
Ord. 1299	6-18-62	From Brookpark Factory Sites, Inc. — for sewer and water in Sunnydale Estates Subdivision No. 1 and accepting deed for turn-around at westerly termini of proposed Lloyd Drive.
Ord. 1302	6-18-62	From Dudl Construction Co. — for record purposes only of Farview Oval for turn-around.
Res. 1250	9-17-62	From Westchester Estates, Inc. — for water main and sanitary sewer in proposed Carriage Hill Drive.
Res. 1253	9-17-62	From Brookpark Factory Sites, Inc. — for water main and sanitary and storm sewers in Sunnydale Estates Subdivision No. 2.
Ord. 1321	10-15-62	From Forest Park Land Co. — for water main near westerly termini of Daisy Avenue and Chaffee Court.
Res. 1270	4-1-63	Accepting easements for sanitary and storm sewers and water mains in Chapel Hill Subdivision.
Res. 1273	5-6-63	Accepting easements for sanitary and storm sewers and water mains in White Oaks Subdivision No. 1.
Res. 1285	9-3-63	Accepting easement for water main in Carriage Hill Drive.
Res. 1325	6-16-64	Accepting easements for sewer and water in Carriage Hill Development, Phase 3.
Res. 1337	9-15-64	Accepting sewer and water easements in Woodlawn Estates Subdivision No. 3.
Ord. 1498	9-28-65	Cleveland Electric Illuminating Co. — to occupy space through certain streets with two transmission lines.
Res. 1406	4-19-66	Accepting easements for sewer and water in Partridge Meadows Subdivision.
Res. 1407	4-19-66	Accepting easements for sewer and water in White Oaks Subdivision No. 5.

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Ord. No.	Date Passed	Description
Res. 1408	4-19-66	Accepting easements for sewer and water in Oxford Knolls Subdivision No. 2.
Res. 1496	5-8-68	Accepting perpetual easements for construction and maintenance of water mains in Highland Drive.
Res. 1504	7-16-68	Accepting easements and right-of-way for sanitary and storm sewer and water main in Bradford Village Subdivision No. 1.
Res. 1529	4-22-69	Accepting easement and right-of-way for sewers in Brooks and Co. Subdivision, Sublot No. 5.
Res. 1532	5-20-69	From Interstate Industrial Co. — for construction and maintenance of a storm drainage culvert, Snowville Road Extension.
Ord. 1646	11-8-67	Authorizing acquisition from East Ohio Gas Co. of right-of-way for Snowville Road Extension.
Ord. 1722	8-6-68	Authorizing purchase of easements for Highland Drive, Oakes Road and Barr Road sanitary sewer project.
Ord. 1734	11-6-68	Authorizing purchase of easement for Highland Drive, Oakes Road and Barr Road sanitary sewer project.
Ord. 1781	4-22-69	Authorizing purchase of easement for Highland Drive, Oakes Road, Royalton Road and Barr Road sanitary sewer project.
Ord. 1782	4-22-69	Authorizing easement acceptance for Brecksville Southerly Sanitary Sewer District No. 1.
Ord. 1789	5-20-69	Accepting grant of easement for constructing and maintaining sanitary sewer in Westchester Estates; releasing surety bonds.
Res. 1639	7-5-72	Authorizing easement for storm and sanitary sewer installation and maintenance on Board of Education land to Twentieth Century Homes, Inc.
Res. 1651	11-7-72	Accepting sanitary sewer easement with appurtenances from J. Baldanza et al. for original Brecksville Township Lot. No. 53 on Barr Road.
Res. 1667	3-20-73	Accepting easement for installation and maintenance of water main and appurtenances from Twentieth Century Homes, Inc.
Res. 1724	6-18-74	Accepting easement for construction of a sanitary sewer and appurtenances from Clair H. and Marion A. Bourne.
Res. 1725	6-18-74	Accepting easement for construction of a sanitary sewer and appurtenances from the Fogg-Brecksville Development Co.
Res. 1783	11-18-75	Accepting water main easement from R.A.D. Development Co. appurtenant to Carter's Grove Subdivision No. 2.
Res. 1840	10-19-76	From Echo Hills, Inc. for water main installation and maintenance.
Res. 1845	11-16-76	From Echo Hills, Inc. for sanitary sewer construction and operation.

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Ord. No.	Date Passed	Description
Res. 1846	11-16-76	Accepting four easements for storm and sanitary sewer installation and maintenance appurtenant to Carter's Grove Subdivision No. 2.
Ord. 2208	2-17-76	To Cleveland Regional Sewer District for a 30 foot wide permanent access easement for the Cuyahoga Valley interceptor sewer.
Res. 1861	1-18-77	From Twentieth Century Homes, Inc. for water main in Windward Hills Subdivision.
Res. 1862	1-18-77	From Twentieth Century Homes, Inc. for water main in Windward Hills Subdivision.
Res. 1880	5-17-77	From Edward Tresger, Trustee, for water main in Carriage Hill Phase II Condominiums Subdivision.
Res. 1960	8-1-78	From Sentinel Hills Subdivision, Phase I, for water main.
Res. 1965	9-5-78	From Ann McCabe, Trustee, for water main to Old Royalton Road planned development area apartments.
Res. 1971	11-7-78	From Central Land Corporation for water main to Sentinel Hills Subdivision No. 2.
Res. 2220	3-15-83	To Cuyahoga County to construct, maintain, operate and repair a sanitary sewer.
Ord. 2597	6-15-82	To Northeast Ohio Regional Sewer District for installation, repair and maintenance of a public sanitary sewer at Public Square.
Ord. 2598	6-15-82	To Northeast Ohio Regional Sewer District for installation, repair and maintenance of a public sanitary sewer at the northeast corner of Wiese Roads and Chippewa Roads.
Ord. 2603	7-6-82	Amends Ordinances 2597 and 2598 relating to compensation for certain easements granted to the Northeast Ohio Regional Sewer District.
Res. 2239	6-21-83	To Ohio Bell to install telephone equipment on part of Original Brecksville Township Lot 32.
Res. 2248	7-19-83	From Brecksville Commons, Inc. to install a water main.
Res. 2288	2-21-84	From Cuyahoga Valley Joint Vocational School for sanitary sewer system construction and maintenance.
Res. 2296	5-15-84	From U.S. Veterans Administration for sanitary sewer system construction and maintenance.
Res. 2326	1-15-85	From Gateway Associates for a water main.
Res. 2329	1-15-85	From Gateway Associates for a sanitary sewer.
Res. 2342	8-6-85	Accepting easements for water supply and storm and sanitary sewers in Timbers Subdivision.
Res. 2349	12-17-85	Accepting various easements for water supply, and storm and sanitary sewers in Park Place Estates Subdivision.

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Ord. No.	Date Passed	Description
Ord. 2816	5-20-86	Accepting water main easement from Winding Creek, Inc.
Res. 2404	5-20-86	Accepts sanitary sewer easement from Winding Creek Condominiums.
Res. 2407	6-3-86	Accepts water main easement from Timbers Limited Partnership.
Res. 2408	6-3-86	Accepts water main easement from Timbers Limited Partnership.
Res. 2409	6-17-86	Accepts storm sewer easement from Kovacs.
Res. 2418	8-19-86	Accepting storm and sanitary sewer easement from J. & K. Development Corp.
Res. 2419	8-19-86	Accepting water main easement from J. & K. Development Corp.
Res. 2422	9-16-86	Accepting water main easement from K. and S. Building Co.
Res. 2423	9-16-86	Granting sanitary sewer easement to NE Ohio Regional Sewer District.
Res. 2429	11-4-86	Accepting water main easement from Grand Bay of Brecksville.
Res. 2430	11-4-86	Accepting water main easement from Cuyahoga County Public Library.
Res. 2431	11-4-86	Accepting water main easement from Cuyahoga Snider Building Corp.
Res. 2438	12-16-86	Accepting storm and sanitary sewer easement for the Timber's Subdivision No. 2.
Res. 2439	12-16-86	Accepting water main easement for The Timbers Subdivision No. 2.
Res. 2468	3-17-87	Accepting storm sewer easement from Chippewa Place Development Co. Limited Partnership.
Res. 2475	5-5-87	Accepting water main easement for Stone's Throw Subdivision No. 2.
Res. 2476	5-5-87	Accepting water main easement for circulation purposes only for Stone's Throw Subdivision No. 2.
Res. 2477	5-5-87	Accepting storm sewer easement for Stone's Throw Subdivision No. 2.
Res. 2478	5-5-87	Accepting storm and sanitary sewer easement for Stone's Throw Subdivision No. 2.
Res. 2484	6-16-87	Accepting storm and sanitary sewer easement for Grand Bay Development.
Res. 2485	6-16-87	Accepting water main easement for Grand Bay Development.
Res. 2489	7-7-87	Accepting water main easement from Southpointe Business Park.
Res. 2492	7-7-87	Accepting water main easement for circulation purposes only for Country Woods Subdivisions No's. 2 and 3.
Res. 2496	10-6-87	Accepting water main and sanitary sewer easements from J. Harvey Crow.
Res. 2497	10-6-87	Accepting water main easement from Barton A. Simon for Gateway, Phase II.

TABLE OF SPECIAL ORDINANCES

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Ord. No.	Date Passed	Description
Res. 2501	11-17-87	Accepting water main easement from McCabe and Snider, Trustees for Phase 2B of Chaffee Court Condominiums.
Res. 2503	12-1-87	Electronic Engineering Co. to install telephone cable on certain right-of-way located on West Snowville Road.
Res. 2581	8-2-88	Accepting water main easement for Grand Bay Development, Phase III.
Res. 2582	8-2-88	Accepting water main easement for circulation purposes for Grand Bay Development, Phase III.
Res. 2583	8-2-88	Accepting storm and sanitary sewer easement for Grand Bay Development, Phase III.
Res. 2588	2-16-88	Accepting storm and sanitary sewer easement from J. & K. Development Corp. for Rockledge Subdivision No. 3.
Res. 2589	8-16-88	Accepting water main easement from J. & K. Development Corp. for Rockledge Subdivision No. 3.
Res. 2591	8-16-88	Accepting water main for circulation purposes from J. & K. Development Corp. for Rockledge Subdivision No. 3.
Res. 2594	10-4-88	Accepting storm and sanitary sewer easement from Grand Bay for Deerpath Estates Subdivision.
Res. 2598	11-1-88	Accepting storm and sanitary sewer easement from Crow, Evilsizor, Cinadr and Novy for Grand Bay Development, Phase III.
Res. 2604	12-20-88	Accepting sanitary sewer easement from Cleveland Electric Illuminating Co. for Sewer Project 1312.
Res. 2629	4-4-89	Accepting ingress and egress easement to Christ the Redeemer Lutheran Church from Board of Park Commissioners of Cleveland Metropolitan Park District.
Res. 2632	5-2-89	Accepting sanitary sewer and retention basin easement for the Timbers Subdivision No. 2 from the Timbers Limited Partnership.
Res. 2646	9-19-89	Accepting storm and sanitary sewer easement for the Perozeni Construction Co., Inc. Subdivision from the Perozeni Construction Co., Inc.
Res. 2651	11-7-89	Accepting water main easement for Grand Bay Development Phase III-C from Grand Bay of Brecksville.
Res. 2652	11-7-89	Accepting water main easement for Grand Bay Development Phase IV-A from Grand Bay of Brecksville.
Res. 2698	5-1-90	Accepting storm and sanitary sewer and storm water retention/detention basin easement for Oxford Knolls Subdivision No. 3 from J and K Development Corp.
Res. 2702	6-5-90	Accepting easement to construct and maintain a lake for the new public library from Cleveland Metroparks System.

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Ord. No.	Date Passed	Description
Res. 2707	7-9-90	Accepting storm and sanitary sewer, detention and sedimentation basin easement for Emerald Wood Subdivision from Sunlight Construction, Inc.
Res. 2710	8-21-90	Accepting storm sewer easement from Leita Stephens.
Res. 2734	12-4-90	Accepting storm sewer easement from the Chippewa Place Development Co.
Res. 2735	12-18-90	Accepting water main easement for the Windward Hills Development from Ralph Victor Construction Co.
Res. 2757	5-7-91	Granting easement to Richard and Frances Zachowski for installation and maintenance of storm and sanitary sewers for Victorian Square Development.
Res. 2763	7-2-91	Accepting easement from Bittersweet Homes II for installation and maintenance of storm sewer for Whispering Woods Condominium Development.
Res. 2776	9-17-91	Accepting easement from Angelo and M.A. Petitti for installation and maintenance of storm sewer.
Res. 2816	2-18-92	Accepting easement from Grand Bay for installation of water main (Phase IV-B).
Res. 2827	4-21-92	Accepting easement from Echo Hills Club, Inc. for installation and maintenance of storm sewer.
Res. 2831	5-5-92	Accepting easement from Great Lakes Land Ltd. Partnership for installation and maintenance of water main for circulation purposes only (Bristol Lane Subdivision).
Res. 2844	10-20-92	Accepting easement from Aspen Properties Inc. for installation and maintenance of water main for Chippewa Creek Condos.
Res. 2845	11-17-92	Accepting easement from Grand Bay for installation and maintenance of water main for Phase I-C, II-A, II-D and to S. Edgerton Road through Local Business Zone.
Res. 2846	11-17-92	Authorizing Mayor to vacate certain water main easements previously accepted by Res. 2535 and 2536.
Res. 2901	10-5-93	Accepting easement from Don C. and R. M. Rybak for installation and maintenance of storm sewer.
Res. 2947	3-15-94	Accepting easement from Grand Bay and Lake Communities, Inc. for installation and maintenance of water main to supply water to Grand Bay Phase II.
Res. 2948	3-15-94	Authorizing Mayor to vacate water main easement previously accepted by Res. 2581 from Grand Bay for Grand Bay Phase II.
Res. 2949	3-15-94	Accepting easement from Henry and J. V. Malzan for Farview Pershing storm sewer project.
Res. 2950	3-15-94	Accepting easement from David and B. Piekarczyk for Farview Pershing storm sewer project.

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Ord. No.	Date Passed	Description
Res. 2951	3-15-94	Accepting easement from Betty and R. L. Korpall for Farview Pershing storm sewer project.
Res. 2953	4-5-94	Accepting easement from Kenneth Galayda and Margaret Haley for installation of storm sewers for Farview-Pershing storm sewer project.
Res. 2970	9-6-94	Accepting easement from SMS Development Co. for installation and maintenance of water main for circulation purposes only for Preston Village Subdivision.
Res. 2971	9-6-94	Accepting easement from SMS Development Co. for installation and maintenance of water main for circulation purposes only for Phase IV of the Emerald Woods Subdivision.
Res. 2974	10-4-94	Accepting easement from SMS Development Co. for installation and maintenance of a retention basin, storm sewers and appurtenances for Preston Village Subdivision.
Res. 2975	10-4-94	Authorizing Mayor to vacate certain easements relating to storm and sanitary sewers and a detention basin access easement for Emerald Woods Subdivision #2.
Ord. 3363	8-2-94	Right-of-way for Southpointe Parkway.
Ord. 3380	10-4-94	Agreement with Miller Road Group for purchase of certain right-of-way necessary for Miller Road widening project.
Ord. 3382	10-18-94	Determining to proceed with the improvement of Southpointe Parkway between certain termini by acquiring the necessary land, grading, draining, curbing, paving, lighting, constructing storm sewers, sanitary sewers, water mains, water service connections and sanitary sewer laterals, all together with the necessary appurtenances.
Res. 3011	2-7-95	Accepting an easement from Michael F. and M. A. Donski for the installation and maintenance of a storm sewer culvert for the Amber Lane Storm Sewer Culvert Repair Project.
Res. 3012	2-7-95	Accepting an easement from Ruth K. Hoyt for the installation and maintenance of a storm sewer culvert for the Amber Lane Storm Sewer Culvert Repair Project.
Res. 3042	12-5-95	Accepting an easement from Gateway Associates III & IV for the construction, reconstruction, maintaining, operating and repairing underground electrical services relating to the construction of Southpointe Parkway.
Res. 3043	12-5-95	Accepting an easement from Gateway Associates for the construction, reconstruction, maintaining, operating and repairing underground electrical services relating to the construction of Southpointe Parkway.

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Ord. No.	Date Passed	Description
Res. 3079	1-16-96	Accepting an easement from Winding Creek, Inc., Condominiums for the construction, reconstruction, repair and operation of storm sewers, and providing compensation therefore.
Ord. 3501	5-7-96	Accepting a sidewalk easement from Miller-21 Associates on behalf of the city necessary for the Miller Road widening project.
Res. 3105	8-20-96	Accepting an easement from E. & E. T. Naffah for the installation and maintenance of a storm sewer culvert for the Amber Lane storm sewer culvert repair project.
Res. 3113	10-15-96	Accepting an easement from Helen Giglio for the installation and maintenance of a sanitary sewer.
Res. 3117	11-5-96	Accepting an easement from Harry J. & B. Byrne for the installation and maintenance of a storm sewer culvert for the Amber Lane storm sewer culvert repair project.
Res. 3141	3-4-97	Accepting an easement from Grand Bay of Brecksville, Limited Partnership, for installation and maintenance of storm and sanitary sewers for Grand Bay Development Phase IV-C.
Res. 3142	3-4-97	Accepting an easement from Grand Bay of Brecksville, Limited Partnership, for installation and maintenance of water main for circulation purposes for Grand Bay Development Phase IV-C.
Res. 3143	3-4-97	Accepting an easement from Grand Bay of Brecksville, Limited Partnership, for installation and maintenance of water main for supplying water for Grand Bay Development Phase IV-C.
Res. 3162	8-5-97	Accepting easement from Edward A. & Kathleen A. Bernetich, and Kenneth A. & Hillary V. Sterba for the installation and maintenance of a storm sewer for the Hollis-Dunbar storm sewer repair project.
Res. 3237	11-17-98	Accepting an easement from Elizabeth L. and Joseph Baginski for the installation and maintenance of a storm sewer for the White Oaks Storm Sewer Culvert Repair Project.
Res. 3277	7-6-99	Accepting an easement from Casimer J. and Regina D. Spikowski for the installation and maintenance of a water main.
Res. 3278	7-6-99	Accepting an easement from Mary Ann Eicher for the installation and maintenance of a water main.
Res. 3279	7-6-99	Accepting an easement from Frank A. and Annette La Manna for the installation and maintenance of a sanitary sewer.
Res. 3280	7-6-99	Accepting an easement from Frank A. and Annette La Manna for the installation and maintenance of a waterline.
Ord. 3756	8-3-99	To Cablevision of the Midwest — to erect, maintain, and operate cable television transmission and distribution facilities, in, under, above, along, across, and upon the streets, lanes, avenues, sidewalks, alleys, bridges, and other public places in the city.

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Ord. No.	Date Passed	Description
Res. 3285	9-21-99	Accepting an easement from William J. Snider, Trustee, for the installation and maintenance of sanitary sewers and pump station equipment.
Res. 3290	10-19-99	Accepting an easement from Foggs-Simon, LLC for the installation and maintenance of a sanitary sewer and appurtenances thereto.
Res. 3291	10-19-99	Accepting an easement from James J. Mudri for the installation and maintenance of a sanitary sewer and appurtenances thereto.
Res. 3292	10-19-99	Accepting an easement from Joseph Greve for the installation and maintenance of a sanitary sewer and appurtenances thereto.
Res. 3320	2-1-00	Accepting an easment from T. Development, LLC, HBA, Parkview Homes, Inc., and Kingdom Development Corp., for the installation and maintenance of a storm sewer.
Res. 3338	5-16-00	Accepting easements from Barbara Antkiewicz, Richard J. and Linda Hutchinson and Robert H. Skomski for the installation and maintenance of a storm sewer.
Res. 3383	1-16-01	Accepting easement from the city to the city for the construction, operation and maintenance of traffic signal devices.
Res. 3398	5-1-01	Accepting easement from Harold R. Cassidy and Margaret W. Cassidy for the construction, operation and maintenance of traffic signal devices.
Res. 3399	5-1-01	Accepting easement from the South Central Cuyahoga County Joint Vocational District Board of Education for the construction, operation and maintenance of traffic signal devices.
Res. 3400	5-1-01	Accepting easement from Robert R. Cull for the construction, operation and maintenance of traffic signal devices.
Res. 3401	5-1-01	Accepting easement from the Brecksville-Broadview Heights Board of Education for the construction, operation and maintenance of traffic signal devices.
Res. 3402	5-1-01	Accepting easement from the Brecksville Shopping Center, LTD. for the construction, operation and maintenance of traffic signal devices.
Res. 3403	5-1-01	Accepting easement from the Windward Hills Condominium Owners Association, Inc., for the construction, operation and maintenance of traffic signal devices.
Res. 3433	10-16-01	Granting a parking easement to the Brecksville-Broadview Heights Board of Education.
Res. 3435	11-6-01	Supplementing the Exhibit to Res. 3433, granting a parking easement to the Brecksville-Broadview Heights Board of Education.

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Ord. No.	Date Passed	Description
Res. 3498	10-15-02	Authorizing the Mayor to execute, on behalf of the city, a release of easement concerning Permanent Parcel No. 604-34-010.
Ord. 3992	12-3-02	Accepting easements from Richard A. and Linda J. Packard, Brecksville Masonic Temple Company, and Victoria Burns regarding the Center-West Parking Lot Project.
Res. 3508	12-17-02	Accepting an easement from David B. Snider for the construction, operation and maintenance of traffic signal devices.
Res. 3509	12-17-02	Accepting an easement from the Brecksville-Broadview Heights Board of Education for the construction, operation and maintenance of traffic signal devices.
Res. 3510	12-17-02	Accepting easements from Dennis Richard Bydash and Robert W. Massie for the installation and maintenance of storm sewer.
Res. 3538	2-18-03	Accepting an easement from Petros Homes, Inc., for the installation and maintenance of a water main for circulation purposes only.
Res. 3539	2-18-03	Accepting an easement from Petros Homes, Inc., for the installation and maintenance of sanitary sewers.
4104	4-20-04	Accepting an easement from Gateway Associates III & IV for the installation and maintenance of certain storm water detention facilities in conjunction with the Southpointe/Miller/I-77 storm water control project.
Res. 3608	7-6-04	Accepting an easement from Condominium of Compass South Homeowners Association for the installation and maintenance of a water main for circulation purposes only.
Res. 3614	9-7-04	Accepting an easement from Thomas F. Naughton and Joy S. Naughton for the installation and maintenance of a storm sewer.
Res. 3681	11-1-05	Accepting easements from Jon J. and Susan E. Russell, Stanley J. and Teresa I. Basista, and Vincent and Irene Sirna, for sidewalk and increased right-of-way purposes.
Res. 3819	7-3-07	Accepting an easement from Broad Oak Development, Ltd., 131318, Ltd., and Weaver Farms Development, LLC for the installation and maintenance of a water main for supplying water for the Brecksville Woods Corporate Park.
4332	7-3-07	Authorizing the Mayor to enter agreement with Ohio Bell Telephone Company, dba AT&T Ohio for use of certain right-of-way for provision of Internet Protocol Video Services to residents of Brecksville.
Res. 3825	7-17-07	Accepting an easement from John F. Ross and Anne Mihelich-Ross for the installation and maintenance of a storm sewer.

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Ord. No.	Date Passed	Description
Res. 3834	9-18-07	Accepting an easement from Diana Strongosky and Steven Strongosky for accessing, maintaining, repairing and/or replacing storm sewer detention facilities in the Crosswinds Subdivision.
4368	11-6-07	Authorizing the Mayor to grant an easement, on behalf of the City, to AT&T for the location of certain video and data transmission equipment on certain City land.
Res. 3901	5-20-08	Authorizing the Mayor to accept permanent easements from Jerome T. Mitchell and Dennis Forchione; and Frank Salvatore, Trustee and temporary work agreements from Aurora C. Ventenilla; Jerome T. Mitchell and Dennis Forchione; Frank Salvatore, Trustee; William J. Kern and Nicole M. King; James A. Zambataro and Janet L. Zambataro; and Marie E. Tyree for the installation and maintenance of a storm sewer and appurtenances thereto along Edgerton Road and Tamarack Trail.
Res. 3914	7-15-08	Authorizing the Mayor to accept a permanent easement and a temporary work agreement from Edward F. and Doris C. Nemetz for the Fitzwater Road Improvement Project.
Res. 3917	8-19-08	Authorizing the Mayor to accept a permanent easement from the Board of Park Commissioners of the Cleveland Metropolitan Park District for the Cuyahoga River at Vaughn Road Bank Stabilization Project.
Res. 3965	6-16-09	Accepting an easement from George Prochaska, for the installation and maintenance of a storm sewer.
Res. 3974	8-4-09	Accepting an easement from Nancy Ann Jones-Florio (aka Nancy Ann Jones-Floria) and William F. Florio related to storm water control.
Res. 3990	11-17-09	Authorizing the Mayor to grant a storm water drainage easement to the Ohio Turnpike Commission.
Res. 4065	8-3-10	Accepting an easement from Christopher A. Naso and Erin M.T. Naso for the maintenance of a storm sewer and appurtenances thereto.
Res. 4087	10-19-10	Accepting an easement from Woodcrest Development LLC for the installation and maintenance of a water main for water supply service.
Res. 4097	12-21-10	Accepting a permanent easement from the Chippewa Hills Homeowners Association, Inc. related to storm water control.
Res. 4114	1-18-11	Accepting a permanent easement from Shawana P. Johnson and Thomas E. Kerr related to storm water control.
Res. 4154	6-7-11	Accepting a permanent easement from Brian M. Loftus and Karen M. Vasenda related to storm water control.

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Ord. No.	Date Passed	Description
Res. 4225	2-7-12	Authorizing a permanent easement for public use and roadway purposes from Ken R. Gozelanczyk for PP# 602-10-010 for the Wiese Retaining Wall Improvement Project.
Res. 4226	2-7-12	Authorizing a permanent easement for public use and roadway purposes with Theodore Robert Skwarski, Jr. for PP# 602-10-012 for the Wiese Retaining Wall Improvement Project.
Res. 4239	4-3-12	Accepting an easement from Tim J. Blair and Lana R. Blair on PP# 601-10-011 located at 9660 Greenhaven Parkway related to the Meadow Lane storm sewer and slope repair project.
Res. 4242	4-3-12	Accepting an easement from James R. Steiger and Christine M. Steiger on PP# 601-10-012 located at 9225 Meadow Lane related to the Meadow Lane storm sewer and slope repair project.
Res. 4249	5-1-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm drainage facilities, and appurtenances thereto in, under, across and through PP# 602-12-047 known as 9251 Province Lane owned by Wendy S. Barnett, Trs.
Res. 4255	5-15-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-025 known as 9926 East Pointe Circle owned by Peter A. Granson III and Megan E. Granson.
Res. 4256	5-15-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-018 known as 9853 Barr Road owned by Kenneth C. Grover and Susan M. Grover.
Res. 4257	5-15-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-017 known as 9841 Barr Road owned by John Kozanas and Bessie Kozanas.
Res. 4258	5-15-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-019 known as 9867 Barr Road owned by David Smith and Tamara A. Smith.

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Ord. No.	Date Passed	Description
Res. 4259	5-15-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-026 known as 9939 Barr Road owned by Marnie L. Walcutt and Kurt Walcutt.
Res. 4260	5-15-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-016 known as 9825 Barr Road owned by Paul P. Wilczewski and Jennifer R. Wilczewski.
Res. 4262	6-5-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-020 known as 9885 East Pointe Circle owned by Ingrid Bryan.
Res. 4263	6-5-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm drainage facilities, and appurtenances thereto in, under, across and through PP# 605-13-025 known as 10055 Hickory Ridge owned by Robert A. DeRoberts and Eileen C. DeRoberts.
Res. 4264	6-5-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm drainage facilities, and appurtenances thereto in, under, across and through PP# 605-13-036 known as 10057 North Court owned by Mark J. VanRumppe and Margaret M. VanRumppe.
Res. 4272	7-17-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-028 known as 9979 Barr Road owned by Candice C. Champion and Jeffrey T. Parsons.
Res. 4286	9-18-12	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through certain lands owned by Eugene A. Benedetto, Trustee, on PP# 601-25-035 located at 7523 Old Quarry Lane for the Hemlock Pump Station Project.

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Ord. No.	Date Passed	Description
Res. 4287	9-18-12	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through certain lands owned by David E. Lesesky on PP# 601-25-068 located at 8480 Timber Trail for the Hemlock Pump Station Project.
Res. 4302	12-18-12	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 604-04-027 known as 9955 Barr Road owned by John T. and Kimberly D. Kalogeras.
Res. 4320	1-15-13	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-29-001 owned by the Chippewa Creek Condominiums, for the Stadium Drive Pump Station Project.
Res. 4321	1-15-13	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-29-002 owned by the Fox Rest Condominiums for the Stadium Drive Pump Station Project.
Res. 4322	1-15-13	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-29-003 owned by the Brecksville-Broadview Heights Board of Education for the Stadium Drive Pump Station Project.
Res. 4331	3-5-13	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-07-039 and 601-20-025 Carriage Hill Drive owned by the Woods of Brecksville Condominium Homeowners Association.
Res. 4359	7-2-13	Accepting a storm sewer easement from Lloyd and Michele R. Yeh on PP# 601-02-087 located at 7811 Plantation Drive for the Rivercrest Drive storm sewer outlet repair project.
Res. 4360	7-2-13	Accepting a storm sewer easement from Walter M. Krawczonek, Jr. on PP# 601-24-042 located at 7635 Amber Lane for the Amber Lane storm culvert replacement project.
Res. 4361	7-2-13	Accepting a storm sewer easement from Henry L. and Anita M. Koeth on PP# 601-24-041 located at 7603 Amber Lane for the Amber Lane storm culvert replacement project.

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Ord. No.	Date Passed	Description
Res. 4363	8-6-13	Accepting a storm sewer easement from Michael Welchel on PP# 601-22-009 located at 9775 Whitewood Road for the 9775 Whitewood Road storm sewer project.
Res. 4365	8-6-13	Accepting a standard easement for the installation and maintenance of a water main for circulation purposes only from Snowville Subdivision Joint Venture, Phase 1, by Queenswood Developers, Inc. for the Woodlands of Snowville Subdivision, Phase 1A.
Res. 4383	10-1-13	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm drainage facilities, and appurtenances thereto in, under, across and through PP# 602-01-060 known as 10615 Fitzwater Road owned by Jane E. and David W. Foy.
Res. 4389	10-15-13	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and any appurtenances thereto in, under, across and through PP# 601-08-017 owned by Condominiums of Compass South Owners Association for the Carriage Hill Pump Station abandonment project.
Res. 4433	2-18-14	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm drainage facilities, and appurtenances thereto in, under, across and through PP# 601-24-037 known as 7505 Amber Lane owned by Barbara Byrne.
Res. 4434	2-18-14	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm drainage facilities, and appurtenances thereto in, under, across and through PP# 601-24-036 known as 7467 Amber Lane owned by Jeffrey A. Aranyi.
Res. 4446	5-6-14	Accepting an easement for the installation and maintenance of sanitary sewers and appurtenances on PP# 601-27-008 known as 8610 Wiese Road owned by Ella E. Becker, Trustee.
Res. 4447	5-6-14	Accepting an easement for the installation and maintenance of sanitary sewers and appurtenances on PP# 602-11-009 known as 8600 Wiese Road owned by John C. and Connie L. Popielarczyk.
Res. 4465	7-1-14	Accepting an easement for the installation and maintenance of sanitary sewers and appurtenances on PP# 602-09-002 located on Wiese Road and owned by Lois M. Ganley.
Res. 4522	2-17-15	Authorizing the Mayor to enter into a nuisance abatement and easement agreement with Raviram K. Malla and Lalitha K. Malla regarding property located at 6155 Warblers Roost.

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Ord. No.	Date Passed	Description
Res. 4529	4-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-067 known as 4780 Valleybrook Drive owned by David J. Skebba and Christine M. Skebba.
Res. 4530	4-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-068 known as 4770 Valleybrook Drive owned by Karl J. and Carol K. Ertle.
Res. 4531	4-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-069 known as 4760 Valleybrook Drive owned by Brent D. Hinshaw and Kristy M. Hinshaw.
Res. 4532	4-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-070 known as 4750 Valleybrook Drive owned by Ricci E. Iacoboni and Lucia G. Iacoboni.
Res. 4533	4-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-071 known as 4740 Valleybrook Drive owned by Partridge Housing Corp., Inc.
Res. 4534	4-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-072 known as S/L 30 Valleybrook Drive owned by Kenneth W. Gibson, Jr.
Res. 4535	4-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-073 known as 4720 Valleybrook Drive owned by Alan R. and Suzanne Paulk.
Res. 4560	7-7-15	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 602-09-044 located at 6163 Warblers Roost owned by James G. Hayes and Madeline Muser Hayes.

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Ord. No.	Date Passed	Description
Res. 4639	4-5-16	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-02-001 located in the city and owned by Northfield Center Development Corporation.
Res. 4640	4-5-16	Accepting easements for construction, reconstruction, operating, maintaining, repairing and replacing storm drainage facilities, and appurtenances thereto in, under, across and through PP# 601-24-036 known as 7467 Amber Lane owned by Jeffrey A. Aranyi.
Res. 4665	7-19-16	Authorizing the Mayor to enter into an agreement for easement with the Windward Hills Condominium Association regarding property at 9070 Brecksville Road.
Res. 4686	10-4-16	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, sidewalk and appurtenances thereto in, under, across and through PP# 604-02-075 and PP# 604-02-074 known as being part of Sublots 32 and 33 in the Valleybrook Residential Development owned by Michael and Megan Soeder.
Res. 4690	11-15-16	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-36-006 owned by United Homes Inc.
Res. 4699	12-6-16	Authorizing the Mayor to enter into a settlement and release agreement with David E. Lesesky regarding an easement to install, maintain and operate sanitary sewer facilities for the property located at 8480 Timber Trail.
Res. 4733	2-21-17	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary and storm sewer facilities, and appurtenances thereto in, under, across and through PP# 602-09-042 owned by Calvey Consulting, LLC.
Res. 4779	9-19-17	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 605-15-010 owned by Petros Homes Snowville, LLC.
Res. 4780	9-19-17	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 605-15-010 owned by Petros Homes Snowville, LLC.

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Ord. No.	Date Passed	Description
Res. 4781	9-19-17	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 605-15-009 owned by Petros Homes Snowville, LLC.
Res. 4792	11-7-17	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing electric and communication facilities, and appurtenances thereto in, under, across and through PP# 601-34-017 owned by the city.
Res. 4793	11-7-17	Granting a permanent stormwater easement for stormwater management in, across, through, upon, over and under PP# 601-30-021 (including 601-30-036) owned by the city.
Res. 4872	7-17-18	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer and watermain facilities, across and through PP# 605- 28-047 owned by Thomas W. and Jean K. Paul.
Res. 4877	8-21-18	Authorizing the Mayor to execute a release of easement regarding a storm sewer easement on PP# 603-15-032 located at 9455 Glen Drive.
Res. 4884	10-2-18	Accepting an easement for placing, installing, maintaining, repairing and/or replacing the stormwater line and appurtenances thereto in, under, across and through PP# 605-24-003 and PP# 605-24-019 owned by Snowville Subdivision Joint Venture — Phase 1.
Res. 4885	10-2-18	Accepting an easement for placing, installing, maintaining, repairing and/or replacing the sanitary sewer line and appurtenances thereto in, under, across and through PP# 605-24-003 and PP# 605-24-019 owned by Snowville Subdivision Joint Venture — Phase 1.
Res. 4886	10-2-18	Authorizing the Mayor to enter into an assignment of stormwater drainage easement with South Brecksville Development Co. and Snowville Subdivision Joint Venture — Phase 1 for the acquisition of a permanent easement on PP# 605-24-018.
Res. 4887	10-2-18	Authorizing the Mayor to enter into an assignment of sanitary sewer line connection easement with South Brecksville Development Co. and Snowville Subdivision Joint Venture — Phase 1 for the acquisition of a permanent easement on PP# 605-24-018.

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Ord. No.	Date Passed	Description
Res. 4888	10-2-18	Authorizing the Mayor to enter into an assignment of stormwater drainage easement with South Brecksville Development Co. and Snowville Subdivision Joint Venture — Phase 1 for the acquisition of a permanent easement on PP# 605-24-017.
Res. 4889	10-2-18	Authorizing the Mayor to enter into an assignment of sanitary sewer line connection easement with South Brecksville Development Co. and Snowville Subdivision Joint Venture — Phase 1 for the acquisition of a permanent easement on PP# 605-24-017.
Res. 4899	11-20-18	Granting an easement for the subsurface installation and maintenance of sanitary sewers and appurtenances on PP# 601-27-010 owned by Shirley J. Basista.
Res. 4900	11-20-18	Granting an easement for the subsurface installation and maintenance of sanitary sewers and appurtenances on PP# 601-27-027 owned by Shirley J. Basista.
Res. 4937	3-5-19	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 604-11-020 and PP# 604-11-021 owned by Petros Homes Four Seasons, LLC.
Res. 4961	8-6-19	Appropriating an easement for the installation and maintenance of storm & sanitary sewers and appurtenances on PP# 601-22-013 owned by Joanne M. Salvatore Bochis, Anthony J. Salvatore and Patricia A. Salvatore.
Res. 4968	9-3-19	Accepting an easement for construction, reconstruction, maintaining, repairing and replacing sidewalks in, under, across and through PP# 604-10-008, PP# 604-10-009, PP# 604-10-010, PP# 604-10-011 and PP# 604-10-012 owned by Petros Homes Four Seasons, LLC, Michael J. and Colleen G. Gackowski, Sharon L. Horgan, John S. and Laura A. Seif and Dean Bailey Lyden.
Res. 4972	11-5-19	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm and sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-22-036 owned by Richard R. Cross.
Res. 4973	11-5-19	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm and sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-22-037 owned by Robert E. & Jean B. Chowanetz.

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Ord. No.	Date Passed	Description
Res. 4974	11-5-19	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm and sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-22-014 owned by Lance A. & Sharon L. Ealey.
Res. 4975	11-5-19	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 601-22-016 owned by Gregory and Amber Spencer.
Res. 4978	11-19-19	Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 601-36-093 owned by United Homes Incorporated.
Res. 5017	1-21-20	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm and sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 601-22-013 owned by Joanne M. Salvatore Bochis, Anthony J. Salvatore & Patricia A. Salvatore.
Res. 5047	4-7-20	Granting a conservation easement to West Creek Conservancy to convey the right to preserve and protect the conservation values of the easement area owned by the city in perpetuity for conservation and wildlife resources.
Res. 5079	9-15-20	Executing an extinguishment of a sanitary sewer easement previously recorded in Vol. 12507, Page 199 of the Cuyahoga County Records and declaring that such easement is no longer needed for municipal purposes.
Res. 5080	9-15-20	Executing an extinguishment of a water main and sanitary sewers easements previously recorded in Vol. 87-7254, Page 66 of the Cuyahoga County Records and declaring that such easements are no longer needed for municipal purposes.
Res. 5089	11-3-20	Authorizing the Mayor to execute a partial release of storm easement regarding a storm sewer easement on PPN 604-11-021 located at 6520 Summer Wind Drive, PPN 604-11-022 located at 6524 Summer Wind Drive, PPN 604-11-023 located at 6528 Summer Wind Drive, PPN 604-11-024 located at 6532 Summer Wind Drive, PPN 604-11- 025 located at 6536 Summer Wind Drive.

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Ord. No.	Date Passed	Description
Res. 5132	2-2-21	Granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PPN 602-05-010 owned by the Robert and Katherine Holub Family Trust.
Res. 5178	9-21-21	Accepting an easement for installation and maintenance of a water main over property owned by Millside Shopping Center, LLC and known as PPN 601-35-003.
Res. 5179	9-21-21	Accepting an easement for installation and maintenance of a water main over property owned by TRC Brecksville Investors, Ltd and known as PPN 601-35-027.
Res. 5196	12-7-21	Accepting an easement for installation and maintenance of sanitary sewers over property owned by VA Land LLC, the Sherwin-Williams Company, Brecksville Community Improvement Corporation and VA Vesta II LLC and known as PPN 604-09-016, 604-08-008, 604-09-017, 603-21-088.
Res. 5254	2-1-22	Accepting a standard easement for installation and maintenance of a water main over property owned by VA VESTA II, LLC and known as Parcel 4-A in the lot split and consolidated plat for Valor Acres Residential Development for supplying water service.
Res. 5261	3-1-22	Authorizing the Mayor to execute an extinguishment of a sanitary sewer easement previously recorded in Vol. 88-5013, Page 47 of the Cuyahoga County Records and declaring that such easement is no longer needed for municipal purposes.
Res. 5281	5-3-22	Accepting a permanent sanitary sewer easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities and appurtenances thereto in, under, across and through certain lands owned by Glen-Valley Club Co. and known as PPN 602-15-009.
Res. 5282	5-3-22	Accepting a permanent sanitary sewer easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities and appurtenances thereto in, under, across and through certain lands owned by Glen-Valley Club Co. and known as PPN 602-15-007.
Res. 5283	5-3-22	Accepting a permanent sanitary sewer easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities and appurtenances thereto in, under, across and through certain lands owned by Robert G. Busha and known as PPN 602-15-019.

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Ord. No.	Date Passed	Description
Res. 5305	7-19-22	Authorizing the Mayor to execute an extinguishment of a sanitary sewer easement previously recorded in Vol. 88-5013, Page 47 of the Cuyahoga County Records and declaring that such easement is no longer needed for municipal purposes.
Res. 5315	8-2-22	Accepting a permanent sanitary sewer and sidewalk easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer and public sidewalk facilities and appurtenances thereto in, under, across and through certain lands owned by Craig E. Ruth and known as PPN 603-01-022.
Res. 5316	8-2-22	Accepting a permanent sanitary sewer easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities and appurtenances thereto in, under, across and through certain lands owned by the Grayson Family Revocable Living Trust and known as PPN 603-02-022.
Res. 5320	8-16-22	Accepting a storm sewer easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities and appurtenances thereto in, under, across and through certain lands owned by Matthew P. Huffman and known as PPN 603-02-021.
Res. 5321	8-16-22	Accepting a storm sewer easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities and appurtenances thereto in, under, across and through certain lands owned by Brinley J & Linda L. Davies and known as PPN 603-02-040.
Res. 5322	8-16-22	Accepting a storm sewer easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities and appurtenances thereto in, under, across and through certain lands owned by Hao Zhang and known as PPN 603-02-029.
Res. 5339	9-6-22	Accepting an easement for access to storm and drainage facilities across certain lands owned by Gary J. & Patricia S. Naim and known as PPN 601-33-008.
Res. 5342	9-20-22	Accepting an easement for access to Brecksville entrance signage, associated landscaping and appurtenances across certain lands owned by David Urse and known as PPN 601-02-096.
Res. 5360	11-15-22	Accepting an easement for construction, reconstruction, maintaining, repairing, and replacing sidewalks and landscaping in, under, across and through certain lands owned by Andrew Sickel and known as PPN 603-09-002.

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Ord. No.	Date Passed	Description
Res. 5361	11-15-22	Accepting an easement for temporary grading and access across certain lands owned by Andrew Sickle and known as PPN 603-09-002.
Res. 5368	12-6-22	Accepting an easement for construction, reconstruction, maintaining, repairing, and replacing sidewalks and landscaping in, under, across and through certain lands owned by Courtney Leanne Montgomery and known as PPN 603-09-001.
Res. 5369	12-6-22	Accepting an easement for temporary grading and access across certain lands owned by Courtney Leanne Montgomery and known as PPN 603-09-001.
Res. 5449	7-5-23	Accepting an easement for access to storm and drainage facilities across certain lands owned by Zachary and Nina Moore and known as PPN 605-15-003; and declaring an emergency.
Res. 5486	12-19-23	Accepting a temporary clearing and grading easement across certain lands owned by City of Cleveland known as Blossom Hill Farm and known as PPN 603-09-003.
Res. 5487	12-19-23	Accepting a permanent easement for construction, reconstruction, maintaining, repairing and installing a sidewalk and driveway apron with landscaping across certain lands owned by City of Cleveland known as Blossom Hill Farm and known as PPN 609-09-003.
Res. 5530	2-6-23	Authorizing the mayor to execute an extinguishment of temporary and permanent easements and declaring that such easements are no longer needed for municipal purposes.
Res. 5531	2-6-23	Authorizing the mayor to execute a release of mortgage deed for the Glen-Valley Club Co. Permanent Parcel Nos. 602-15-004, 602-15-005 and 602-15-006.
Res. 5566	6-4-24	Granting a utility easement and right-of-way to the Cleveland Electric Illuminating Company for the distribution of electric current, including communication facilities, upon, over and across certain lands owned by the City of Brecksville; and declaring an emergency.
Res. 5582	8-6-24	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Martha P. Banks and known as PPN 602-08-010; and declaring an emergency.

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Ord. No.	Date Passed	Description
Res. 5885	8-6-24	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Allen J. Kennedy Jr. and Linda Kennedy and known as PPN 602-23-007; and declaring an emergency.
Res. 5586	8-6-24	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through certain lands owned by Robert Nejedlik and known as PPN 603-07-014; and declaring an emergency.
Res. 5587	8-6-24	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through certain lands owned by Dennis James Walp and Martha Liliana Walp and known as PPN 603-06-025; and declaring an emergency.
Res. 5593	8-20-24	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Raimo Perttu and Charmian Perttu and known as PPN 602-08-035; and declaring an emergency.
Res. 5605	9-17-24	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Nathan Swisher and Mary Margaret Swisher, trustees and known as PPN 602-08-009; and declaring an emergency.
Res. 5606	9-17-24	Accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Heidi L. Jackson and known as PPN 602-08-008; and declaring an emergency.
Res. 5608	9-17-24	Accepting a standard easement for the installation and maintenance of a water main for the purpose of supplying water service; and declaring an emergency.
Res. 5623	12-3-24	Accepting a right-of-entry and easement agreement for the proposed storm sewer improvements on the Marathon property; and declaring an emergency.

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VACATING OF STREETS AND ALLEYS

Ord. No.	Date Passed	Description
Res. 396	4-18-32	Declaring intention to vacate portion of Twinsburg-Elyria Road.
Ord. 1208	1-17-61	Section of Miller Road between Brecksville and Hillsdale Roads.
Ord. 1417	3-24-64	Portion of Snowville Road west of Brecksville Road.
Ord. 2835	8-19-86	Portion of Brookview Drive.
Ord. 2845	9-16-85	Portion of Station Road.
Ord. 3096	6-19-90	Portion of Gatewood Drive.
Ord. 3398	12-6-94	Portion of Fitzwater Road.

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DEDICATION AND PLAT APPROVAL

Ord. No.	Date Passed	Description
Ord. 145	4-19-27	Plat of R. N. Gordon & Co. Brecksville Subdivision of Original Township Lot 9 (dedication of Farview Road and Pershing Avenue).
Ord. 155	6-7-27	Plat of L. H. Rust of extension of Hillsdale Road and Miller Road.
Ord. 160	7-19-27	Plat of W. H. McCreery Subdivision (part of Original Lot 100).
Ord. 174	10-18-27	Plat of Chippewa Hills Allotment of part of Original Lots 100 and 101 (dedication of Forestdale Drive, Oakhurst Drive, Oakhurst Circle and Brookview Drive).
Res. 188	1-17-28	Plat of R. Wiese of Hilton Avenue Subdivision of part of Original Lot 19 (dedication of Brecksville Road, Hilton Avenue, Mill Road and White Road).
Ord. 340	7-22-35	Remedies deficiency of record — Daisy Avenue from Elm Street westerly 360 feet.
Ord. 395	6-21-37	Plat of Glen Valley Club resubdivision (part of Original Lots 22, 88 and 89).
Res. 553	3-7-38	Establishes width of Dewey Road.
Ord. 439	2-20-39	Plat of C. A. McMillen Subdivision.
Res. 635	10-7-40	Plat of Dewey Road from Snowville Road to the County line.
Ord. 507	3-16-42	Dedication of Lawnpark Drive and Crestview Drive.
Res. 867	2-23-48	Plat of Greenhaven Subdivision No. 1.
Res. 875	4-26-48	Plat of Greenhaven Subdivision No. 2.
Ord. 961	11-1-54	Plat of Greenhaven Parkway Subdivision No. 1.
Ord. 962	11-1-54	Plat of Greenhaven Parkway Subdivision No. 2.
Res. 1012	12-6-54	Plat of Greenhaven Subdivision No. 2 Annex.
Ord. 974	3-7-55	Plat of Ronke of Cardinal Lane Subdivision (dedication of Cardinal Lane and Robin Road).
Ord. 995	7-18-55	Plat of Royal Oak Subdivision (Original Township Lot 38).
Res. 1036	8-1-55	Plat of Echo Hill Estates, Section 1 (Original Township Lots 57 and 58).
Res. 1043	10-3-55	Plats of Cambridge Village Subdivision No. 2 (sublots 17 to 29) and Subdivision No. 3 (sublots 17 to 28).
Res. 1055	4-16-56	Plat of Highland Estate Subdivision No. 1 (part of Original Lot 54).
Ord. 1028	6-4-56	Plat of George R. Klein Oakes Road Subdivision (Original Township Lot 36).
Res. 1057	6-4-56	Plat of Cambridge Village Subdivision No. 4 of sublots 35 through 50 and 30, 31 and 32 (part of Original Lot 2).

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Ord. No.	Date Passed	Description
Res. 1060	6-25-56	Plat of Harvel Estates (resubdivision of the Krane Allotment).
Ord. 1053	11-5-56	Plat of Triangle Acres Subdivision (part of Original Lot 54).
Ord. 1059	12-3-56	Plat of Breen of Calvin Drive.
Res. 1073	12-3-56	Plat of Kalna Building, Inc. & Branchson, Inc., of Heather Hills Subdivision No. 1.
Res. 1078	3-4-57	Plats of Cambridge Village Subdivision No. 5 (sublots 51 to 80) and Subdivision No. 6 (sublots 80 to 99).
Ord. 1083	5-20-57	Plat of Kalna Building, Inc., of Royal Oak Subdivision (dedication of Glenwood Trail).
Res. 1096	9-3-57	Plat of Kalna Building, Inc., of Heather Hills Estates Subdivision No. 2 (Original Township Lot 20).
Ord. 1098	10-21-57	Plat of H. C. Smith Corp. of Springhill Drive and Forestview Terrace.
Ord. 1103	11-18-57	Dedication by Birdsall of Robin Road.
Res. 1108	5-23-58	Plat of Kalna Building, Inc. & Branchson, Inc. of Heather Hills Estates Subdivision No. 3 for record purposes only.
Res. 1132	4-21-59	Plat of Better Quality Homes, Inc. of Chippewa Village Estates for record purposes only.
Res. 1137	5-5-59	Approval of Dudl Subdivision No. 1 for record purposes only.
Ord. 1182	4-5-60	Plat of Heather Hills Estates Subdivision Nos. 1, 2 and 3 (dedication of eastern sections of Winding Way and Amber Lane and western section of Amber Lane).
Res. 1171	6-21-60	Plat of the English Development Co. of Cranbrook Subdivision for record purposes only.
Res. 1175A	8-2-60	Plat of Kalna Building, Inc., Branchson, Inc. & Birdsall of Woodlawn Estates Subdivision for record purposes only.
Ord. 1198	8-16-60	Dedication of Iroquois Trail in Chippewa Village Estates Subdivision.
Ord. 1205	11-15-60	Dedication of Westview Drive in Harvel Estates Subdivision.
Ord. 1207	1-17-61	Dedication of Cambridge, Greenbrier, Hawthorne, Somerset and English Drives in Cambridge Village Subdivision Nos. 1 to 6.
Ord. 1215	2-21-61	Dedication of Rosemont, Beechwood and Westwood Drives in George R. Klein Oakes Road Subdivision.
Res. 1206	7-18-61	Plat of Branchson, Inc. of Woodlawn Estates Subdivision No. 2 for record purposes only.
Res. 1213	12-5-61	Plat of proposed Carriage Hill Drive for record purposes only.
Ord. 1271	12-19-61	Dedication of Laurel Lane, Tanager Trail, Tanager Oval, Robin Lane and Sunrise Trail in Woodlawn Estates Subdivisions No. 1 and 2.
Ord. 1304	6-18-62	Approval of Plat of Phase 2 of Carriage Hill Drive for record purposes only.

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Ord. No.	Date Passed	Description
Ord. 1308	7-2-62	Dedication of extension of Farview Road.
Res. 1254	9-17-62	Plat of Sunnysdale Estates Subdivision No. 1 for record purposes only.
Ord. 1330	12-3-62	Dedication of Snowville Road extension for record purposes only.
Ord. 1331	12-17-62	Dedication of Sunnysdale Drive, Lloyd Drive and Harold Drive on plat of Sunnysdale Estates Subdivision No. 1.
Ord. 1336	2-18-63	Dedication of Chaffee Court.
Ord. 1340	1-21-63	Dedication of Cranbrook Drive and Dogwood Drive.
Res. 1271	5-6-63	Plat of Sunnysdale Estates Subdivision No. 2 for record purposes only.
Res. 1272	5-6-63	Plat of Chapel Hill Subdivision for record purposes only.
Res. 1282	7-15-63	Plat of White Oaks Subdivision No. 1 for record purposes only.
Ord. 1379	7-15-63	Dedication of that portion of Vera Drive in Sunnysdale Estates Subdivision No. 2.
Ord. 1380	7-15-63	Dedication of Echo Hill Drive, Timothy Lane and Deerfield Lane in Echo Hill Subdivision.
Ord. 1387	9-16-63	Dedication of Chapel Hill Drive, Chapel Hill Oval and Glen Drive in Chapel Hill Subdivision.
Ord. 1418	3-24-64	Accepting dedication for record purposes of a proposed new section of Snowville Road.
Res. 1311	4-21-64	Plat of White Oak Subdivision No. 2 for record purposes only.
Res. 1336	9-15-64	Plat of Lake Park Estates Subdivision No. 1 for record purposes only.
Res. 1338	9-15-64	Plat of Southern Estates Subdivision for record purposes only.
Ord. 1461	12-1-64	Dedication of Patty Ann Drive, Windswept Drive and Paul Drive in Lake Park Estates Subdivision No. 1.
Res. 1351	2-16-65	Plat of Woodlawn Estates Subdivision No. 3 for record purposes only.
Res. 1362	6-15-65	Plat of Oxford Knolls Subdivision No. 2 for record purposes only.
Res. 1368	7-13-65	Plats of White Oaks Subdivision Nos. 3 and 4 for record purposes only.
Res. 1374	8-3-65	Plat of Carriage Hill Development, Phase 3 for record purposes only.
Res. 1382	10-19-65	Plat of Snowville Road extension for record purposes only.
Ord. 1503	1-18-66	Dedication of Iroquois Trail and Cherokee Lane in Chippewa Village Estates Subdivision.
Ord. 1505	12-7-65	Dedication of Ashlawn Drive, Coachman Court, Plantation Drive, Grenadier Lane, Monticello Drive and Cul-de-sacs (exclusive of sidewalks) in Southern Estates Subdivision.
Res. 1409	5-4-66	Plat of Dudl Subdivision No. 2 for record purposes only.

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Ord. No.	Date Passed	Description
Res. 1413	6-21-66	Plat of Chevy Chase resubdivision for record purposes only.
Res. 1425	9-6-66	Accepting street and cul-de-sac in Woodlawn Estates Subdivision No. 3.
Res. 1431	11-15-66	Plat of Partridge Meadows Subdivision for record purposes only.
Res. 1435	12-20-66	Plat and easements of Kiowa Subdivision for record purposes only.
Res. 1445	3-7-67	Dedication of Snowville Road from Brecksville Road to Barr Road.
Res. 1458	6-20-67	Plat and easements of Oxford Knolls Subdivision No. 2 for record purposes only.
Res. 1488	3-5-68	Plat for proposed Sentinel Hills Subdivision for record purposes only.
Res. 1536	6-17-69	Plat of Bradford Village Subdivision No. 1 for record purposes only.
Res. 1545	9-2-69	Plat of Echo Hills Estates Subdivision No. 2 for record purposes only.
Res. 1547	8-5-69	Plat of Brooks & Co. Subdivision for record purposes only.
Ord. 1642	10-26-67	Plat for proposed White Oaks Subdivision No. 5 for record purposes only.
Ord. 1732	10-15-68	Acceptance of Oxford Trail and Knolls Lane in Oxford Knolls Subdivision No. 2.
Ord. 1789	5-20-69	Phases No. 1, 2 and 3 Carriage Hill Drive dedicated to public use.
Ord. 1791	6-3-69	Accepting Partridge Trail and Sunrise Trail in Partridge Meadow Subdivision.
Ord. 1828	11-3-69	Accepting Brooks & Co. Subdivision.
Ord. 1988	12-21-71	Plat of portion of Oakhurst Drive.
Ord. 2010	5-2-72	Acceptance of West Fitzwater Road.
Res. 1566	4-7-70	Accepting plat of Bradford Village Subdivision No. 2 for record purposes only.
Res. 1567	4-7-70	Accepting plat of Bradford Village Subdivision No. 3 for record purposes only.
Res. 1568A	5-19-70	Accepting plat of Twentieth Century Homes, Inc. for extension of W. Fitzwater Road for record purposes only.
Ord. 2067	11-20-73	Accepting certain streets in the Echo Hills Estates Subdivision No. 2 2-Phase I, as public rights of way.
Ord. 2068	8-21-73	Accepting certain streets in Bradford Village Subdivision No. 1 as public rights of way.
Ord. 2069	8-21-73	Accepting Frost Lane in Bradford Village Subdivision No. 2 as a public right-of-way.
Ord. 2070	8-21-73	Accepting W. Fitzwater Road as a public right-of-way.

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Ord. No.	Date Passed	Description
Ord. 2080	10-2-73	Approving Bradford Village Subdivision No. 4 for record purposes only.
Res. 1735	11-5-74	Accepting plat of Fogg-Brecksville Development Co. Industrial Park Subdivision No. 1 for record purposes only.
Res. 1784	11-18-75	Accepting plat of R.A.D. Development Co., Inc. for subdivision of Carter's Grove Subdivision No. 2 for record purposes only.
Res. 1813	6-1-76	Accepting "A Stone's Throw" Subdivision for record purposes only.
Res. 1836	10-5-76	Accepting Echo Hills Estates Subdivision No. 3 for record purposes only.
Res. 1837	10-5-76	Accepting proposed planned development area of Twentieth Century Homes — Windward Hills.
Res. 1866	3-15-77	Accepting New Concord Subdivision for record purposes only.
Res. 1874	4-5-77	Accepting Echo Hills Estates Subdivision No. 2, Phase IV, for record purposes only.
Res. 1904	11-1-77	Accepting Sentinel Hills Subdivision Phase I for record purposes only.
Res. 1911	12-20-77	Accepting three parcels in Bradford Village Subdivision No. 1.
Res. 1940	4-18-78	Accepting Mt. Vernon Subdivision for record purposes only.
Res. 1953	7-5-78	Accepting Lake Park Estates Subdivision No. 2 for record purposes only.
Res. 1961	8-1-78	Accepting Bradford Village Subdivision No. 6 for record purposes only.
Res. 1963	9-5-78	Accepting Sentinel Hills Subdivision No. 2 for record purposes only.
Ord. 2449	6-5-79	Accepting Hickory Ridge Extension, Deer Run and Log Cabin Court in Echo Hills Subdivision No. 3.
Ord. 2450	6-5-79	Accepting Deer Run, Chestnut Circle and Lake Forest in Echo Hills Subdivision No. 4.
Res. 2350	12-17-85	Dedication of Settlers Passage and Crinkleroot Clearing located in Phase I of Stones Throw Subdivision.
Res. 2387	2-18-86	Accepting Park Place Estates Subdivision for record purposes only.
Res. 2388	2-18-86	Accepting Timbers Subdivision No. 1 for record purposes only.
Res. 2389	2-18-86	Accepting Country Woods Subdivision No. 1 for record purposes only.
Res. 2395	4-1-86	Conditional intention to accept streets in Country Woods Subdivision No. 1.
Res. 2412	7-1-86	Accepts Country Woods Subdivision No. 4 for record purposes only.

TABLE D

BRECKSVILLE CODE

Ord. No.	Date Passed	Description
Res. 2413	7-1-86	Conditional intention to accept streets in Country Woods Subdivision No. 4.
Res. 2424	9-16-86	Accepting Rockledge Estates Subdivision for record purposes only.
Res. 2425	9-16-86	Conditional intention to accept streets in Rockledge Estates Subdivision.
Res. 2426	10-21-86	Accepting Grand Bay Estates Subdivision No. 1 for record purposes only.
Res. 2427	10-21-86	Conditional intention to accept streets in Grand Bay Estates Subdivision No. 1.
Res. 2436	12-16-86	Accepting The Timbers Subdivision No. 2 for record purposes only.
Res. 2437	12-16-86	Conditional intention to accept streets in The Timbers Subdivision No. 2.
Res. 2474	5-5-87	Accepting Stone's Throw Subdivision No. 2 for record purposes only.
Res. 2488	7-7-87	Accepting warranty deed for storm sewer installation and maintenance.
Res. 2490	7-7-87	Accepting Country Woods Subdivision No's. 2 and 3 for record purposes only.
Res. 2491	7-7-87	Conditional intention to accept streets in Country Woods Subdivisions No's. 2 and 3.
Res. 2587	8-16-88	Accepting Rockledge Estates Subdivision No. 3 for record purposes only.
Res. 2609	12-20-88	Dedication of Timber Trail, Crabtree Lane and Barkleigh Circle in The Timbers Subdivision, Phase I.
Res. 2610	12-20-88	Dedication of Thorntree Drive in The Timbers Subdivision, Phase II.
Res. 2640	8-1-89	Accepting Andrews Circle in the Fogg-Snowville Company's Subdivision for record purposes only.
Res. 2720	10-16-90	Accepting dedication of Thorntree Drive in Timbers Subdivision No. 2.
Res. 2721	10-16-90	Accepting dedication of Rockledge Drive, Forest Lane and Timber Trail in Phases 1 and 2 of Rockledge Estates Subdivision.
Res. 2722	10-16-90	Accepting dedication of Settlers Passage in Eagles Point Subdivision.
Res. 2723	10-16-90	Accepting dedication of Settlers Passage, Warblers Roost and Pioneers Point in Phase 2 of the Stones Throw Subdivision.
Res. 2724	10-16-90	Accepting dedication of Brookview, Oak Park and Park Place Drives in the Park Place Subdivision.

TABLE OF SPECIAL ORDINANCES

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Ord. No.	Date Passed	Description
Res. 2725	10-16-90	Accepting dedication of Hidden Lake Drive and Cross Creek Trail in Phase 1 of Grand Bay Subdivision.
Res. 2726	10-16-90	Accepting dedication of Greystone Parkway, Silver Creek, Woodbridge Drive, Windstream Drive, Glen Eagle Drive and Westview Drive in Phases 1 to 4 of Country Woods Subdivision.
Res. 2765	7-16-91	Dedicating Community Drive to public use.
Res. 2813	1-21-92	Accepting dedication of Andrews Circle.
Res. 2823	3-17-92	Accepting dedication of Hidden Lake Trail and Cross Creek Trail located in Grand Bay Subdivision, Phase II.
3937	2-5-02	Executing a dedication plat on behalf of the city in favor of ODOT for ODOT's Miller Road Bridge Project.
Res. 3483	4-16-02	Accepting dedication of certain land from the Gerzeny World Mission Fund concerning the Wallings Road Resurfacing Project.
Res. 3662	7-19-05	Dedicating LaRose Drive as a public street.
Res. 4976	11-5-19	Accept dedication of land within the proposed right-of-way limits of Edgerton Road for public use.
Res. 5097	11-17-20	Accepting the dedication of Woodlands Drive and River Birch Run located in the Woodlands of Snowville Subdivision Phase 1A.
Res. 5098	11-17-20	Accepting the dedication of Mulberry Pointe and River Birch Run located in the Woodlands of Snowville Subdivision Phase 1B.
Res. 5099	11-17-20	Accepting the dedication of Village Lane located in the Village Subdivision Phase 1.
Res. 5100	11-17-20	Accepting the dedication of Summer Wind Drive located in the Four Seasons of Brecksville Subdivision Phase 5.

TABLE E

ACQUISITION AND DISPOSAL OF REAL PROPERTY

Ord. No.	Date Passed	Description
Res. 33	9-23-24	Authorizing purchase of land from the Methodist Episcopal Church Society for an access to the Town Hall.
Ord. 79	7-21-25	Sale of Village electric plant to C.E.I.
Res. 198	3-20-28	Authorizing purchase of part of Original Lot 24 from K. Needham for Town Hall purposes.
Ord. 422	5-16-38	Purchase of land (2.01 acres) for enlargement of Highland Drive Cemetery from Snow.
Ord. 428	- -38	Purchase of land (4.83 acres) for store yards, playgrounds and general Village purposes from Blauman.
Ord. 434	12-5-38	Purchase of part of Original Lot 24 for park, athletic field and playgrounds from Chavalier.
Ord. 434A	1-2-39	Supplements Ord. 434 by describing metes and bounds.
Ord. 460	2-19-40	Purchase of part of Original Lot 24 (1.39 acres) from Chavalier.
Ord. 473A	11-4-40	Purchase of Fitzwater Farm for a sewage disposal plant.
Ord. 474	11-4-40	Appropriating certain lands and easements for a trunk sewer, sewage disposal plant and appurtenances (described in Res. 632).
Ord. 517	7-6-42	Appropriating land of Brecksville Milling Co. for store houses, store yards & general purposes (part of Original Lot 24).
Ord. 536	7-19-43	Purchase of part of Original Lot 24 (0.72 acres) for enlargement of Highland Drive Cemetery.
Ord. 567	8-7-44	Accepting gift of land (4.35 acres being part of Original Lot 24) for cemetery purposes from the Brecksville Cemetery Association.
Res. 812	6-24-46	Authorizing Mayor to purchase part of Original Lot 90 (0.585 acres) from Metzger.
Ord. 641	10-14-46	Authorizing sale of part of Original Lot 97 (1.52 acres).
Ord. 671	7-28-47	Authorizing conveyance by deed to Board of Education of land (4.89 acres being part of Original Lot 24) for an athletic field.
Ord. 888	9-15-52	Appropriation for water tower site of two parcels from Williams & Anderson.
Ord. 920	9-8-53	Authorizing purchase of a water tower site from Williams & Anderson.
Ord. 1239	8-1-61	Authorizing purchase of 19 acres abutting easterly side of Brecksville Road from the Board of Park Commissioners.
Ord. 1299	6-18-62	Accepting deed for turn-around at westerly termini of proposed Lloyd Drive and accepting an easement for sewer and water in Sunnysdale Estates Subdivision No. 1 from Brookpark Factory Sites, Inc.

TABLE E

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Ord. No.	Date Passed	Description
Res. 1291	12-2-63	Accepting Sublots 1, 2 and 3 in Beachwood Park from Klein.
Ord. 1439	7-31-64	Authorizes exchange of lands with Oliver and changes the easterly property line of Riverview Cemetery.
Ord. 1469	3-16-65	Appropriation of part of Lot 66 for the extension of Snowville Road.
Ord. 1619	7-5-67	Authorizes sale of 1.042 acres being part of original Lot 24.
Ord. 1724	9-3-68	Authorizing purchase of land from Brecksville United Church of Christ.
Ord. 1835	12-2-69	Authorizing purchase of certain park lands from Cleveland Metropolitan Park District.
Ord. 1881	5-5-70	Sale of Parcel 603-8-56 to Morris W. Dickey.
Res. 2307	9-18-84	Purchase of certain real estate at 7030 Packard Court.
Res. 2708	7-17-90	Authorizing purchase of Blossom Property from Board of County Commissioners.
Res. 2715	10-2-90	Accepts transfer from Central Land Corp. to City Blocks B, C and D and Sublot 61 in Sentinel Hills Subdivision.
Ord. 3298	8-3-93	Authorizing purchase of PP#603-20-004 on Westview Drive from County Sheriff's office.
Ord. 3299	8-3-93	Authorizing purchase of Society National Bank Building, 7 Public Square.
Ord. 3363	8-2-94	Purchase of right-of-way for construction of Southpointe Parkway.
Ord. 3424	4-18-95	Authorizing Mayor to execute an agreement on behalf of city with Gateway Associates for the purchase of certain right-of-way necessary for the Miller Road widening project.
Ord. 3425	4-18-95	Authorizing Mayor to execute agreement on behalf of city with Meredith Bourne Giere for the purchase of certain right-of-way necessary for the Miller Road widening project.
Ord. 3426	5-2-95	Authorizing Mayor to execute an agreement on behalf of the city with the Cleveland Electric Illuminating Co. for the purchase of certain right-of-way and the acceptance of a temporary construction easement necessary for the Miller Road widening project.
Ord. 3427	5-2-95	Authorizing Mayor to execute an agreement on behalf of the city with Bank One, Columbus, N.A. for the purchase of certain right-of-way and the acceptance of a temporary construction easement necessary for the Miller Road widening project.
Ord. 3487	3-5-96	Authorizing the Mayor to execute an agreement on behalf of the city with Miller-21 Associates for the purchase of certain right-of-way and the granting of a temporary construction easement necessary for the Miller Road widening project.

TABLE OF SPECIAL ORDINANCES

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Ord. No.	Date Passed	Description
Ord. 3500	5-7-96	Authorizing the Mayor to execute a memorandum of understanding on behalf of the city with the Veterans Administration Medical Center for the acquisition of certain right-of-way and the granting of a permanent deed of easement and the grant of license for non-federal use of real property all necessary for the Miller Road widening project.
Ord. 3783	1-18-00	Authorizing the Mayor to enter into a purchase agreement with Darren and Kimberly Hamilton for the purchase of certain real estate located at 9020 Brecksville Road.
Ord. 3848	12-5-00	Authorizing the Mayor to enter into an agreement with Robert E. Witsaman, Executor of the Estate of Martha Helen Smith, for the purchase of certain real estate located at 9034 Brecksville Road, Brecksville, OH.
Ord. 4211	10-4-05	Authorizing the Mayor to enter into an agreement with the City of Cleveland for the purchase of a portion of the Cleveland Tree Farm property located within the city.
Ord. 4220	12-6-05	Authorizing the Mayor to enter into an agreement with the Brecksville-Broadview Heights Board of Education for the purchase of the former bus garage property located within the city.
Ord. 4328	6-5-07	Authorizing the Mayor to enter into an agreement with Frank Salvatore, trustee of the Frank Salvatore Trust for the purchase of a portion of Permanent Parcel No. 585-19-003 located within the City of Broadview Heights.
Res. 3972	8-4-09	Authorizing the Mayor to enter into a purchase agreement with the Ahola Corporation and the assignment of this agreement to RC Investors, Ltd. for the purchase of a 1.25-acre portion of the vacant parcel of land identified as Parcel Number 604-26-005, located north of West Snowville Road in the City of Brecksville.
Ord. 4658	12-6-11	Purchase of Stadium Drive parcels.
Ord. 4671	2-21-12	Purchase of PP# 601-34-086 located at 9028 Brecksville Road.
Ord. 4824	2-18-14	Authorizing the Mayor to accept a general warranty deed for PP# 605-01-010 known as 9617 Brecksville Road.
Ord. 4885	10-21-14	Accepting the bid of Johnston & Mae LLC for the purchase of city-owned property located at 9617 Brecksville Road.
Ord. 4897	12-2-14	Authorizing the Mayor to accept on behalf of the city Land Reutilization Program a Fiscal Officer's Deed from Cuyahoga County for forfeited land known as PP# 602-23-009 located on Riverview Road.

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Ord. No.	Date Passed	Description
Ord. 4898	12-2-14	Authorizing the Mayor to accept on behalf of the city Land Reutilization Program a Fiscal Officer's Deed from Cuyahoga County for forfeited land known as PP# 602-07-024.
Ord. 4914	2-17-15	Authorizing the Mayor on behalf of the city Land Reutilization Program to accept a sheriff's deed for PP# 601-35- 013 known as 7815 Chippewa Road.
4953	10-6-15	Authorizing the Mayor to purchase PP# 601-34-017 on Brecksville Road.
Res. 4838	3-6-18	Authorizing the Mayor to accept a quitclaim deed from the United States of America acting through the Secretary of Veterans Affairs of the Department of Veterans Affairs for PP# 603-21-006, 603-21-007, 603-21-013, 603-21-014, 603-21-015, 603-21- 016, 603-21-017, 603-21-018, 603-21-019, 604-09-001, 604-09-002, 604-09-003, 604-09-004, 604-09-005, 604-09-006, 604-09-007, 604-09-008, 604-09-009, 604-09-010, 604-09-011, 604-09-012, 604-09-013, 604-09- 015, 604-08-005, 604-08-006 located at 10000 Brecksville Road.
Res. 4875	8-21-18	Authorizing the Mayor to enter into a memorandum of understanding with the Brecksville-Broadview Heights City School District for the exchange of approximately 25 acres of Parcel D of Blossom Hill Park for approximately 3.622 acres consisting of the Central School and approximately 10.563 acres of the Stadium Drive.
5302	2-4-20	Authorizing the Mayor to enter into an agreement for the sale and purchase of real estate with Morel Landscaping, LLC for PP# 604-25-007 located on Noble Park Lane.
Res. 5042	3-17-20	Authorizing the Mayor to execute a quit claim deed conveying certain real estate commonly known as being part of original Brecksville Township Lot 41, further known as being a part of parcel "D" of a map of lot split and consolidation for City of Cleveland as recorded in Plat Volume 342, Page 95 of the Cuyahoga County Recorder's Records.
Res. 5043	3-17-20	Authorizing the Mayor to execute a quit claim deed conveying certain real estate commonly known as being part of original Brecksville Township Lots 41 and 50, further known as being a part of parcel "D" of a map of lot split and consolidation for City of Cleveland as recorded in Plat Volume 342, Page 95 of the Cuyahoga County Recorder's Records.
Res. 5044	3-17-20	Authorizing the Mayor to enter into a first addendum to the purchase agreement with Morel Landscaping, LLC for the sale of real estate located on Noble Park Lane.

TABLE OF SPECIAL ORDINANCES

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Ord. No.	Date Passed	Description
Res. 5085	10-6-20	Authorizing the Mayor to accept a quit claim deed from the Brecksville Community Improvement Corporation for PP# 603-20-029, 603-20-030, 603-21-022, 604-07-007, 604-08-001, 604-08-002, 604-08-003, 604-08-004, and 604-08-007.
Res. 5086	10-6-20	Authorizing the Mayor to convey a quit claim deed to the Brecksville Community Improvement Corporation for PP# 603-20-029, 603-20-030, 603-21-022, 604-07-007, 604-08-001, 604-08-002, 604-08-003, 604-08-004, and 604-08-007.
5451	10-19-21	Authorizing the Mayor to enter into a purchase contract with Michael Jason Miller and Jacqueline R. Czarnota for the purchase of Permanent Parcel No. 602-09-042, property address V/L Crinkleroot Drive.
5471	1-18-22	Authorizing the Mayor to enter into an offer to purchase real estate and acceptance with Jayne M. Antrobus for the purchase of property located at 9056 Brecksville Road, PP# 601-34-085.
Res. 5263	3-1-22	Authorizing the Mayor to enter into a development and real estate transfer agreement with the Brecksville- Broadview Heights City School District concerning identified district properties.
5482	3-1-22	Authorizing the Mayor to accept a fiduciary's deed to transfer from Jayne M. Antrobus real property located at 9056 Brecksville Road, PP# 601-34-085.
Res. 5290	5-17-22	Authorizing the Mayor to accept a quit claim deed from VA Land, LLC for property known as Parcel 8-WD and also known as PPN 604-09-016.
Res. 5294	5-17-22	Authorizing the Mayor to accept a quit claim deed from Brant E. Giere for property known as Parcel 2-WL and also known as PPN 604-16-002.
5503	5-17-22	Authorizing the Mayor to enter into a contract for sale and purchase of real property and a contract for right of entry with PNC Bank, National Association.
5504	5-17-22	Authorizing the Mayor to enter into a contract for sale and purchase of real property and a contract for right of entry with 6850 Miller Road Holding Company, LLC.
Res. 5306	7-19-22	Authorizing the Mayor to accept a warranty deed from 6850 Miller Road Holding Company, LLC for property known as Parcel 9-WD1, WD2 and also known as PPN 604-17-003.
Res. 5307	7-19-22	Authorizing the Mayor to accept a warranty deed from Grand Bay Plaza Limited Partnership for property known as Parcel 1-WL and also known as PPN 604-07-002.

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Ord. No.	Date Passed	Description
Res. 5329	9-6-22	Authorizing the Mayor to accept a limited warranty deed from PNC Bank, National Association for property known as Parcel 7-WL and also known as part of PPN 604-17-008.
Res. 5437	5-16-23	Authorizing the Mayor to accept a quit claim deed from Sherwin Williams Company for property known as parcel 6-WD and also known as PPN 604-08-008; and declaring an emergency.
Res. 5438	5-16-23	Authorizing the Mayor to accept a quit claim deed from Sherwin Williams Company for property known as parcel 6-WL and also known as PPN 604-08-008; and declaring an emergency.
5630	6-20-23	Authorizing the Mayor to enter into a real estate transfer and development agreement with the Brecksville-Broadview Heights City School District and Triban Investments, LLC for PP# 603-15-009 located at 9457 Highland Drive; and declaring an emergency.
5649	10-3-23	Authorizing the Mayor to enter into an agreement for the sale and purchase of real estate with Morel Landscaping, LLC for PP# 604-25-007 located on Noble Park Lane, aka Noble Park Drive and Noble Park Road; and declaring an emergency.
Res. 5534	3-5-24	Authorizing the mayor to enter into a release from agreement for the sale and purchase of real estate with Morel Landscaping, LLC for the mutual termination of the agreement to purchase property known as PPN 604-25-007 located on Noble Park Lane aka Noble Park Drive and Noble Park Road and the return of earnest money/down payment.
5769	3-4-25	Accepting and dedicating real property from VA Land, LLC as roadway right-of-way for the widening of Miller Road located in the City of Brecksville, Ohio; and declaring an emergency.
5770	2-18-25	Accepting and dedicating real property from the Sherwin-Williams Company as roadway right-of-way for the widening of Miller Road located in the City of Brecksville, Ohio; and declaring an emergency.
5771	3-4-25	Accepting and dedicating real property from 6850 Miller Road Holding Company, LLC as roadway right-of-way for the widening of Miller Road located in the City of Brecksville, Ohio; and declaring an emergency.

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TABLE F

TABLE F

LEASE OF REAL PROPERTY

Ord. No.	Date Passed	Description
Ord. 18	8-15-22	Village to construct electrical plant and lease it to C.E.I.
Ord. 31	8-8-23	Village to lease use of poles of electric light plant to Ohio Bell Telephone Co.
Ord. 98	12-15-25	Authorizing cancellation of lease recorded in County Vol. 63, page 493, by execution of quit claim deed to L. E. Fitzwater.
Res. 473	5-20-35	Authorizing cancellation of lease with H. H. Thomas of site at corner of Daisy Avenue and Cedar Street.
Res. 767	6-18-45	Lease with L. Sneider of southwest corner of Snowville and Riverview Roads for playground purposes.
Res. 801	5-13-46	Lease with L. Sneider of southwest corner of Snowville and Riverview Roads for playground purposes.
Res. 848	6-23-47	Lease with L. Sneider of southwest corner of Snowville and Riverview Roads for playground purposes.
Ord. 810	4-2-51	Lease with Board of Park Commissioners for rental of land to erect a Fire Department building.
Ord. 964	12-20-54	Authorizing lease with Suburban Development and Improvement Co. for maintenance of Village dump.
Ord. 1005	11-21-55	Cancellation of lease and easement from Latimer relative to a spring and water trough.
Ord. 1190	4-19-60	Approval of amendment to lease with Board of Park Commissioners of Cleveland Metropolitan Park District.
Ord. 2493	Voted by electors 6-3-80	Authorizes oil and gas leases of city lands.
Res. 2602	12-20-88	Authorizing lease of Library facility to Cuyahoga County Public Library.
Ord. 3210	5-5-92	Authorizing lease of certain buildings on Blossom property to Brecksville/Broadview Heights Board of Education.
Res. 3230	10-20-98	Authorizing the Mayor to execute an agreement on with the Ford Motor Company for the lease of an automobile.
Ord. 3349	5-17-94	Authorizing lease of Blossom property:
		Building #7 — Children Forever Haven
		Building #9 — Co-op Pre-School
		Building #8 — Robert L. Clark
		Building #8 — Geary, Moore & Ahrens
		Building #4 — Community of Hope Lutheran Church
Ord. 3353	7-5-94	Lease agreement with Brecksville/Broadview Heights Schools for lease of Building #5 at Blossom.

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Ord. No.	Date Passed	Description
Ord. 3478	12-19-95	Authorizing the Mayor to execute a renewal lease agreement with Children Forever Haven, Inc., pursuant to the exercise of an option to renew contained in the original lease for Building #7.
Ord. 3611	9-16-97	Authorizing the Mayor to execute a renewal lease agreement with the Brecksville Cooperative Pre-School.
Ord. 3625	1-2-98	Authorizing the Mayor to execute a lease agreement with AT&T Wireless Services.
Ord. 3637	3-3-98	Authorizing the Mayor to execute an amended lease agreement with Children Forever Haven, Inc.
Ord. 3655	6-2-98	Authorizing the Mayor to execute a lease agreement with South Suburban Montessori Association, Inc.
Ord. 3656	6-2-98	Authorizing the Mayor to execute a lease agreement with the Brecksville Chamber of Commerce.
Ord. 3648	4-21-98	Authorizing the Mayor to conclude a lease agreement with the Brecksville-Broadview Heights Board of Education.
Ord. 3752	7-6-99	Authorizing the Mayor to enter into an amended lease agreement on behalf of the city with the United States Postal Service to provide a postal service unit for the city.
Ord. 3892	7-3-01	Authorizing the Mayor to execute the first addendum to the lease agreement with South Suburban Montessori Association, Inc.
Res. 3439	12-4-01	Authorizing the Mayor to execute a lease agreement with the Ford Motor Company.
3964	5-7-02	Authorizing the Mayor to execute the second addendum to the lease agreement with the South Suburban Montessori Association, Inc.
4007	3-4-03	Authorizing the Mayor to execute a second renewal of lease agreement with the Brecksville Cooperative Pre-School for Building No. 10, located at 4430 Oakes Road.
4047	8-19-03	Authorizing the Mayor to enter into an agreement with the Board of Park Commissioners of the Cleveland Metropolitan Park District for the lease of certain land located in the city's Blossom Complex.
4083	1-20-04	Authorizing the Mayor to execute a lease agreement with the Community of Hope Lutheran Church, Inc., for Building No. 2, 4770 Oakes Road, located at the Blossom Hill Property Complex, for a period of three years.
4118	7-6-04	Authorizing the Mayor to execute an extension to the lease agreement with South Suburban Montessori Association, Inc., for Building No. 6, located at the Blossom Hill Property Complex.

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Ord. No.	Date Passed	Description
4119	7-20-04	Authorizing the Mayor to execute a second renewal of lease agreement with Children Forever Haven, Inc., for Building No. 1, located at the Blossom Property Complex.
4155	3-1-05	Authorizing the Mayor to enter into an agreement with Board of Park Commissioners of the Cleveland Metropolitan Park District for the lease of certain Metropark land.
4178	5-17-05	Authorizing the Mayor to execute a lease agreement with the Brecksville School Employees Credit Union.
4272	9-5-06	Authorizing the Mayor to enter into a lease agreement with the Cuyahoga County Emergency Service to provide space upon the city's communications tower for the placement of certain antennas.
4320	5-1-07	Authorizing the Mayor to execute a lease agreement with the Brecksville-Broadview Heights Board of Education for Building #3 at Blossom Hill by the BeeKeepers Program.
4321	5-1-07	Authorizing the Mayor to execute an extension to the lease agreement with South Suburban Montessori Association, Inc.
4352	9-4-07	Authorizing the Mayor to execute a third renewal of lease agreement with Children Forever Haven, Inc.
4353	9-4-07	Authorizing the Mayor to execute a renewal lease agreement with the Community of Hope Lutheran Church, Inc.
4382	12-4-07	Authorizing Mayor to execute lease agreement with Brecksville Cooperative Pre-School for Building No. 10 at Blossom Hill.
4416	5-20-08	Authorizing the Mayor to execute a lease agreement with the Emerald Group Credit Union, Inc.
4507	9-15-09	Authorizing the Mayor to execute a lease agreement with Blossom Hill, Inc., for property located at the city's Blossom Complex.
4541	2-2-10	Authorizing the Mayor to execute a lease agreement with the Community of Hope Lutheran Church, for Building No. 2, 4770 Oakes Road, located at the Blossom Hill Property Complex.
4599	12-7-10	Authorizing the Mayor to execute a lease agreement with the Brecksville Cooperative Pre- School for Building No. 10, located at 4430 Oakes Road.
4607	1-4-11	Amending Ordinance 4599 by substituting an amended lease agreement for the existing lease agreement.
4693	6-5-12	Authorizing the Mayor to execute an extension of lease agreement with Blossom Hill, Inc. for the lease of premises located in the Blossom Hill Property Complex.

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Ord. No.	Date Passed	Description
4696	6-19-12	Authorizing the Mayor to execute an agreement with South Suburban Montessori Association, Inc. for the lease of premises located at 4448 and 4450 Oakes Road in the Blossom Hill Property Complex.
4730	11-20-12	Authorizing the Mayor to execute an agreement with Community of Hope Lutheran Church for the lease of premises located at 4770 Oakes Road in the Blossom Hill Property Complex.
Res. 4377	9-3-13	Authorizing the Mayor to enter into a radio tower lease agreement with Cuyahoga County for space on a city-owned tower located at 4450 Oakes Road.
4786	7-16-13	Authorizing the Mayor to execute a lease agreement with the Brecksville- Broadview Heights Board of Education for the city's use of the playing field located at the Highland Drive Elementary School.
Res. 4421	1-21-14	Authorizing the Mayor to enter into a revised radio tower lease agreement with Cuyahoga County for space on a city-owned tower located at 4450 Oakes Road.
4850	5-20-14	Authorizing the Mayor to execute an agreement on behalf of the city with Brecksville Cooperative Pre-School, Inc. for the lease of premises located at 4430 Oakes Road in the Blossom Hill Property Complex.
4948	9-1-15	Authorizing the Mayor to enter into a site lease agreement with the City of Cleveland for the relocation of Cleveland's Communications Tower from the Tree Farm Property to the Blossom Property.
Res. 4858	4-17-18	Authorizing the Mayor to enter into a second amendment to the option and site lease agreement with New Cingular Wireless PCS, LLC.
5243	5-7-19	Authorizing the Mayor to execute an agreement on behalf of the city with Brecksville-Broadview Heights City School District for the lease of premises located at 4448 Oakes Road in the Blossom Hill Property Complex.
5247	6-4-19	Authorizing the Mayor to execute an agreement on behalf of the city with Brecksville Cooperative Pre-School, Inc. for the lease of premises located at 4430 Oakes Road in the Blossom Hill Property Complex.
Res. 4982	11-19-19	Authorizing the Mayor to execute a lease agreement between the city as lessor and the Brecksville-Broadview Heights City School District as lessee for certain buildings and appurtenant areas located on Stadium Drive Property.

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Ord. No.	Date Passed	Description
Res. 4983	11-19-19	Authorizing the Mayor to enter into a first amendment to lease agreement between the city as lessor and the Brecksville-Broadview Heights City School District as lessee for certain buildings and appurtenant areas located on Blossom Properties.
Res. 4994	12-17-19	Authorizing the Mayor to execute a lease agreement between Christ the Redeemer Lutheran Church as lessor and the city as lessee for the rental of parking spaces located at lessor parking lot.
Res. 5088	10-6-20	Authorizing the Mayor to enter into a first amendment to lease agreement between the city as lessor and the Brecksville Cooperative Pre-School, Inc. as lessee for premises located at 4430 Oakes Road in the Blossom Road Property Complex.
5427	7-20-21	Authorizing the Mayor to execute a lease agreement on behalf of the city with South Suburban Montessori Association, Inc. for the lease of premises known as Building 3 located at 4450 Oakes Road in the Blossom Hill Property Complex consisting of approximately 5,425 square feet including the use of access roads.
5428	7-20-21	Authorizing the Mayor to execute a restatement of lease agreement with amendments on behalf of the city with South Suburban Montessori Association, Inc. for the lease of premises known as Building 7 located at 4450 Oakes Road in the Blossom Hill Property Complex consisting of approximately 31,000 square feet including the use of access roads.
Res. 5162	7-20-21	Authorizing the Mayor to enter into a second amendment to lease agreement between the city as lessor and the Brecksville Cooperative Pre-School, Inc. as lessee for premises located at 4430 Oakes Road in the Blossom Road Property Complex.
Res. 5175	9-7-21	Repealing Resolution No. 5160, authorizing a first amendment to lease agreement between the city and the Brecksville-Broadview Heights City School District for Building 6 on Blossom Properties.
Res. 5243	1-18-22	Authorizing the Mayor to execute a lease agreement between the city as lessor and Chagrin Valley Dispatch Council as lessee for Building 2 and appurtenant areas located at 4470 Oakes Road.
Res. 5244	1-18-22	Authorizing the Mayor to execute a lease agreement between the city as lessor and Chagrin Valley Dispatch Council as lessee for Building 12 and appurtenant areas located at 4470 Oakes Road.

TABLE F

BRECKSVILLE CODE

Ord. No.	Date Passed	Description
5507	5-17-22	Authorizing the Mayor to execute an agreement on behalf of the city with South Suburban Montessori Association, Inc. for the lease of the premises known as Building 6 located at 4448 Oakes Road in the Blossom Hill Property Complex consisting of approximately 5,882 square feet including the use of access roads.
5528	7-5-22	Authorizing the Mayor to enter into a lease agreement for jail housing and ancillary services with the City of North Royalton to lease one jail cell bed on an exclusive basis for its own purposes for the Brecksville Police Department.
5564	11-1-22	Authorizing the Mayor to enter into a lease agreement for jail housing and ancillary services with the City of North Royalton to lease one jail cell bed on an exclusive basis for its own purposes for the Brecksville Police Department.
5765	1-7-25	Authorizing the Mayor to enter into a lease agreement for jail housing and ancillary services with the City of North Royalton to lease one jail cell bed on an exclusive basis for its own purposes and additional jail space when needed for the Brecksville Police Department; and declaring an emergency.
Res. 5674	4-15-25	Authorizing the Mayor to execute a facility use agreement for the city's Horticulture Building between the North Coast Woodturners and the City of Brecksville; and declaring an emergency.
Res. 5677	5-6-25	Authorizing the Mayor to execute a facilities use agreement for the old Town Hall, the garage workshop, and the second floor of Blossom Building #5 between the Brecksville Theatre and the City of Brecksville; and declaring an emergency.

TABLE G

STREET GRADE LEVELS AND CHANGE OF STREET NAME

Ord. No.	Date Passed	Description
Ord. 43	7-1-24	Changing name of Richfield Road to Highland Drive; Station Road to Chippewa Road; Whiskey Lane to Parkview Drive; School Street to Arlington Street; Union Street to Daisy Avenue; Summit Street to Elm Street; River Road to Riverside Road; and naming Cedar Street.
Ord. 195	10-2-28	Grade of Elm Street from Highland Drive to Daisy Avenue.
Ord. 317	4-16-34	Grade of Twinsburg-Elyria Road (S.R. 82 known as Station Road).
Ord. 369	6-1-36	Grade of Snowville Road from Riverview Road to a point 3,600 feet westerly.
Res. 901	2-7-49	Changing name of Old Royalton Road to Stadium Drive.
Ord. 727	4-4-49	Changing name of Hilton Avenue to Hilton Road.
Ord. 1484	7-20-65	Changing name of Paul Drive to Lake Park Drive and Patty Ann Drive to Pine View Oval.
Ord. 1525	2-15-66	Naming a certain street Public Square West.
Ord. 2083	11-6-73	Changing name of part of Royalton Road to Old Royalton Road.
Ord. 2111	5-7-74	Designating the public right-of-way from Highland Drive westerly to the west corporate limits as Royalton Road.
Ord. 2279	5-17-77	Changing name of part of Snowville Road between Route 21 and Barr Road to W. Snowville Road.
Ord. 3690	12-15-98	Changing the name of Service Road to Noble Park Drive.

TABLE OF SPECIAL ORDINANCES

TABLE H

TABLE H

ANNEXATION AND DETACHMENT OF TERRITORY

Ord. No.	Date Passed	Description
Ord. 25	3-6-23	Accepting annexation application of W. U. Noble and others for land near southeast corner of Brecksville Village.
Ord. 132	12-21-26	Accepting annexation application of F. W. Waltz and others for land near northeast corner of Original Township Lot 37.

TABLE OF SPECIAL ORDINANCES

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ZONE MAP ISSUES

Ord. No.	Date Passed	Voter Action	Description
Ord. 463	5-20-40		Original River Lots 79 to 83 and 86 to Class A (Residential) and part of Lot 81 to Class D (Business).
Ord. 569	9-18-44		Defines limits of Class F (Laboratory).
Ord. 731	5-2-49		Part of Original Lot 32 and part of land of E.D. Wood to Class D (Business).
Ord. 754	3-20-50		Waives restrictions in Newland Acres to permit East Ohio Gas Co. to erect a gas regulating station.
Ord. 752	5-1-50		Original Township Lots 38, 41, 50 and 53 to Class A (First Residential).
Ord. 1073	6-17-57		Part of Original Lots 60 and 67, 59 and 68 from Class A (Residential) to Class G (Industrial and Laboratory); part of Original Lot 59 from Class F (Laboratory) to Class G (Industrial & Laboratory).
Res. 1129	3-17-59		Approves plans of the Cities Service Co. for a petroleum distribution center on property of Sands in Class G (Industrial and Laboratory).
Res. 1149	10-20-59		Approves plans of the Ohio Oil Co. for a petroleum distribution center on property of Ames & Hawley in Class G (Industrial and Laboratory).
Ord. 1199	9-20-60		Part of Original Lot 32 (land on westerly side of Chippewa Road with 268 feet frontage) from Class A (Residential) to Class D (Business).
Ord. 1222	2-21-61		Part of Original Lots 9 and 12 from Class A (Residential) to Class A-I (Apartment Residential).
Ord. 1228	4-4-61		Part of Original Lot 9 (land of McCreery & Stark) from Class A (Residential) to Class D (Business).
Res. 1209	9-19-61		Variance to Ohio Bell Telephone Co. to erect microwave tower on Edgerton Road.

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Ord. No.	Date Passed	Voter Action	Description
Res. 1221	11-8-61		Variance to Nero Realty Co., Inc. for a real estate office on Permanent Parcel 601-30-33.
Res. 1230	2-19-62		Approves plans of Oscar Mayer & Co., Inc. for a meat distribution center on property of Kalna and Branch in Class G (Industrial & Laboratory).
Ord. 1348	3-18-63		Rezoning certain lands fronting Riverview and Snowville Roads from Class B (Residential) to Class A (Residential).
Ord. 1438	8-18-64		Part of Original Lot 60 (land near intersection of old Brecksville Road and Miller Road) from Class A (Residential) to Class G (Industrial and Laboratory).
Ord. 1447	10-20-64		Part of Original Lot 67 (land bounded by present Class G area, Cuyahoga County line, proposed Interstate Route 77 and Snowville Road) from Class A (Residential) to Class G (Industrial and Laboratory).
Ord. 1494	9-28-65		Part of Original Lots 60, 61, 66 and 67 (land near intersection of Miller Road and proposed Interstate Route 77) from Class A (Residential) to Class G (Industrial and Laboratory).
Ord. 1615	8-1-67		Part of Original Lot 9 from Class A (Residential) to Class A-1 (Apartment Residential).
Ord. 1618	8-1-67		Part of Original Lots 24 and 31 rezoned to Class D-2 (Office Building).
Ord. 1636	11-21-67		Certain lands abutting easterly side of Brecksville Road to Class D-2 Office Building District.
Ord. 1744	1-21-69		Certain lands in and about Brecksville Center to Class H Automobile Parking District.
Ord. 1850	2-17-70		Certain land from Class B Second Residential District to Class D Business District.

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Ord. No.	Date Passed	Voter Action	Description
Ord. 2102	5-7-74		Certain parcels from R-20 (Residential, Local Business and Industrial) to R-40 (Residential), R-60 (Residential), C-F (Community Facilities) and FP (Flood Plain).
Ord. 2161	5-20-75		Addition of: Barr Road; Edgerton Road, north of Miller Road; Oakes Road; Miller Road; Sprague Road; Snowville Road, east of Brecksville Road, as collector streets; Snowville Road, west of Brecksville Road; Edgerton Road, south of Miller Road, as industrial streets.
Ord. 2181	10-21-75		Certain lands from R-20 (Residential) to R-16 (Residential).
Ord. 2182	10-21-75		Certain lands from R-60 (Residential) to R-20 (Residential).
Ord. 2528	3-3-81	Approved 6-2-81	Certain parcels of land located at 65 Public Square from C-F (Community Facilities) and OB (Office Building — Business District) to C-F (Community Facilities) and R-A (Multifamily [Apartment] Residential District).
Ord. 2549	8-18-81	Defeated 11-3-81	Certain parcels of land in the downtown business area to CBS (Central Business Special Use District). (See Ordinance No. 2550, passed 8-18-81)
Initiative		Defeated 11-2-82	Amend zoning code and zone map of city by changing zoning classification of PP#601-35-19 and 601-35-10, 8210 Chippewa Road, further identified as a 3.4 acre parcel located on the north side of Chippewa Rd. 2/10 of a mile east of Brecksville Rd. and bounded on the east side by Chippewa Creek, from R-20, single family to S-C, Shopping Center.
Ord. 2575	4-6-82	Defeated 6-8-82	8201 Chippewa Road from R-20 (Single-Family) to SC (Shopping Center).

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Ord. No.	Date Passed	Voter Action	Description
Ord. 2722	8-7-84	Defeated 11-6-84	Changing certain properties currently zoned Industrial from a Class Two (maximum 60 feet) to a Class Three (maximum 90 feet) height district.
Ord. 2723	8-7-84	Approved 11-6-84	Providing for creation of regulations and approval methods for a new classification in the city's zoning code to be known as "Industrial Park Planned Development Areas."
Initiative		Defeated 11-4-86	Rezoning of Crow properties on Miller Road.
Ord. 2897	7-21-87	Defeated 11-3-87	Amending zone map by adding classification of M-S Motor Service to portion of PP#604-27-004 currently zoned M-D Manufacturing and Distribution, approximate location of said parcel being west of SR21 at southern boundary of city consisting of approximately six acres.
Initiative		Defeated 11-3-87	Rezoning of Crow properties on Miller Road.
Initiative		Defeated 11-8-88	Amending zone map by changing zoning classification of that portion of PP#601-08-15, currently zoned R-40 Residential, to O-B Office Bldg, approximate location of said parcel being off SR21 to rear of Fitzwater and Mercer Lane.
Initiative		Approved 11-7-89	Parcel No. 603-3-2 located on the south side of Royalton Road on the east and west sides of Interstate 77 and north of Oakes Road from R-20 and R-40 Residential to O-B Office Building (Trem property).
Ord. 2982	11-1-88	Approved 11-7-89	Supplementing Chapter 1155 and creating new zoning classification, Business Planned Development Area.
Ord. 3027	7-18-89	Approved 11-7-89	Creating new zoning classification, Office Park District.

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Ord. No.	Date Passed	Voter Action	Description
Ord. 3033	8-1-89	Approved 11-7-89	Parcel No. 604-7-10 north of Miller Road, West of 1-77 and southeast of Highland Road from C-F Community Facilities to L-B Local Business.
Initiative		Approved 11-6-90	Parcels 601-36-01; 601-35-22; 601-35-03 and 601-35-04 (east of Route. 21, adjacent to Chippewa Creek) from R-8 to L-B (Local Business).
Initiative		Defeated 11-6-90	Rezoning of Crow properties.
Ord. 3125	2-5-91	Approved 11-5-91	Parcels 604-08-01; 604-08-02; 604-08-03; 604-08-04; 604-07-07; and 604-07-08 from S-C, M-S, O-B, C-F to M-S, O-B and C-F and 604-08-07 from S-C, M-S, L-B, O-L and C-F to L-B, O-L and C-F (dropped shopping center classification on all parcels).
Ord. 3137	4-2-91	Defeated 11-5-91	Amending zone map by changing classification of PP#604-5-12 from R-20, Single Family Residential to R-8, Semi-Attached & Attached Single Family Residential (Highland-Edgerton — Grand Bay).
Ord. 3188	1-2-92	Approved 6-2-92	Parcel 602-04-008 from R-60 to R-20 (Cardinal Lane).
Ord. 3194	2-4-92	Approved 6-2-92	Parcel 604-05-012 from R-20 to R-8 (Grand Bay -Edgerton Road).
Ord. 3195	2-4-92	Approved 6-2-92	Amending 1153.02, 1155.04(a)(1) and 1183.05(f)(1) and adding new sections relating to Child Day Care regulations.
Ord. 3214	7-7-92	Approved 11-3-92	Establishment of regulations for Residential/Rural Areas (Chapter 1179).
Ord. 3215	7-7-92	Approved 11-3-92	Adding New Chapter 1156 "Planned Development Overlay District."
Ord. 3355	8-3-94	Approved 11-8-94	Amending Zone Map by changing classification of PP#'s 601-36-002, 601-36-007 and 601-36-008 from R-20 to R-16.
Ord. 3436	7-18-95	Approved 11-7-95	Proposing to rezone Area A (north of Route 82, east of Preston Village between Riverview Road & Cleveland Metroparks) from R-20 to R-60.

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Ord. No.	Date Passed	Voter Action	Description
Ord. 3437	7-18-95	Approved 11-7-95	Proposing to rezone Area C (north of Route 82, east of Chippewa Creek, and west and south of Bradford Village) from R-20 to R-30.
Ord. 3438	7-18-95	Approved 11-7-95	Proposing to rezone Area D (south of Oakes Road, west of Route 21, east of Highland Drive, and north of Highland Elementary School and Chapel Hill) from R-20 to R-30.
Ord. 3439	7-18-95	Approved 11-7-95	Proposing to rezone Area E (south of the Ohio Turnpike, west of Highland Drive and north of Boston Road) from R-20 to R-40.
Ord. 3440	7-18-95	Approved 11-7-95	Proposing to rezone Area F (north of the Ohio Turnpike, west of the easterly boundary of the Illuminating Co. transmission lines easement, and south of Highland and Sentinel Hills Drives, etc.) from R-20 to R-30.
Ord. 3441	7-18-95	Approved 11-7-95	Proposing to rezone Area G (south of the Ohio Turnpike and east of Barr Road) from R-20 to R-40.
Ord. 3442	7-18-95	Approved 11-7-95	Proposing to rezone Areas J & K (east of the Brecksville Industrial area, north and south of Snowville Road, south of the B. F. Goodrich property, west of Dewey Road and bounded on the south by Brecksville Corporation Line) from R-20 to R-30.
Ord. 3443	7-18-95	Approved 11-7-95	Enacting new Chapter 1151 to the Codified Ordinances of the City of Brecksville relating to the creation and regulation of residential zoning districts, enacting new Chapter 1179 to the Codified Ordinances of the City of Brecksville relating to the creation and regulation of Residential Planned Development areas, and repealing existing Chapters 1151, 1177 and 1179 of the Codified Ordinances of the City of Brecksville.

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Ord. No.	Date Passed	Voter Action	Description
Ord. 3462	11-21-95	Approved 3-19-96	Proposing to rezone certain areas (off of Chaffee Court, Arlington Street, Cedar Street, Daisy Avenue, Elm Street and Old Highland Drive) from R-8 to R-8A.
Res. 3140	3-4-97		Approving the renewal application of John H. and Betty A. Weaver for placement of Parcel No. 604-15-001 in an agricultural district.
Ord. 3582	8-5-97	Approved 11-4-97	Changing the classification of permanent Parcel Nos. 605-21-015, 605-21-016 and the rear portions of Permanent Parcel Nos. 605-21-013, 605-21-014 and 605-21-017, currently zoning Industrial-Manufacturing Distribution to Industrial-Office Laboratory, the approximate location of said parcels being south of Snowville Road and east of Brecksville Road.
Ord. 3626	1-20-98	Approved 5-5-98	Changing the classification of permanent parcel nos. 605-21-015, 605-21-016 and the rear portions of permanent parcel nos. 605-21-013, 605-21-014, and 605-21-017, currently zoned Industrial — Manufacturing Distribution, to Industrial — Office Laboratory, the approximate location of said parcels being south of Snowville Road and east of Brecksville Road.
Ord. 3742	7-20-99	Approved 11-2-99	Changing the classification of that portion of permanent parcel no. 603-20-029 consisting of the easterly 500 feet of said parcel from CF — Community Facilities to R-8, detached, semi-attached and attached one family residential, the approximate location of said parcel being east of I-77, west of Brecksville Road and north of Miller Road.

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Ord. No.	Date Passed	Voter Action	Description
Ord. 3743	7-20-99	Approved 11-2-99	Changing the classification of parcel nos. 604-09-001, 604-09-002, 604-09-003, 604-09-004, 604-09-005, 604-09-006, 604-09-007, 604-09-008, 604-09-009, 604-09-010, 604-09-011, 604-09-012, 604-09-013, 604-09-014, 604-09-015, 604-08-005, 604-08-006, 603-21-006, 603-21-007, 603-21-008, 603-21-013, and 603-21-019, from CF — Community Facilities, to OL — Office Laboratory (Industrial), the approximate location of said parcels being the Veterans Administration properties located at the corner of Brecksville Road and Miller Road.
Ord. 3744	7-20-99	Approved 11-2-99	Changing the classification of permanent parcel no. 604-18-003, from MD — Manufacturing Distribution (Industrial), to OL — Office Laboratory (Industrial), the approximate location of said parcel being north of Snowville Road, west of Brecksville Road, and east of South Pointe Parkway.
Ord. 3745	7-20-99		Changing the classification of parcels nos. 604-15-002, 604-15-003, 604-15-004, 604-15-005, 604-15-006, 604-16-001, 604-16-002, 604-16-003, 604-16-005, 604-16-006, 604-16-007, 604-16-008, 604-16-009, 604-16-010, 604-16-012, 604-16-013, and that portion of permanent parcel no. 604-15-001 east of the easterly line of the CEI high voltage transmission line easement, from MD — Manufacturing Distribution (Industrial), to OL — Office Laboratory (Industrial), the approximate location of said parcels being north of Snowville Road, west of I-77 and south of Miller Road.

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Ord. No.	Date Passed	Voter Action	Description
Ord. 3746	7-20-99		Changing the Zoning classifications of certain property located east of I-77, west of Brecksville Road and north of Miller Road.
Res. 3269	4-6-99		Approving with modification the renewal application of Lawrence Nau for placement of farm land in an Agricultural District.
Ord. 3779	12-7-99	Approved 3-7-00	Amending zone map by placing retail planned development overlay district zoning upon various parcels of land located east of SR21, north of Brecksville Shopping Center, west of Chippewa Creek.
Initiative		Approved 11-7-06	Approving zoning classification of Mixed Use Planned Development Overlay District upon P.P.N.'s 601-35-005, 601-35-020, 601-36-001 and 601-36-005, the approximate location being north of Royalton Road and east of Brecksville Road which have the underlying zoning of Local Business District (LB) or Single-Family Residential (R-8 or R-20), to permit the use of the property for assisted and independent living facilities for older adults as regulated by Ch. 1156.
4434	8-19-08	11-5-08	Changing the current zoning of Permanent Parcel No. 601-36-055 from Local Business to Planned Development Overlay to permit a skilled care facility to be built on the parcel at 8757 Brecksville Road to replace the existing Brecksville Motor Hotel (The Pilgrim Inn) in accordance with Section 1156.02(e) of the city's Codified Ordinances.
4565	6-15-10	Defeated 11-2-10	Amending Section 1151.25 of the city's Codified Ordinances, related to accessory buildings.

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Ord. No.	Date Passed	Voter Action	Description
4695	7-3-12	11-6-12	Amending the zone map by changing the classification of Permanent Parcel Nos. 601-34-018, 601-34-019, and 601-34-086 Brecksville Road from R-8 to C-F.
4772	7-2-13	Approved 11-5-13	Amending the zone map by changing the classification of Permanent Parcel No. 603-10-001 Oakes Road (Blossom Hill) currently zoned Community Facilities, to overlay on said parcel the Office Building Zoning District and to allow on the parcel the uses permitted in the Office Building Zoning District with the exception of R-60 buildings and uses.
4861	7-1-14	Approved 11-4-14	Amending the zone map by changing the classification of Permanent Parcel No. 601-30-003 (6949 Mill Road) and Permanent Parcel No. 601-34-034 (8736 Brecksville Road) from R-20 Single Family District to Planned Development Overlay District; and 8700 Brecksville Road (part of Permanent Parcel No. 601-30-035 from Community Facilities District to the Planned Development Overlay District to permit an assisted living facility.
Res. 4525	3-17-15		Approving an application for placement of farmland in an agricultural district made by Brant E. Giere for PP# 604-16-001 and 604-16-002 located at 6620 Miller Road.
Res. 4526	3-17-15		Approving an application for placement of farmland in an agricultural district made by Stacey Giere for PP# 604-16-003 located at 6530 Miller Road.
4915	3-17-15	Approved 11-3-15	Amending Section 1155.03 to permit retail stores, services as conditional used permitted in historic buildings in the Office Building District.

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Ord. No.	Date Passed	Voter Action	Description
5004	6-7-16	Approved 11-8-16	Amending the zoning map by changing the classification of PP Nos. 605-15-001, 605-15-004, 605- 14-010 and 605-14-016 from R-20 Single Family District to R-8 Single Family District.
5011	8-2-16	Approved 11-8-16	Amending the zone map of the city for PP Nos. 603-21-006, 603-21-007, 603-21-013, 603-21-014, 603-21-015,603-21-016, 603-21-017, 603-21-018, 603-21-019, 604-09-001, 604-09-002, 604-09-003, 604-09-004, 604-09-005, 604-09-006,604-09-007, 604-09-008, 604-09-009, 604-09-010, 604-09-011,604-09-012, 604-09-013,604-09-015, 604-08-005, 604-08-006, 10000 Brecksville Road (VA Property) currently zoned Office-Laboratory, to overlay on said parcels the Manufacturing-Distribution District, the Office Building District, the Local Business District, the Motor Service District and the R-A Apartment District and to allow on said parcels the uses permitted in all said overlay zoning districts as conditional uses.
Res. 4687	10-18-16		Approving an application for placement of farmland in an Agricultural District made by Cheryl McCabe for PP# 601-33-015 located at 9195 Highland Drive.

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Ord. No.	Date Passed	Voter Action	Description
5040	1-17-17	Approved 5-2-17	Amending the zoning map of the city by changing the classification of Royalton Road properties known as PP Nos. 603-03-014, 603-03-015, 603-03-016, 603-03-017, 603-03-019, 603-03-020 and 603-03-021 from R-20 Residential District to O-B Office Building District and to overlay on said parcels the O-L Office-Laboratory District and to allow on said parcels the uses permitted in said overlay zoning district as a conditional use.
5089	7-18-17	Approved 11-7-17	Amending the zoning map by changing the classification of split zoned PP Nos. 601-34-015, 601- 34-082, and 601-34-016 located at 8998 Brecksville Road from the L-B Local Business & R-8 Single Family Districts to all L-B Local Business District.
5090	7-18-17	Approved 11-7-17	Amending the zoning map by changing the classification of PP No. 601-34-017 located at 9012 Brecksville Road from the R-8 Single Family District to C-F Community Facilities District.
Res. 5040	3-17-20		Approving an application for placement of farmland in an Agricultural District made by Stacey Giere for PP# 604-16-003 located at 6530 Miller Road.
Res. 5141	4-6-21		Approving a renewal application for placement of farmland in an Agricultural District made by Cheryl McCabe for PP# 601-33-015 located at 9195 Highland Drive.
5522	7-19-22	Approved 11-8-22	Amending the zoning map by changing the classification of PP# 603-15-009 located at 9457 Highland Drive from C-F Community Facilities District to R-20 Single Family Residential with conditional use of C-F Community Facilities Class C and Class D only.

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Ord. No.	Date Passed	Voter Action	Description
5523	7-19-22	Approved 11-8-22	Amending the zoning map by changing the classification of PP# 604-07-002, located at 0000 S. Edgerton Road, currently zoned L-B Local Business to include a planned development overlay district of an assembly use for a gathering room/event center.
5623	6-20-23		Amending the zone map of the City of Brecksville for PP No. 601-34-004, 27 Public Square, currently zoned C-F Community Facilities to R-8A Residential along Arlington Street for the portion of the site measuring 125 feet in depth from the right-of-way and L-B Local Business to the remainder.
5774	3-18-25		Authorizing the establishment of a Community Entertainment District and designating certain property in the City of Brecksville as a Community Entertainment District pursuant to ORC Section 4301.80; and declaring an emergency.

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FUNDS

Ord. No.	Date Passed	Description
Ord. 3401	12-6-94	Establishing the "Indigent Prisoners Fund."
Ord. 3464	11-7-95	Establishing the "Special Event Fund."
Res. 3091	5-7-96	Determining the amount of inactive funds of this municipality and making an award of active and interim funds to eligible depositories.
Ord. 3553	1-7-97	Establishing the "Medical Claims Payment Fund" for the purpose of paying employee medical and dental claims.
Ord. 3662	7-7-98	Establishing a fund to be known as the Four Seasons Petitioned Improvement Fund.
Ord. 3681	10-8-98	Establishing a fund to be known as the Safety Helmet Fund.
Ord. 3773	12-7-99	Establishing a fund to be known as "Unclaimed Funds."
Ord. 3784	2-1-00	Creating a fund to be known as the "Building and Improvements Fund."
Ord. 3790	3-7-00	Establishing a fund to be known as the "Sunnydale, Vera, Lloyd and Harold Drive Reconstruction Fund."
Ord. 3791	3-7-00	Establishing a fund to be known as the "Chapel Hill Drive, Chapel Hill Oval and Glen Drive Reconstruction Fund."
Ord. 3792	3-7-00	Establishing a fund to be known as the "Ashlawn Drive Reconstruction Fund."
Res. 3333	5-2-00	Determining the amount of inactive funds of this municipality and making an award of active and interim funds to eligible depositories.
Ord. 3837	10-17-00	Establishing a fund to be known as the "Brecksville Community Juvenile Diversion Program Fund."
Ord. 3864	2-6-01	Establishing a fund to be known as the "Fire Station Building Expansion and Renovation Fund."
Ord. 3865	2-20-01	Establishing a fund to be known as the "Human Services Facilities Fund."
Ord. 3869	3-6-01	Authorizing the relegation of \$100,000 per month of city income tax receipts to the Buildings and Improvements Fund.
Ord. 3870	3-20-01	Establishing a fund to be used solely as security against the total cost of removing, repairing or securing buildings and other structures damaged or destroyed by fire pursuant to the provisions contained in R.C. § 3929.86(C) and (D).
Ord. 3893	7-3-01	Establishing a capital project fund to be known as the "City Wide Traffic Re-signalization Fund."
Ord. 3894	7-3-01	Establishing a capital project fund to be known as the "Widening of Route 82 Fund."

TABLE J

BRECKSVILLE CODE

Ord. No.	Date Passed	Description
Ord. 3895	7-3-01	Establishing a capital project fund to be known as the "Route 82 Resurfacing Fund."
Ord. 3896	7-3-01	Establishing a capital project fund to be known as the "Nature Works Grant Fund."
Res. 3416	8-7-01	Authorizing the issuance of a grant in the amount of \$7,033.35 to the Brecksville Historical Association.
Res. 3425	8-21-01	Authorizing the filing of a grant application for the "DARE" program with the Ohio Attorney General.
Ord. 3907	9-4-01	Establishing a fund to be known as the "Federal Equitable Sharing Fund."
Res. 3432	10-16-01	Authorizing and directing the Mayor to seek financial assistance from the state Issue 2 infrastructure bond program for funding of various capital infrastructure improvement projects
Ord. 3940	2-19-02	Establishing a fund to be known as the Parkview Drive Reconstruction Fund.
Ord. 3941	2-19-02	Establishing a fund to be known as the Oakes Road Reconstruction Fund.
Ord. 4001	2-4-03	Establishing a fund to be known as the Rt. 21/Hilton/Whitewood Sanitary Sewer Assessment Fund.
Ord. 4074	12-16-03	Establishing a fund to be known as the Police Station Facilities Fund.
Ord. 4075	12-16-03	Establishing a fund to be known as the Economic Development Fund.
Ord. 4076	12-16-03	Authorizing the Director of Finance to close various funds which no longer are necessary for the operation of the city.
Ord. 4085	2-3-04	Establishing a fund to be known as the Route 21 Access Road Fund.
Res. 3646	5-3-05	Determining the amount of inactive funds of this municipality and making an award of active and interim funds to eligible depositories.
Res. 3664	8-2-05	Amending Section 2 of Res. 3646.
Ord. 4393	2-5-08	Establishing a fund to be known as the Flexible Spending Fund.
Ord. 4394	2-5-08	Establishing a fund to be known as the Peace Officer Training Fund.
Res. 3930	12-16-08	Closing and eliminating certain funds no longer needed by the city and transferring their respective balances to other funds.
Res. 3944	1-6-09	Closing and eliminating a certain fund no longer needed by the city and transferring its balance to another fund.
4523	11-3-09	Closing the Parkview Road Fund.

TABLE OF SPECIAL ORDINANCES

TABLE J

Ord. No.	Date Passed	Description
4648	11-1-11	Acknowledging the intent to reimburse the Building and Improvement Fund #490 for monies used to construct Fire Station Expansion with monies generated by the Fire Fund #290.
Res. 4189	12-6-11	Eliminating the Echo-Snowville Sanitary Sewer Fund #263.
Res. 4437	3-18-14	Establishing the Indigent Drivers Interlock and Alcohol Monitoring Fund No. 289.
Res. 4471	9-2-14	Establishing the Workers' Compensation Fund No. 602.
5604	4-4-23	Providing for the issuance and sale of not to exceed \$3,600,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying, in anticipation of the levy and collection of special assessments, the property owners' portion and the city portion of the costs of constructing an 8" sanitary sewer and 6" sanitary sewer laterals, together with all necessary appurtenances to extend sanitary sewer along Chippewa Road (S.R. 82) from Riverview Road to Wiese Road and along Calvin Drive and extending to the termini point of Glen Valley Drive allowing for the removal of the Glen Valley Pump Station.
5659	11-7-23	Amending Ordinance No. 5592 as it relates to employee compensation; and declaring an emergency.
5717	7-16-24	Levying special assessments for the costs of constructing an 8" sanitary sewer and 6" sanitary sewer laterals, together with all necessary appurtenances to extend sanitary sewer along Chippewa Road (S.R. 82) from Riverview Road to Wiese Road and along Calvin Drive and extending to the termini point of Glen Valley Drive allowing for the removal of the Glen Valley Pump Station, and declaring an emergency.
5718	7-16-24	Providing for the issuance and sale of bonds in the maximum principal amount of \$249,000.00 to pay the property owners' portion, in anticipation of the collection of special assessments heretofore levied, of the costs of constructing an 8" sanitary sewer and 6" sanitary sewer laterals, together with all necessary appurtenances to extend sanitary sewer along Chippewa Road (S.R. 82) from Riverview Road to Wiese Road and along Calvin Drive and extending to the termini point of Glen Valley Drive allowing for the removal of the Glen Valley Pump Station, and declaring an emergency.

TABLE J

BRECKSVILLE CODE

Ord. No.	Date Passed	Description
5728	8-6-24	Providing for the issuance and sale, not to exceed \$5,685,000.00, of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of expanding the interchange at Miller road and Interstate 77 by constructing, widening, paving, grading, draining, curbing, installing and replacing guardrails, adding lighting and signalization, relocating utilities, constructing storm sewers and related drainage facilities, and in connection therewith, acquiring rights-of-way, together with all necessary related improvements and appurtenances thereto, and declaring an emergency.

TABLE K

CITY CHARTER AMENDMENTS

Ord. No.	Adopted	Election Date	Results	Subject
1042	9-4-56		Passed	Original City Charter for submission to Electorate
1385	9-3-63	11-5-63	Passed	Proposals by Charter Review Commission:
				Amendment to Article IV, Sec. 3 relating to President of Council
				Amending Article V, Section 1, relating to departments, boards, commissions (Council permitted to establish new departments, boards, commissions as it deems necessary)
				Amendment to Article V, Section 7, BZA "Jurisdiction"
				Amendments to Article V, Section 8, Planning Commission Powers and Duties
				Amending Article V, Section, Subsection C, Mandatory Referral
				Adding new Section 10 to Article V, "Civil Service Commission"
				Adding new Section 11 to Article V, "Residence Qualifications"
				Adding new Section 6 (Sale of Municipal Property) to Article VI, Finances
				Adding new Section 7 (relating to selecting depositories and the deposit of public monies), to Article VI, Finances
1386 (Rescinded by Ordinance 1399)				
	9-3-63			Proposal to amend Article VI, Section 3 Re: limitation on rate of taxation
1399	10-22-63			Rescinding Ordinance 1386

TABLE K

BRECKSVILLE CODE

Ord. No.	Adopted	Election Date	Results	Subject
1496	8-24-65		Failed	Amendment to Article IV, the Council, to elect Council members as follows: 4 by Ward, 2 At-large; One elected at large as President of Council
1813	8-19-69		Failed	Amendments to Article IV, Sections 1,2,3, Council elected At-Large (3) and Ward (4) term of Council President two years
1903	8-25-70		Failed	City Manager Plan
2072	9-4-73	11-6-73	Passed	Charter amendments proposed by CRC:
				Amending Article III, relating to term of office to four years for Mayor
				Amending Article III, Section 3, relating to absence or vacancy of Mayor's position
				Amending Article V, Section 9, changing number of citizen members on Recreation Commission from four to six and providing for method of appointment and term of office of the two new members
				Amending Article V, Section 10, Civil Service Commission to designate by appropriate lettering and numbering of the paragraphs contained in said section
				Amending Article VI — Finances, Section 2, relating to time in which the annual budget and appropriations shall be adopted
2240	8-17-76	11-2-76	Passed	Mandatory referral amendment (55 favorable vote required for zoning changes)
2296 (repealed by Ordinance 2299)				
	7-5-77			Amendment to mandatory referral requirements
2299	8-2-77			Repealing Ordinance No. 2296

TABLE OF SPECIAL ORDINANCES

TABLE K

Ord. No.	Adopted	Election Date	Results	Subject
2300	8-2-77		Failed	Repeal of existing Section 12 of Article IV relating to mandatory referral requirements and enacting new Section 12, "Voter Approval of Zoning and Use Changes"
2375	8-15-78		Failed	Resubmission to electors to increase expenditures requiring Council approval to \$1,500
		11-6-79	Passed	Amending Article V, Section 10 Civil Service Commission, to permit volunteer part-time firemen of record as of January 1, 1979 the first right of application for full-time positions without examination
2596	6-15-82			Amendment to Article VI, Sec. 3 relating to limitation on rate of taxation. Repealed by Ordinance 2602 passed 7-6-82
2602	7-6-82	11-2-82	Passed	Amendment to Article VI, Section 3, relating to limitation on rate of taxation, designating certain millage to be used exclusively for fire and ambulance services
2674	7-19-83	11-8-83	Failed	Amendment to Article V, Subsection 10(e) relating to appointment of volunteer firemen without written examination
2675	7-19-83	Failed		Classification of Chiefs of Fire and Police to pass for lack of five Council affirmative votes
2676	7-19-83	11-8-83	Passed	Amendment to Article IV, Section 12 relating to mandatory referral (submission to electorate changed from not less than 60 to 90 days after passage by Council)
2677	7-19-83	11-8-83	Failed	Amending Article VI, Section 4 relating to expenditures requiring Council approval
2678	7-19-83	11-8-83	Failed	Amending Article IV, Section 6, relating to effective date of Councilmanic salaries

TABLE K

BRECKSVILLE CODE

Ord. No.	Adopted	Election Date	Results	Subject
2679	7-19-83	11-8-83	Passed	Amending Article III, Section 3, relating to a vacancy in office of Mayor
2682	8-2-83	11-8-83	Failed	Amending Article V, Subsection 10(e) relating to classification of Chiefs of Fire and Police
2683	8-2-83	11-8-83	Passed	Amendments to Article XI relating to Charter Review Commission
2705	2-21-84	5-8-84	Passed	Amendment to Article V, Subsection 10(E) date upon which volunteer firemen may be appointed without written exam to coincide with date of creation of partial full time Fire service
2840	TABLED 8-19-86			Amendment to Article IV, Section 10 relating to the format for the consideration of legislation
2860	1-20-87	5-5-87	Passed	Amending Article VI, Section 3 relating to limitation of rate of taxation and designating certain millage for road repairs, reconstruction, etc.
3035	7-18-89	11-7-89	Passed	Amendment to Article IV, Section 7 relating to Council Meetings being open to public at all time except for certain specific exceptions
3039	8-1-89	11-7-89	Passed	Amendment to Article V, Subsec.10(C) relating to powers of Civil Service Commission to promulgate rules for appointments & promotions in classified service
3101	9-4-90	11-6-90	Passed	Amendment to Article IV, Sec. 10 of City Charter relating to format for consideration of legislation
3102	8-21-90	11-6-90	Passed	Amendment to Article IV, Sec. 12 of City Charter relating to mandatory referral of certain legislation
3164	7-16-91	11-5-91	Passed	Amendment to Article VI, Sec. 3 of City Charter to revise city's basic tax limitation to that imposed by Constitution of State of Ohio

TABLE OF SPECIAL ORDINANCES

TABLE K

Ord. No.	Adopted	Election Date	Results	Subject
3290	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to amend Article IV, Sec. 10 of City Charter relating to use of motions when ordinances and resolutions are not required by Charter or State law
3291	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to amend Article IV, Sec. 10 of City Charter relating to requiring highlighted designation of amendments to legislation in lieu of providing the original and amended versions of legislation in same ordinance or resolution without requirement of designating the amendments in any special format
3292	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to supplement Article VI of City Charter by adding new Sec. 8 to provide for position of Director of Purchasing; amending Article V, Sec. 2(c) and 4; Article VI, Sec. 6, transferring responsibilities for purchasing and competitive bidding and sale of municipal property from Dir. of Public Service to Dir. of Purchasing
3293	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to amend Article V, Sec. 9 of City Charter providing for a method of removal, for cause, of members of Recreation Commission and for filling of vacancies occurring during term of any member
3294	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to amend Article V, Sec. 10(e) of City Charter relating to classification of various employees for Civil Service purposes

TABLE K

BRECKSVILLE CODE

Ord. No.	Adopted	Election Date	Results	Subject
3295	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to amend Article VI, Sec. 1 of City Charter relating to Councilmanic control of city finances
3296	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to amend Article VI, Sec. 4 of City Charter relating to increasing to \$1,500.00 the limitation of expenditures without Council approval from \$500.00 as originally established in 1956
3297	8-3-93	11-2-93	Passed	Recommendation of Charter Review Comm. to supplement Article XII of City Charter by adding New Sec. 5 thereto requiring that all new legislation, any amendments to existing legislation, and any amendments to City Charter be written in gender neutral form
4035	8-5-03	11-4-03	Passed	Charter Review Commission recommendation to amend Article IV, Section 10, to require affirmative vote of four (4) Council Members to read ordinances and resolutions by title only
4036	8-5-03	11-4-03	Passed	Charter Review Commission recommendation to amend Article IV, Section 11, to require affirmative vote of five (5) members of Council to enact legislation as an emergency measure
4037	8-5-03	11-4-03	Passed	Charter Review Commission recommendation to amend Article IV, Section 12, relating to the filing deadline for submission of automatic referendum issues to the Board of Elections to be consistent with State law, and additionally not subjecting the sale of municipal land to these automatic referendum provisions

TABLE OF SPECIAL ORDINANCES

TABLE K

Ord. No.	Adopted	Election Date	Results	Subject
4038	8-5-03	11-4-03	Failed	Charter Review Commission recommendation to amend Article V, Section 3(A) making the Mayor responsible for the hiring and discharge of Building Department personnel
4039	8-5-03	11-4-03	Failed	Charter Review Commission recommendation to amend Article V, Section 4(D) making the Mayor responsible for the hiring and discharge of Service Department personnel
4040	8-5-03	11-4-03	Failed	Charter Review Commission recommendation to amend Article V, Section 7(B) to provide for Council review of variances and exceptions which are denied by the Board of Zoning Appeals
4041	8-5-03	11-4-03	Passed	Charter Review Commission recommendation to amend Article VI, Section 4, relating to Council's approval of certain expenditures
4042	8-5-03	11-4-03	Passed	Charter Review Commission recommendation to amend Article VI, Section 6, relating to the sale of personal property no longer needed for municipal purposes with a value of \$1,000 or less
4613	2-15-11	5-3-11	Passed	Council recommendation to amend Article IV, Section 12; Article VII; and Article VIII, Section 3, relating to election filing deadlines
4778	7-16-13	11-5-13	Passed	Charter Review Commission recommendation to amend Article V, Section 2(a) entitled Director of Finance
4779	7-16-13	11-5-13	Passed	Charter Review Commission recommendation to amend Article V, Section 3(a) entitled Director of Public Safety

TABLE K

BRECKSVILLE CODE

Ord. No.	Adopted	Election Date	Results	Subject
4780	7-16-13	11-5-13	Passed	Charter Review Commission recommendation to amend Article V, Section 3(c) entitled Director of Public Safety
4781	7-16-13	11-5-13	Passed	Charter Review Commission recommendation to amend Article V, Section 4(d) entitled Director of Public Service
4782	7-16-13	11-5-13	Passed	Charter Review Commission recommendation to amend Article V, Section 5 entitled Law Director
4783	7-16-13	11-5-13	Passed	Charter Review Commission recommendation to amend Article IV, Section 10
4784	7-16-13	11-5-13	Failed	Charter Review Commission recommendation to amend Article IV, Section 12
4785	7-16-13	11-5-13	Passed	Charter Review Commission recommendation to amend Article XI entitled Charter Review Commission

CODE COMPARATIVE TABLE

Legislation	Adoption Date	Section	Section this Code
			525.05
			525.08
			525.15
			533.01
			533.06—533.08
			537.03
			537.06, 537.07
			537.09
			537.15, 537.16
			545.05
			545.18
			545.21
			549.02
			549.04
			549.15
5755	12- 3-24	1	136.07
5772	3- 4-25	1	1313.011

**AN ORDINANCE ENACTING AND ADDING A NEW
SECTION 1314.24 TO THE BUILDING CODE TO INCLUDE
A SERVICE FEE FOR PROCESSING TRANSACTIONS BY
ELECTRONIC MEANS; AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville,
County of Cuyahoga, and State of Ohio, that:

SECTION 1. That Section 1314.24 of the Building Code be enacted and added to read
as follows:

“1314.24 SERVICE FEE FOR PROCESSING TRANSACTIONS.

(a) A third-party payment processing service company may charge a
service (convenience) fee for payment by electronic means during the
processing of any transaction.”

SECTION 2. The Council declares this Ordinance to be an emergency measure
necessary for the immediate preservation of the public peace, health, safety and
welfare, the reason for the emergency is the necessity to include a service fee for
processing electronic payments, therefore, said Ordinance shall be in full force and
effect immediately upon its adoption by this Council and approval by the Mayor,
otherwise, from and after the earliest period allowed by law.

PASSED: September 2, 2025

APPROVED: September 2, 2025

MAYOR

CLERK OF COUNCIL

**A RESOLUTION MAKING NECESSARY
TRANSFERS BETWEEN CERTAIN FUNDS
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025;
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to Section 5705.14 of the Ohio Revised Code, the Council deems it necessary to make certain transfers between the various Funds of the City for the fiscal year ending December 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Director of Finance be authorized to make the following transfers between certain funds of the City:

<u>From</u>	<u>Transfer</u>	<u>To</u>
General Fund 1100830-43010	\$187,500.00	Community Center Recreation Fund R2400820-09110
General Fund 1100830-43090	37,500.00	Compensated Absences Fund R2100820-09110
Special Assessment Chippewa Fund 3202810-49010	12,500.00	Ohio Public Works Commission Fund R4600820-09160
Building & Improvements Fund 4900171-43040	742,929.50	General Bond Retirement Fund R3100820-09130
	<u><u>\$980,429.50</u></u>	

SECTION 2. The Director of Finance be, and is hereby authorized to make payments from any of the foregoing transferred funds upon receiving prior invoices and vouchers therefor, approved by the persons authorized by law to approve the same.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that the same is related to the daily operation of a municipal department, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: September 2, 2025

APPROVED: September 2, 2025

MAYOR

CLERK OF COUNCIL

**A RESOLUTION TO AUTHORIZE THE EXECUTION OF A
THEN AND NOW CERTIFICATE BY THE FISCAL
OFFICER AND THE PAYMENT OF AMOUNT DUE; AND
DECLARING AN EMERGENCY**

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the City may not enter into any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the City’s Fiscal Officer that the amount required to meet the obligation has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances; and

WHEREAS, Ohio Revised Code Section 5705.41(D)(1) further provides that in such circumstances when no certificate is furnished as required and the expenditure is for \$3,000.00 or more, the City’s Council, as the City’s taxing authority, may authorize the drawing of a warrant in payment of amounts due upon such contract or order upon certification by the City’s Fiscal Officer that there was at the time of the execution of such certificate a sufficient sum appropriated for such purpose in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances; and

WHEREAS, the City’s Fiscal Officer certifies that the expenditure was and is properly appropriated and otherwise lawful; sufficient funds were and are available or in the process of collection to the credit of the proper fund, and the funds were and are free from any previous encumbrance; and

WHEREAS, the City is issuing a Then and Now Certificate in connection with payment due and owing as shown in Section 1 below; and

WHEREAS, City Council deems it to be in the best interest of the health, safety and welfare of the City to approve the execution by the City Fiscal Officer of a Then and Now Certificate and to authorize the payment of amount due under the contracts or orders requiring the expenditure of \$3,000.00 or more.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. City Council, pursuant to Ohio Revised Code Section 5705.41(D)(1), hereby approves the execution of a Then and Now Certificate by the Fiscal Officer and authorized payment due and owing as listed below:

Vendor	Date of Service	Amount	Account Number
Security & Polygraph Consultants, Inc.	7/7-8/14/2025	\$4,725.00	1100130-21030

SECTION 2. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that it is necessary to approve the execution of a Then and Now Certificate and payment of the amount due over \$3,000.00, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO A PAYMENT PROCESSING
AGREEMENT WITH CSG FORTE PAYMENTS, INC.;
AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Mayor be, and hereby is, authorized to enter into a Payment Processing Agreement with CSG Forte Payments, Inc. to provide payment processing and related products and services, a copy of which Agreement is attached hereto as Exhibit “A” and expressly made a part hereof by reference.

SECTION 2. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the necessity to implement the Agreement for needed payment processing services, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: September 2, 2025

APPROVED: September 2, 2025

MAYOR

CLERK OF COUNCIL

PAYMENT PROCESSING AGREEMENT

This Payment Processing Agreement (“Agreement”), including all applicable appendices and addendums hereto, is made by and between **CSG Forte Payments, Inc.**, a Delaware corporation with its primary business address at 2121 Providence Drive, Suite 151, Fort Worth, TX 76106 (“FORTE” or “Party”), and **City of Brecksville**, with its primary business address at Brecksville City Hall, 9069 Brecksville Road, Brecksville, OH 44141 (“AGENCY” or “Party” or “Merchant”), and is effective upon the date last signed below (the “Effective Date”). FORTE provides payment processing and related products and services including but not limited to Automated Clearing House (“ACH”), credit and debit card processing, account verification and customer identification (collectively and individually, as applicable, the “Services”) to AGENCY who provides services to, or otherwise has a business relationship with, individuals and other entities (“Constituents” or “Customer”).

1. GENERAL

The Agreement shall consist of these terms and conditions, each of the Appendices attached hereto if applicable, and all modifications and amendments thereto. Under the terms of the Agreement, AGENCY will be furnished with the Services described in the Agreement and attached Appendices which are selected by Agency and approved by FORTE. For any terms herein that are specifically applicable to any particular Service offered by FORTE, only the terms and conditions that apply to the specific Service(s) requested by AGENCY at any given time shall apply. Some capitalized terms which are not defined herein have specific definitions provided in Appendix A, attached hereto and incorporated by this reference.

2. USAGE

2.1 Use License. Subject to the terms and conditions of this Agreement, FORTE hereby grants to AGENCY a non-exclusive and non-transferable license to access and use the Service(s) contracted for and AGENCY hereby accepts such license and agrees to utilize and access the Services in accordance with the practices and procedures established by FORTE, which may be amended from time to time in accordance with this Agreement. AGENCY may use the Services (a) for its own internal business purposes and operations, and/or (b) as a service provided to its Constituents, unless otherwise agreed by FORTE in writing. AGENCY agrees that it will not transmit any material through FORTE’s systems in violation of any applicable Law or Rule. FORTE reserves the right to use all means necessary to monitor AGENCY’s actions in the event of a real or perceived security risk.

2.2 Use of Proprietary Property. No license or right to use, reproduce, translate, rearrange, modify, enhance, display, sell, lease, sublicense or otherwise distribute, transfer or dispose of any of FORTE's Proprietary Property, as defined in Section 3 below, in whole or in part, is granted except as expressly provided by this Agreement. AGENCY shall not reverse engineer, decompile or disassemble the Proprietary Property. Additionally, nothing in this Agreement shall be construed to provide AGENCY with a license of any third-party proprietary information or property.

2.3 Acceptable Use. AGENCY agrees to comply with the reasonable and acceptable use policies and Rules of any networks accessed by AGENCY through the Services. FORTE reserves the right to deny access to, or close any account AGENCY has with FORTE which, in FORTE’s opinion, is causing or may cause, harm to or negatively affect a FORTE server or third-party network accessed through FORTE. In the event of such an occurrence, FORTE shall make reasonable efforts to notify AGENCY prior to taking any such action but is not required to do so.

2.4 User and System Security. AGENCY shall ensure that its Users comply with all applicable requirements of this Agreement. AGENCY is responsible for protecting the confidentiality of any and all passwords and credentials provided to AGENCY by FORTE for the purpose of utilizing the Services or other forms of access to AGENCY’s accounts with FORTE. AGENCY is responsible for the security of its systems, locations and equipment used in processing Transactions under this Agreement and for developing security procedures and training its employees on the procedures. AGENCY expressly

assumes responsibility for the acts or omissions of all Users on its account(s) with FORTE and for User access to FORTE’s systems either directly or through software.

2.5 Use of Information and Data. AGENCY acknowledges and agrees, on behalf of itself and its Constituents, that all information submitted by AGENCY to FORTE in order for FORTE to provide the Services to AGENCY or otherwise contributed by AGENCY pursuant to these Services (including Transaction results), is held in FORTE’s database and may be used by FORTE for the purpose of providing the Services to its customers in compliance with all applicable Laws and Rules, including in accordance with the federal Fair Credit Reporting Act (“FCRA”). Further, FORTE may track, review, compile, store and use any information or data received from AGENCY as part of a Transaction or information or data received from a Payment Association or financial institution regarding a Transaction for regulatory compliance or any other legally permissible purpose. Without limiting the foregoing, AGENCY agrees and acknowledges that FORTE may use the routing numbers, account numbers and other PII submitted by AGENCY as well as Transaction results provided to or received by FORTE for the purpose of supporting FORTE’s fraud detection, account validation and verification, and/or other commercially available services.

3. OWNERSHIP

All computer programs, trademarks, service marks, patents, copyrights, trade secrets, know-how, and other proprietary rights in or related to the Services (the “Proprietary Property”), are and will remain the sole and exclusive property of FORTE, whether or not specifically recognized or perfected under applicable Law. FORTE shall own all rights, title and interest, including all intellectual property rights, in and to any improvements to the existing Services and/or any new programs, upgrades, modifications or enhancements developed by FORTE in connection with rendering Services to AGENCY, even when refinements and improvements result from AGENCY’s request. To the extent, if any, that ownership in such refinements and improvements does not automatically vest in FORTE by virtue of this Agreement or otherwise, AGENCY hereby expressly transfers and assigns to FORTE all rights, title, and interest which AGENCY may have in and to such refinements and improvements. All reference to any of FORTE’s service marks, trademarks, patents or copyrights, or those of FORTE’s partners or vendors, shall be made in compliance with the requirements, including periodic updates thereto, as provided at <http://www.forte.net/trademark>.

4. CONFIDENTIALITY

The Parties acknowledge that, by virtue of this Agreement, each has been and will continue to be entrusted with certain Confidential Information (as defined in Appendix A) pertaining to the other’s business, including, but not limited to, proprietary information developed by, acquired by, or licensed to each Party. Each Party agrees that, except to the extent and in the manner necessary to perform its duties hereunder, it will not disclose to others or use for its own benefit any Confidential Information of the other Party and it will hold all Proprietary Property, as defined herein, confidential in perpetuity. Additionally, in the course of providing and receiving the Services, each Party acknowledges that it may receive or have access to PII as more fully defined in Appendix A). As such, each Party shall: (i) keep all PII in strict confidence, with the degree of care necessary to avoid unauthorized access, use or disclosure; (ii) use PII solely and exclusively for the purposes provided in this Agreement; (iii) implement administrative, physical and technical safeguards to protect PII that are at least as rigorous as accepted industry practices; and (iv) have in place a program that complies with applicable legal requirements regarding PII, including, if applicable, PCI standards for data security. Except with respect to Personal Information, this Section 4 will not apply to Confidential Information that (i) was already available to the public at the time of disclosure, (ii) becomes generally known to the public after disclosure to the other Party, through no fault of the other Party, (iii) is disclosed under force of law, applicable regulation, governmental regulation or court order, or (iv) is required to be disclosed by a banking partner, an Acquirer or an applicable Payment Network.

5. TERM AND TERMINATION

5.1 Term. This Agreement shall have an initial term of five (5) years (the “Term”). Thereafter, this Agreement will automatically renew for additional one (1) year terms (each a “Renewal Term” and, together with the Initial Term, the “Term of the Agreement”) unless either Party provides thirty (30) days’ prior written notice of termination to the other Party.

5.2 Termination for Material Breach. In the event of a material breach of this Agreement by one Party and failure to cure within thirty (30) days of receipt of written notice of the breach, the other Party may terminate immediately by providing written notice of termination.

5.3 Termination with Notice. FORTE may terminate this Agreement with prior notice in the event (i) there is a material adverse change to AGENCY or its financial condition; (ii) AGENCY experiences Excessive Chargebacks pursuant to Section 6.12 herein; or (iii) AGENCY is in violation of any applicable Law, Rule or regulation. Notwithstanding the foregoing, FORTE reserves the right to suspend AGENCY’s receipt of services under section 6.17 in conjunction with sending notice of intent to terminate AGENCY’s account.

5.4 Termination without Notice. FORTE may immediately terminate this Agreement without prior notice in the event (i) that it determines AGENCY has experienced an actual or suspected data security breach; (ii) FORTE is instructed to terminate the Agreement by a financial institution, Acquirer or Payment Network; or (iii) FORTE observes irregular, suspicious or fraudulent Transaction activity on Merchant’s account that is reasonably determined to expose FORTE to risk of financial, reputational, or other measurable loss. Notwithstanding the foregoing, FORTE may, in its own discretion, temporarily suspend AGENCY’s receipt of services prior to terminating AGENCY’s account.

6. TRANSACTION PROCESSING

6.1 Accepting Transactions. FORTE shall process credit card, debit card and ACH Transactions on AGENCY’s behalf on a 24-hour basis. Transactions which are received before the daily designated cut-off time will be originated for settlement through the corresponding payment network. Transactions which are received after the designated cut-off time will be included in the next business day’s settlement processing.

6.1.1 Sale Transactions. If a Transaction is sent to FORTE as a sale of goods or services, it will automatically be captured for settlement in time for the next designated cut-off time.

6.1.2 Authorization-Capture Transactions. If a Transaction is sent to FORTE for Authorization (as more fully defined in Appendix A) only or for delayed processing, then it will be the responsibility of AGENCY to submit a corresponding “capture” Transaction within forty-eight (48) hours of the Authorization in order to complete the Transaction process for settlement. Transactions which are not captured within forty-eight (48) hours of Authorization are untimely and may be rejected by FORTE.

6.2 Transaction Format. FORTE is responsible only for processing Transactions which are received and approved by FORTE in the proper format, as established by FORTE.

6.2.1 Card Not Present Transactions. For card-based Transactions in which the card is not present, AGENCY must obtain and include as part of the Authorization request the three (3) or four (4) digit validation code and the cardholder’s billing address information.

6.3 AGENCY Account. In order to provide Transaction processing services, FORTE may need to establish one (1) or more service accounts on AGENCY’s behalf or require AGENCY to establish a service account with a third-party provider sub-contracting with FORTE.

6.4 Limited-Acceptance Agency. If appropriately indicated on AGENCY’s application with FORTE, AGENCY may be a Limited-Acceptance Agency, which means that AGENCY has elected to accept only certain Visa and MasterCard card types (i.e., consumer credit, consumer debit, and commercial cards) and must display appropriate signage to indicate the same. FORTE and its associated credit card Acquirer have no obligation other than those expressly provided under the Rules of a Payment Network and applicable Law as they may relate to limited acceptance. AGENCY, and not FORTE or Acquirer, will be solely responsible for the implementation of its decision for limited acceptance, including but not limited to policing the card type(s) accepted at the point of sale.

6.5 Bona Fide Sales. AGENCY shall only complete Transactions produced as the direct result of bona fide sales made by AGENCY to cardholders, and AGENCY is expressly prohibited from processing, factoring, laundering, offering, and/or presenting sales Transactions which are produced as a result of sales made by any person or entity other than AGENCY, for purposes related to financing terrorist activities or for purposes that may be used as part of a scheme which violates any law governing the use of the Services which may include but not be limited to Bank Secrecy Act or USA Patriot Act.

6.6 Setting Limits on Transaction Amount. AGENCY may set a minimum Transaction amount to accept a card that provides access to a credit account, under the following conditions: the minimum Transaction amount does not (i) differentiate between card issuers; (ii) differentiate between MasterCard, Visa, or any other acceptance brand; and (iii) exceed ten dollars (or any higher amount established by the Federal Reserve). AGENCY may set a maximum Transaction amount to accept a card that provides access to a credit account, under the following conditions: AGENCY is (i) a department, agency or instrumentality of the U.S. government; (ii) a corporation owned or controlled by the U.S. government; or (iii) an agency whose primary business is reflected by one of the following MCCs: 8220, 8244, 8249 –Schools, Trade or Vocational; and the maximum Transaction amount does not differentiate between MasterCard, Visa, or any other acceptance brand.

6.7 Additional Agreements AGENCY understands and agrees that in order to receive the Services, Agency may be required to enter into additional agreements directly with the Payment Networks or other third parties.

6.8 Modifying Transactions. AGENCY shall regularly and promptly review all Transactions and shall immediately notify FORTE upon discovery of any and all discrepancies between the records of AGENCY compared with those provided by FORTE or AGENCY’s bank, or with respect to any Transaction that AGENCY believes was made erroneously or without proper authorization from the Constituent or Consumer. At AGENCY's request, FORTE will make commercially reasonable efforts to reverse, modify, void or delete a Transaction after it has been submitted for settlement. All requests must be made in writing (electronic mail will be deemed as “in writing” for these purposes), signed or sent by an individual pre-authorized by AGENCY to make such requests and delivered to FORTE. AGENCY agrees FORTE will not be held responsible for any losses, directly or indirectly, incurred by AGENCY or other third parties as a result of FORTE's failure to accomplish the request before the Transaction has been processed through the applicable Payment Network or for making any necessary changes as requested by Agency.

6.9 Delay or Rejection of Transactions. FORTE may delay or reject any Transaction without prior notification to AGENCY which is improperly formatted, is untimely, or is missing information, which may cause it to downgrade; or if FORTE has reason to believe such Transaction is fraudulent or improperly authorized; or for any reason such delay or rejection is permitted or required under the Rules or regulations. FORTE shall have no liability to AGENCY by reason of the rejection of any such Transaction.

6.10 Returned Items. FORTE shall make available to AGENCY details related to the receipt of any Transaction that is returned unpaid or any Transaction which is charged back and shall credit or charge such returned item to AGENCY’s Settlement Account.

6.11 Chargebacks. AGENCY acknowledges and agrees that it is bound by the Payment Networks Rules with respect to any Chargeback. AGENCY understands that obtaining an authorization from a Consumer for any sale shall not constitute a guarantee of payment, and such sales can be returned or charged back to AGENCY like any other item hereunder. In the event a Transaction is charged back for any reason, the amount of such Transaction will be deducted from AGENCY’s designated Settlement Account or any payment due to AGENCY.

6.12 Excessive Chargebacks. Using limits established by the Payment Networks as a standard for review, FORTE reserves the right to suspend and/or terminate AGENCY’s access to the Services should AGENCY’s chargeback ratio exceed allowable limits in any given period. FORTE will make reasonable efforts to provide AGENCY with notice and a time to cure its excessive chargebacks prior to suspending or terminating AGENCY’s access to the Services. AGENCY acknowledges and expressly

authorizes FORTE, in compliance with Payment Network Rules, to provide to the Payment Networks and applicable regulatory bodies, AGENCY’s name and contact information as well as Transaction details should AGENCY’s chargeback ratio exceed the allowable limits in any given period.

6.13 Resubmitting Transactions. AGENCY shall not re-submit any Transaction unless it is returned as (i) insufficient funds (R01) or (ii) uncollected funds (R09) or unless a new Authorization is obtained from Constituent.

6.14 Settlement. Settlement of AGENCY’s funds for Transactions, less any Chargebacks or Returns, to AGENCY’s designated Settlement Account will occur within seventy-two (72) hours of origination excluding weekends and US federal banking holidays. Settlement of Transactions will occur via electronic funds transfer over the ACH Network. Upon receipt of AGENCY’s sales data for card Transactions through FORTE’s Services, Acquirer will process AGENCY’s sales data to facilitate the funds transfer between the various Payment Networks and AGENCY. After Acquirer receives credit for such sales data, Acquirer will fund AGENCY, either directly to the AGENCY-Owned Designated Account or through FORTE to an account designated by FORTE (the “FORTE Designated Account”), at Acquirer’s sole option, for such card Transactions. AGENCY agrees that the deposit of funds to the FORTE Designated Account shall discharge Acquirer of its settlement obligation to AGENCY and any dispute regarding the receipt or amount of settlement shall be between FORTE and AGENCY. Acquirer will debit the FORTE Designated Account for funds owed to Acquirer as a result of the Services provided hereunder unless an Agency-owned account is otherwise designated by AGENCY. Further, if a cardholder disputes a Transaction, if a Transaction is charged back for any reason, or if FORTE or Acquirer reasonably believes a Transaction is unauthorized or otherwise unacceptable, the amount of such Transaction may be charged back and debited from AGENCY if settled to an Agency-owned account or debited from the FORTE Designated Account if settled to that account.

6.15 Provisional and Final Payment. AGENCY, AGENCY’s third party senders (if applicable), and/or AGENCY’s agent(s) understand and agree that Debit or Credit Entries may be transmitted through the ACH Network, that payment of a Debit or Credit Entry by the RDFI to the Receiver is provisional until receipt by the RDFI of final settlement for such Debit or Credit Entry, and, if such settlement is not received, the RDFI will be entitled to a refund from the Receiver of the amount credited and AGENCY will not be deemed to have paid the Receiver the amount of the Debit or Credit Entry. The rights and obligations of AGENCY concerning the Debit or Credit Entry are governed by and construed in accordance with the laws of the state in which the processing ODFI is located unless AGENCY and FORTE have agreed that the laws of another jurisdiction govern the rights and obligations.

6.16 Reporting. FORTE will make daily origination and deposit reports available to AGENCY on a 24/7 basis through the Internet-based FORTE platform.

6.17 Temporary Suspension of Services. Should any of the following occur: (i) FORTE observes irregular, suspicious or possible fraudulent Transaction activity on AGENCY’s account; (ii) FORTE determines there is an irregularity in AGENCY’s account, documentation, processes or financial condition that is inconsistent with FORTE’s risk requirements; (iii) AGENCY is in material breach of its payment or other financial obligations to FORTE; or (iv) FORTE is required by Laws, Rules or a Payment Network, FORTE reserves the right to temporarily suspend Services to AGENCY without prior written notice. In the event FORTE suspends Services to AGENCY under the terms of this Section, FORTE will provide AGENCY with notice of the suspension and the reason for such suspension, along with remediation actions so long as communicating such would not create a security risk or violate any legal obligation of FORTE.

6.18 Authorization. AGENCY specifically authorizes FORTE to (i) to debit and credit AGENCY’s designated bank account in order to carry out its duties under this Agreement and (ii) debit its designated bank account and any account owned by the same entity as AGENCY or by an entity with the same tax identification number as AGENCY to collect any payment obligation owed to FORTE by AGENCY hereunder. Further, AGENCY authorizes FORTE to act as its agent for receipt of settlement funds in connection with the Services and FORTE accepts such appointment subject to any conditions and

limitations of this Agreement. AGENCY agrees that receipt by FORTE of funds from AGENCY’s Customer shall constitute receipt of payment to AGENCY, extinguishing such Customer’s payment obligation to AGENCY (to the extent such obligation has not otherwise been extinguished) as if such Customer had paid AGENCY directly. If FORTE fails to fund AGENCY’s account in an amount corresponding to such Customer’s payment, AGENCY’s sole recourse shall be to FORTE, not the Customer.

7. TRANSACTION AUTHORIZATION

7.1 Constituent Authorization. AGENCY shall obtain authorization from Constituent prior to requesting a Transaction to or from Constituent's account.

7.2 Retention. AGENCY shall retain proof of Constituent's authorization for a period of not less than two (2) years for standard Transactions and for a period of not less than five (5) years for health- related Transactions from the Authorization date or revocation of Authorization date and shall provide such proof of Authorization to FORTE upon request within five (5) business days of the request.

7.3 Revoked Authorization. AGENCY shall cease initiating Transactions to or from a Constituent’s account immediately upon receipt of any actual or constructive notice of a Constituent's termination or revocation of authorization. AGENCY may re-initiate Transactions to or from a Constituent’s account only upon receiving new Authorization from Constituent.

8. AGENCY PROHIBITIONS

AGENCY must not (i) require a cardholder to complete a postcard or similar device that includes the cardholder’s account number, card expiration date, signature, or any other card account data in plain view when mailed; (ii) add any tax to Transactions unless applicable Law expressly requires that AGENCY impose a tax (any tax amount, if allowed, must be included in the Transaction amount and not collected separately); (iii) request or use an account number for any purpose other than as payment for its goods or services; (iv) disburse funds in the form of travelers checks if the sole purpose is to allow the cardholder to make a cash purchase of goods or services from AGENCY; (v) disburse funds in the form of cash unless AGENCY is dispensing funds in the form of travelers checks, TravelMoney cards, or foreign currency (in such case, the Transaction amount is limited to the value of the travelers checks, TravelMoney cards, or foreign currency, plus any commission or fee charged by AGENCY) or unless AGENCY is participating in a cash back service; (vi) submit any Transaction receipt for a Transaction that was previously charged back to the Acquirer and subsequently returned to AGENCY, irrespective of cardholder approval; (vii) accept a Visa consumer credit card or commercial Visa product issued by a U.S. issuer to collect or refinance an existing debt that has been deemed uncollectable by AGENCY; or (viii) submit a Transaction that represents collection of a dishonored check. AGENCY further agrees that under no circumstance will AGENCY store cardholder data in violation of the Laws or the operating regulations of any Payment Network, including, but not limited to, the storage of track-2 data. Neither AGENCY nor its agent shall retain or store magnetic-stripe data subsequent to the authorization of a sales Transaction.

9. AUTHORIZATION

9.1 ACH Authorization. AGENCY authorizes FORTE to electronically debit and credit AGENCY’s designated bank account(s) for any amounts owed to or by AGENCY in accordance with the terms of this Agreement. Further, AGENCY authorizes FORTE to act as its agent for receipt of settlement funds in connection with the Services and FORTE accepts such appointment subject to any conditions and limitations of this Agreement. AGENCY agrees that receipt by FORTE of a Constituent’s funds shall constitute receipt of payment to AGENCY, extinguishing the Constituent’s payment obligation to AGENCY as if the Constituent had paid AGENCY directly. If FORTE fails to fund AGENCY’s account in an amount corresponding to a Constituent’s payment, AGENCY’s sole recourse shall be to FORTE, not the Constituent.

9.2 Third Party Service Provider. If AGENCY uses the Services through or in conjunction with a

third-party service provider that is not a party to this Agreement, AGENCY authorizes FORTE to provide the authorized third party with its FORTE merchant account information and credentials. If applicable, AGENCY authorizes the third party to originate Transactions and receive the corresponding results on its behalf.

10. CONSTITUENT DISPUTES

All disputes between AGENCY and its Constituents relating to any Transaction processed under this Agreement will be settled by and between AGENCY and Constituent. AGENCY agrees FORTE bears no responsibility or involvement in any such dispute.

11. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

In performing its duties under this Agreement, each Party agrees to comply with all applicable Rules, regulations and Laws, including but not limited to all confidentiality and security requirements of the USA Patriot Act (or similar law, rule or regulation), all Rules of any applicable Payment Networks, all requirements under the Payment Card Industry Data Security Standard (or similar applicable data security law, rule or regulation) including but not limited to the VISA Cardholder Information Security Program, the MasterCard Site Data Protection Program, and any other program or requirement that may be published and/or mandated by the Payment Networks. Each Party agrees to cooperate and provide information reasonably requested by the other to facilitate its compliance with any applicable Law, Rule or regulation. Additionally, should a Payment Network or regulatory body impose a fee or fine on AGENCY for any violation of the Rules or Laws or regulations by AGENCY, such fee or fine may be charged to FORTE as a pass-through to AGENCY. If any such fee or fine is charged to FORTE, AGENCY shall reimburse FORTE for any such fees or fines.

12. DATA SECURITY

FORTE shall implement and maintain a commercially reasonable security program, in accordance with the Information Security Requirements attached hereto as Appendix E.

13. PRICING AND PAYMENT

13.1 FORTE will provide the Services in accordance with the fees listed on the Pricing Fee Schedule, attached hereto as Schedule 1, or any amendments thereto. Pricing based on AGENCY absorbing the fees for the Services (“Absorbed Fee Model”) will result in fees being billed to the AGENCY monthly in arrears and will automatically be debited from AGENCY’s designated account via ACH debit.

13.2 Pricing based on a service fee that is charged to Constituents per Transaction (“Service Fee Model”) will result in a non-refundable service fee either (i) added to or (ii) charged as a separate Transaction to Constituent at the time of payment. Pricing under the Service Fee Model is calculated based on historical or estimated transactional amount activity by AGENCY. In the event that experiential transaction activity varies significantly from the historical or estimated amounts, FORTE shall have the right to adjust the service fee in accordance with the experiential transaction activity.

13.3 FORTE’s pricing is subject to the underlying fees established by the Payment Networks and its service providers. As such, in the event FORTE experiences an increase in cost for any processing services utilized by AGENCY during Term of this Agreement, FORTE will pass through the increases with no additional markup to AGENCY. FORTE will provide AGENCY a minimum of thirty (30) days’ notice of any change or adjustment in fees.

14. LIMITS OF LIABILITY

14.1 NEITHER PARTY SHALL BE LIABLE TO THE OTHER PARTY OR TO ANY THIRD PARTY FOR ANY SPECIAL, CONSEQUENTIAL, INCIDENTAL OR PUNITIVE DAMAGES OF ANY KIND OR NATURE INCURRED IN RELATION TO THIS AGREEMENT. THE AMOUNT OF DAMAGES RECOVERABLE BY EITHER PARTY FROM THE OTHER WILL NOT EXCEED THAT PARTY’S ACTUAL, DIRECT DAMAGES AND WILL BE LIMITED TO \$100,000 (ONE HUNDRED THOUSAND DOLLARS). NEITHER PARTY WILL BE LIABLE FOR FAILURE TO

PERFORM ANY OF ITS OBLIGATIONS UNDER THIS AGREEMENT IF SUCH PERFORMANCE WOULD RESULT IN IT BEING IN BREACH OF ANY LAW, RULE, REGULATION OR REQUIREMENT OF ANY GOVERNMENTAL AUTHORITY. THE PROVISIONS OF THIS SECTION WILL SURVIVE TERMINATION OF THIS AGREEMENT.

14.2 FORTE SHALL NOT BE RESPONSIBLE FOR ERRORS, ACTS OR FAILURES TO ACT OF OTHERS, INCLUDING, AND AMONG OTHER ENTITIES, BANKS, OTHER PROCESSORS, COMMUNICATIONS CARRIERS OR CLEARING HOUSES, THROUGH WHICH TRANSACTIONS MAY BE ORIGINATED OR THROUGH WHICH FORTE MAY RECEIVE OR TRANSMIT INFORMATION, AND NO SUCH ENTITY SHALL BE DEEMED AN AGENT OF FORTE.

15. REPRESENTATIONS AND WARRANTIES.

15.1 FORTE's Representations and Warranties. FORTE makes no representations or warranties concerning the Services except as may be specifically authorized, in writing, or set out herein.

15.1.1 FORTE hereby warrants that its software solutions and the Services will perform in accordance with their published specifications in all material respects.

15.1.2 FORTE further warrants that in performing its obligations hereunder, it shall exercise due care and reasonable efforts to ensure that information originated by AGENCY is transmitted accurately.

15.2 AGENCY's Representations and Warranties. AGENCY represents and warrants to FORTE:

15.2.1 If applicable, with respect to all Transactions originated by FORTE on behalf of AGENCY, (i) each Transaction in all respects has been properly authorized by Receiver; (ii) each Transaction is for an amount agreed to by the Receiver; and (iii) AGENCY shall provide proof of Authorization in compliance with applicable Rules for any Transaction to FORTE upon request within five (5) Business Banking Days.

15.2.2 AGENCY agrees to adhere to the warranties within the applicable Rules for each Transaction FORTE processes on AGENCY's behalf.

15.3 Mutual Representations and Warranties. Each Party represents and warrants to the other:

15.3.1 The execution of this Agreement does not violate any applicable international, federal, state, or local law, Payment Network rule or contract to which such Party is subject.

15.3.2 There are no actions, suits or proceedings existing or pending against or affecting it before any judicial or regulatory authority which would have a material adverse effect on its ability to perform its obligations hereunder.

15.3.3 When executed and delivered, this Agreement will constitute a legal, valid, and binding obligation, enforceable in accordance with its terms.

16. FORTE SERVICE POLICY

FORTE makes no representations or warranties concerning the Services except as may be specifically authorized, in writing, or set out herein. AGENCY acknowledges and understands that FORTE does not warrant that the Services will be uninterrupted or error free and that FORTE may occasionally experience delays or outages due to disruptions that are not within FORTE's control. Any such interruption shall not be considered a breach of the Agreement by FORTE. FORTE shall use its best efforts to remedy any such interruption in the Services as quickly as possible.

17. FORCE MAJEURE

Neither Party will be held liable for any damages, delays or failure to perform any of its obligations under this Agreement if such damages, delays or failure is due to circumstances beyond the reasonable

control of such Party and without its fault or negligence, such as acts of God, fire, flood, earthquakes or other natural disasters, epidemics, industry-wide strikes and governmental acts or orders or restrictions. The Party affected by such circumstances will use all commercially reasonable efforts to avoid or remove such causes of non-performance. Nothing herein shall relieve a Party from its payment obligations for Services rendered.

18. ASSIGNMENT

The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the Parties. Neither Party may assign any of its rights hereunder, nor delegate any of its duties hereunder, without the prior written consent of the other Party, and each Party acknowledges and agrees that, absent such prior written consent, any attempted assignment or delegation hereunder shall be null, void and of no effect. Notwithstanding the foregoing, either Party may assign this Agreement or any rights and obligations hereunder either to an Affiliate or to a third-party successor to all or substantially all of its business, stock or assets, in each case, without the prior written consent of the other Party.

19. CHOICE OF LAW

This Agreement shall be governed by and construed in accordance with the Laws of the state of Ohio without reference to choice of laws rules.

20. AMENDMENT

Except as otherwise provided for herein, the terms and conditions of this Agreement shall not be modified or amended except in writing and agreed to by the Parties. Notwithstanding the foregoing, this Agreement is subject to such modifications, changes, and additions as may be required by reason of any applicable Law, regulation or Rule.

21. PUBLICITY

Neither Party shall use the other Party's name, logo or service marks in conjunction with a press release or advertisement without first obtaining written approval.

22. NOTICE

Any notice, consent or other communication required or contemplated by this Agreement shall be in writing, and shall be delivered in person, by U.S. mail, by overnight courier, by electronic mail or by fax to the intended recipient at the address most recently provided in writing.

23. HEADINGS

The headings contained in this Agreement are for convenience of reference only and shall not affect the meaning of any provision of this Agreement.

24. SEVERABILITY

Should any term, clause or provision herein be found invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or operation of any other term, clause or provision and such invalid term, clause or provision shall be construed to most closely reflect the original intent of the Parties.

25. ENTIRE AGREEMENT; WAIVER; COUNTERPARTS

This Agreement constitutes the entire understanding of the Parties and revokes and supersedes all prior agreements between the Parties and are intended as a final expression of their agreement. Either Party's waiver of any breach of any provision of this Agreement shall not be deemed a waiver of any subsequent breach of the same or other provision. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument.

26. ELECTRONIC SIGNATURES.

Under the Electronic Signatures in Global and National Commerce Act (E-Sign), this Payment Processing Agreement and all electronically executed documents related hereto are legally binding in the same manner as are hard copy documents executed by hand signature when (i) a person authorized to bind AGENCY indicates acceptance of the terms of this Agreement by following procedures that associate his/her electronic signature with this Agreement and related documents, (ii) such authorized person consents and intends to be bound by the Payment Processing Agreement and related documents, and (iii) the Payment Processing Agreement is delivered in an electronic record capable of retention by the recipient at the time of receipt (i.e., print or otherwise store the electronic record). This Agreement and all related electronic documents shall be governed by the provisions of E-Sign.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective organizations, have executed this Agreement.

CITY OF BRECKSVILLE

By: _____

Name: _____

Title: _____

Date: _____

CSG FORTE PAYMENTS, INC.

By:  _____
Saurabh Joshi (Aug 26, 2025 12:51:56 PDT)

Name: Saurabh Joshi

Title: President

Date: 08/26/2025

CSG Legal Reviewed, GS, 08-26-25

CSG Legal Reviewed, GS, 08-26-25 (Aug 26, 2025 16:42:44 ADT)

APPENDIX A DEFINITIONS

ACH Network. “ACH Network” or “Automated Clearing House Network” is a batch processing, store-and-forward system that accumulates and distributes ACH Transactions that are received from ODFI (defined below) and are forwarded to the specified RDFI (defined below) according to the specific schedules established by the participants.

Acquirer. “Acquirer” means a sponsoring financial institution or payment processor that enters into an agreement which enables merchants, government entities or their Agent(s) to submit Transactions to a payment network.

Affiliate. “Affiliate” means an entity controlled or managed by the same centralized federal, state or local government.

Agent. “Agent” means any director, officer, employee, representative, Affiliate, third-party vendor or any other person acting on behalf of Agency with the actual, implied or apparent authority of Agency.

Authorization. “Authorization” means a Transaction request on a Consumer bank account or card account to confirm Consumer’s account is open, in good standing, and has sufficient funds to complete the submitted transaction.

Business Banking Day. “Business Banking Day” means Monday through Friday excluding banking holidays.

Confidential Information. “Confidential Information” may include information regarding all of the computer software and technologies, systems, structures, architectures, processes, formulae, compositions, improvements, devices, know-how, inventions, discoveries, concepts, ideas, designs, methods, and information and databases developed, acquired, owned, produced or practiced at any time by a Party or any Affiliate thereof, including software programs and documentation licensed by third parties to the disclosing Party, any business or financial information directly or indirectly related to the disclosing Party’s company(s) or investments or its internal administrative audit reports on internal controls, internal risk and underwriting guidelines and policies, billing and accounting systems, Customer and vendor lists and information, employee personnel information and policies and procedures, information regarding the disclosing Party’s products and services that is not generally available to the public.

Consumer. “Consumer” means the individual end users, Constituents of AGENCY.

CPA. “CPA” or “Canadian Payment Association” is responsible for operating the two primary settlement systems (payment networks) in Canada, as well as establishing, revising and enforcing the operating Rules for the Canadian payment networks.

Chargeback. “Chargeback” means a Transaction that is rejected by the owner of the account debited or charged because a dispute exists between the Originator of the Transaction (typically Agency) and the account owner.

Credit Entry. “Credit Entry” means an ACH/EFT Transaction that is intended to deposit funds into a Receiver’s (defined below) account which has been withdrawn from AGENCY’s Settlement Account (defined below).

Debit Entry. “Debit Entry” means an ACH/EFT Transaction that is intended to withdraw funds from a Receiver’s account for deposit into AGENCY’s Settlement Account (defined below).

Laws. “Laws” means all international, national, regional and local regulations or laws which are applicable to the Services provided herein, including but not limited to federal Regulation E and Title 31 of the Code of Federal Regulations Part 210, Gramm-Leach-Bliley Act, US Bank Secrecy Act (“BSA”), applicable privacy and data security laws, US and local export control laws, including US Foreign Corrupt Practices Act, the Export Administration Act, US Department of Treasury Office of Foreign Assets Control (“OFAC”) and similar restrictions under US law, executive order, regulation or Rule (collectively, “Export Laws”), and Fair Credit Reporting Act and USA Patriot Act.

Merchant. “Merchant” means AGENCY.

NACHA. “NACHA” or “National Automated Clearing House Association” is responsible for establishing, revising and enforcing the Operating Rules for the US ACH Network.

ODFI. “ODFI” or “Originating Depository Financial Institution” means the financial institution that receives ACH Transactions from Merchant through FORTE and then forwards these Transactions (defined below) to the ACH Network.

Originator. “Originator” means the AGENCY who has contracted with FORTE to initiate ACH entries, on its behalf, to the ACH Network.

Payment Network. “Payment Network” means an entity that facilitates and governs payment Transactions, including but not limited to VISA, M/C, Discover, NACHA, CPA and may also be referred to as “Payment Association”.

Payment Network Resources:

VISA Regulations (from VISA website): <https://usa.visa.com/dam/VCOM/download/about-visa/visa-rules-public.pdf>

MasterCard Rules (from MC website):

<https://www.mastercard.us/en-us/about-mastercard/what-we-do/rules.html>

Discover rules (from Discover website):

<http://www.discovernetwork.com/merchants/index.html>

NACHA: www.nacha.org

PCI-DSS. “PCI-DSS” or “Payment Card Industry Data Security Standard” means the system security measures established by the major credit card companies. The PCI-DSS is mandated by the credit card companies but administered by the Payment Card Industry Security Standards Council.

Personally Identifiable Information or PII. “PII” means unencrypted, unredacted, or non-anonymized personally identifiable information regarding a Consumer or non-personally identifiable information regarding a Consumer that has been aggregated, disaggregated or decompiled in a manner that is sufficient to cause a Consumer to be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to such Consumer’s physical, physiological, mental, economic, cultural or social identity, including, by way of example, financial account numbers, credit or debit card numbers (with or without access or pin numbers, if collected), personal addresses, IP addresses, identity cards, residency permits, passport numbers, driver’s license numbers and/or other government issued numbers. PII includes “Personal Data” as commonly defined by privacy laws.

RDFI. “RDFI” or “Receiving Depository Financial Institution” means the financial institution that receives the ACH Transactions from the ODFI through the ACH Network and posts these Transactions to the accounts of Receivers (defined below).

Receiver. “Receiver” means an entity or individual Consumer that has an established account with a card issuer or financial institution upon which a Transaction is or may be acted upon.

Reserve. “Reserve” means a specific amount of money that is held in the AGENCY account to be used by FORTE to offset amounts owed to FORTE for Services provided, such as returned items, chargebacks, fees/fines, billing or other AGENCY obligations to FORTE that FORTE is unable to collect from AGENCY.

Rules. “Rules” means the operational rules, policies and procedures established by each applicable Payment Network to govern all transactions and parties that participate in processing Transactions through the associated Payment Network.

Settlement Account. “Settlement Account” means an account established and maintained by AGENCY with a financial institution through which the following may occur: (a) deposit of funds for Debit Entries, (b) the extractions of funds for Credit Entries, reserve funds or fee obligations unless otherwise agreed to by the Parties.

Settlement Entry. “Settlement Entry” means a Debit or Credit Entry to AGENCY’s Settlement Account which corresponds to the net amount owed AGENCY by FORTE at the end of each Business Banking Day.

Transaction. “Transaction means any transfer of data or information to FORTE in a format pre-approved by FORTE, including but not limited to payment, verification and authentication items.

Users. “Users” mean all individuals who access a FORTE website or utilize any portion of the FORTE Services on behalf of AGENCY directly or through software that accesses the FORTE systems through AGENCY’s systems, by using AGENCY’s access credentials or any other access reasonably presumed to be on behalf of AGENCY.

APPENDIX B

ACCOUNT VERIFICATION AND AUTHENTICATION SERVICES

1. Representation by Agency. Each request for data through the verification and authentication services shall constitute a representation, warranty and certification by AGENCY that the data (i) shall be used and disclosed only in accordance with the terms of the Agreement, and in accordance with any applicable Rules, regulations or Laws; (ii) shall be used solely for the intended use as stated by AGENCY on AGENCY’s application and that use is in compliance with the permissible uses under the Fair Credit Reporting Act (“FCRA”) as provided in the FCRA Requirements Addendum located at <http://www.forte.net/fair-credit-reporting-act>; (iii) AGENCY will follow proper procedures for adverse action notification to its Constituents, as provided by the FCRA Requirements Addendum; and (iv) AGENCY acknowledges it has implemented security measures to prohibit the unauthorized access to the information provided.

2. Use of Services.

2.1 AGENCY SHALL USE THE VERIFICATION SERVICES ONLY IN CONNECTION WITH PAYMENTS PRESENTED TO AGENCY BY ITS CONSTITUENTS IN EXCHANGE FOR GOODS OR SERVICES. AGENCY SHALL NOT RESELL THE VERIFICATION DATA OR SERVICES TO ANY THIRD PARTIES.

2.2 AGENCY understands and agrees that it cannot decline services to a consumer, Constituent or Customer after receiving an approval result from FORTE on a verification inquiry unless AGENCY is declining based on other grounds and/or information. Further, if AGENCY does decline Services to a FORTE approved consumer, Constituent or Customer based on alternate information, AGENCY shall not provide FORTE’s contact information as recourse for the consumer, Constituent or Customer to pursue a dispute of the result under FCRA Adverse Action requirements.

2.3 AGENCY shall provide to FORTE, as part of a verification inquiry, the accurate amount for each Transaction AGENCY wants to verify.

3. Retention of Data. AGENCY acknowledges and agrees that it shall not retain, store, compile or aggregate the results of verification or authentication inquiries received from FORTE except as required by applicable Law or to perform its obligations under this Agreement.

4. AGENCY acknowledges and agrees, on behalf of itself and its Constituents, that all information submitted by AGENCY to FORTE in order for FORTE to provide the Services to AGENCY or otherwise contributed by AGENCY pursuant to these Services (including Transaction results) is held in FORTE’s database, and may be used by FORTE for the purpose of providing the Services to its Customers in compliance with all applicable Laws and Rules, including in accordance with the federal Fair Credit Reporting Act (“FCRA”). Further, FORTE may track, review, compile, store and use any information or data received from AGENCY as part of a Transaction or information or data received from a Payment Association or financial institution regarding a Transaction for regulatory compliance or any other legally permissible purpose. Without limiting the foregoing, AGENCY agrees and acknowledges that FORTE (and/or certain of its Affiliates) may use the routing numbers, account numbers and other PII submitted by AGENCY as well as Transaction results provided to or received by FORTE for the purpose of supporting FORTE’s (or certain of its Affiliates) fraud detection, account validation and verification, and/or other commercially available services.

APPENDIX C

ACCOUNT UPDATER SERVICES

1. **Description of Services.** Participating Visa/MasterCard issuers submit the account changes to FORTE’s Account Updater database. On a monthly basis, FORTE will compare all of AGENCY’s recurring tokenized Transactions against the Account Updater database. FORTE will then update the tokenized card information on file with updated account information.
2. **Agency Requirements for Account Updater Participation.**
 - a. AGENCY must be properly established and registered in the United States.
 - b. AGENCY must not have been disqualified from participating in the Visa, MasterCard, or Discover programs.
 - c. AGENCY must be in compliance with all Card Association Operating Regulations.
 - d. AGENCY must submit inquiries only for those accounts with which it has an ongoing Customer relationship and Customer’s authority to submit such payments.
 - e. AGENCY may not request Authorization on accounts that have been returned “Contact Cardholder” or “Closed.”
 - f. AGENCY must not submit inquiries on behalf of any other entity.
 - g. AGENCY assumes all risk associated with the use of the Account Updater Service. FORTE shall have no liability whatsoever to AGENCY for any liability associated with the Account Updater Service, including but not limited to the accuracy or completeness of the information provided via the Account Updater Service.

APPENDIX D AMERICAN EXPRESS CARD ACCEPTANCE

1. Merchant hereby acknowledges and agrees that for purposes of acceptance of American Express, the American Express Merchant Operating Guide and any amendments thereto (the “Operating Guide”) is hereby incorporated by reference into this Agreement and can be found at www.americanexpress.com/merchantopguide.

All capitalized terms found in this section shall have the attributed meaning from the Operating Guide.

2. Merchant hereby acknowledges and agrees that it is not a party to any agreement between FORTE and American Express.

3. Merchant hereby authorizes FORTE and/or Acquirer to submit American Express transactions to, and receive settlement from, American Express on behalf of Merchant. Merchant must accept the American Express card as payment for goods and services (other than those goods and services prohibited under the Operating Guide) sold, or (if applicable) for charitable contributions made, at all of its establishments, except as expressly permitted by applicable Law. Merchant is jointly and severally liable for the obligations of Merchant’s establishments under the Agreement. For the avoidance of doubt, “cardholder” as used in this Agreement shall include Cardmembers as defined in the Operating Guide.

4. Merchant hereby acknowledges and agrees that (i) FORTE or Acquirer may disclose American Express Transaction Data (which for purposes of this section shall have the same definition as “Transaction Data” in the Operating Guide), Merchant Data (as defined below), and other information about Merchant to American Express, (ii) American Express may use such information to perform its responsibilities in connection with the American Express Program, promote the American Express Network, perform analytics and create reports, and for any other lawful business purpose, including marketing purposes, and (iii) American Express may use the information obtained in this application at the time of setup to screen and/or monitor Merchant in connection with American Express Card (the “Card”) marketing and administrative purposes. If Merchant has provided a wireless phone number in connection with this Agreement, Merchant hereby agrees that it may be contacted at that number and the communications sent may include autodialed text messages or automated prerecorded calls. If Merchant has provided a fax number, Merchant hereby agrees that it may be sent fax communications. To opt out of American Express-related marketing communications, Merchant may contact FORTE customer service as described in this Agreement. For purposes of this section, “Merchant Data” means names, postal and email addresses, tax ID numbers, names and social security numbers of the authorized signer of Merchant and similar identifying information about Merchant. For clarification, Merchant Data does not include American Express Transaction Data.

5. Merchant will adhere to the following website information display guidelines in the event Merchant has a website and/or operates an e-commerce business. Merchant’s website must display the following:

- An accurate description of the goods/services offered, including the currency type for the Transaction (e.g., U.S. Dollars). Note: Transaction currency must be in U.S. Dollars.
- Merchant's physical address in the U.S.
- An email address or telephone number for customer service disputes.
- Return/refund policy.
- A description of Merchant's delivery policy (e.g., no overnight delivery).
- A description of Merchant's security practices (e.g., information highlighting security practices Merchant uses to secure Transactions on its systems, including Transactions conducted on the Internet).
- A statement of known export restrictions, tariffs, and any other regulations.

- A privacy statement regarding the type of personal information collected and how the information is used. Additionally, Merchant must provide to customers the option to decline being included in marketing campaigns or having their personal information included on lists sold to third parties.

6. Merchant hereby agrees that, in the event that Merchant becomes a High Charge Volume Merchant (as defined below), Merchant will be converted from the American Express Program to a direct American Express Card acceptance relationship with American Express, and upon such conversion, (i) Merchant will be bound by American Express' then-current card acceptance agreement, and (ii) American Express will set pricing and other fees payable by Merchant for American Express Card acceptance. “High Charge Volume Merchant” for purposes of this section means an American Express Program Merchant with either (i) greater than \$1,000,000 in American Express charge volume in a rolling twelve (12) month period or (ii) greater than \$100, 000 in American Express charge volume in any three (3) consecutive months. For clarification, if Merchant has multiple establishments, the American Express charge volume from all establishments shall be summed together when determining whether Merchant has exceeded the thresholds above.

7. Except as expressly permitted by applicable Law, Merchant must not: (a) indicate or imply that Merchant prefers, directly or indirectly, any Other Payment Products over the Card, (b) try to dissuade Cardmembers from using the Card, (c) criticize or mischaracterize the Card or any of American Express' services or programs, (d) try to persuade or prompt Cardmembers to use any Other Payment Products or any other method of payment (e.g., payment by check), (e) impose any restrictions, conditions, disadvantages, or fees when the Card is accepted that are not imposed equally on all other payment products, except for electronic funds transfer, cash or check, (f) suggest or require Cardmembers to waive their right to dispute any Transaction, (g) engage in activities that harm American Express' business or the American Express Brand (or both), (h) promote any Other Payment Products (except, if applicable, Merchant's own private label card that it issues for use solely at its Establishments) more actively than Merchant promotes the Card, or (i) convert the currency of the original sale Transaction to another currency when requesting Authorization or submitting Transactions (or both).

8. Merchant may offer discounts or in-kind incentives from its regular prices for payments in cash, ACH funds transfer, check, debit card, or credit/charge card, provided that (to the extent required by applicable Law): (i) Merchant clearly and conspicuously discloses the terms of the discount or in-kind incentive to its customers, (ii) the discount or in-kind incentive is offered to all of Merchant's prospective customers, and (iii) the discount or in-kind incentive does not differentiate on the basis of the Issuer or, except as expressly permitted by applicable state statute, payment card network (e.g., Visa, MasterCard, Discover, JCB, American Express). The offering of discounts or in-kind incentives in compliance with the terms of this paragraph will not constitute a violation of the provisions set forth Section 3.2 of the Operating Guide.

9. Whenever payment methods are communicated to customers, or when customers ask what payments are accepted, Merchant must indicate its acceptance of the Card and display American Express' Marks (including any Card application forms provided to Merchant) as prominently and in the same manner as any Other Payment Products. Merchant must not use American Express' Marks in any way that injures or diminishes the goodwill associated with the American Express Mark, nor in any way (without American Express' prior written consent) indicate that American Express endorses Merchant's goods or services. Merchant shall use the American Express brand and marks in accordance with the requirements set forth in the Operating Guide and shall remove the American Express brand and marks from Merchant's website and wherever else they are displayed upon termination Merchant's acceptance of American Express cards.

10. Any and all Cardmember Information is confidential and the sole property of the Issuer, American

Express or its Affiliates. Except as otherwise specified, Merchant must not disclose Cardmember Information, nor use nor store it, other than to facilitate Transactions in accordance with this Agreement. For more information, refer to the Operating Guide, Section 4.2, "Completing a Transaction at the Point of Sale" and Chapter 8, "Protecting Cardmember Information".

11. Merchant shall not assign to any third party any American Express-related payments due to it under this Agreement, and all indebtedness arising from American Express Charges (as defined below) will be for bona fide sales of goods and services (or both) at its establishments (as defined below) and free of liens, claims, and encumbrances other than ordinary sales taxes; provided, however, that Merchant may sell and assign future American Express transaction receivables to FORTE, its affiliated entities and/or any other cash advance funding source that partners with FORTE or its affiliated entities, without consent of American Express.

12. Merchant hereby agrees that American Express shall have third party beneficiary rights, but not obligations, to enforce this Agreement as against Merchant to the extent applicable to American Express processing. Merchant understands and agrees that it shall have no third party beneficiary rights under any agreement between FORTE and American Express and/or Acquirer. Merchant shall maintain refund policies for purchases on the American Express card that are at least as favorable as its refund policy for purchases on any other payment product. Merchant will disclose any such refund policy to Cardmembers at the time of purchase and in compliance with the Operating Guide and all applicable Laws. Merchant's termination of American Express Card acceptance shall have no direct or indirect effect on Merchant's rights to accept other card brands. To terminate American Express acceptance, Merchant may contact FORTE customer service as described in this Agreement.

13. Without limiting any other rights provided herein, FORTE and/or Acquirer shall have the right to immediately terminate Merchant's acceptance of American Express cards upon request of American Express. Merchant may not bill or collect from any Cardmember for any purchase or payment on the Card unless a chargeback has been exercised, Merchant has fully paid for such charge, and it otherwise has the right to do so. Merchant will comply with all procedural requirements relating to chargebacks, as provided in the Operating Guide, Chapter 11.

14. American Express Liability. SPONSORED MERCHANT ACKNOWLEDGES AND AGREES THAT IN NO EVENT SHALL AMERICAN EXPRESS, ITS AFFILIATES, AGENTS, SUCCESSORS, OR ASSIGNS BE LIABLE TO SPONSORED MERCHANT FOR ANY DAMAGES, LOSSES, OR COSTS INCURRED, INCLUDING INCIDENTAL, INDIRECT, SPECULATIVE, CONSEQUENTIAL, SPECIAL, PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND (WHETHER BASED ON CONTRACT, TORT, INCLUDING NEGLIGENCE, STRICT LIABILITY, FRAUD, OR OTHERWISE, OR STATUTES, REGULATIONS, OR ANY OTHER THEORY), ARISING OUT OF OR IN CONNECTION WITH THE AGREEMENT.

APPENDIX E INFORMATION SECURITY REQUIREMENTS

1. Acknowledgment of Information Security Requirements. FORTE acknowledges and agrees to have a “Security Program” that is compliant with all legal and industry mandated information security requirements applicable to its duties and obligations specified under this Agreement.
2. Compliance with Laws and Industry Standards. FORTE agrees to abide by all Laws, Rules and industry-mandated information security standards applicable to its duties and obligations related to information security for Services provided by FORTE to AGENCY under this Agreement.
3. Definitions.
 - a. Consumer Information. “Consumer Information” means collectively PII and Source Data, as defined below.
 - b. Source Data. “Source Data” means data provided by AGENCY relating to AGENCY’s account activity or other information collected from the AGENCY in order to process a transaction on a AGENCY’s behalf or otherwise necessary for a AGENCY’s use of Forte’s products and services, whether in individual or aggregate form. Source Data may include PII but is not limited to PII. Source Data is and shall remain the property of a AGENCY and /or its Consumer customer. To the extent that ISV or FORTE have access to or collects such Source Data, each agrees that it does so solely on behalf of the AGENCY and the AGENCY’s Consumer customers pursuant to the obligations hereunder and shall maintain the confidentiality of such Source Data and shall treat it in accordance with applicable Law.
4. Security Obligations.
 - a. FORTE hereby acknowledges that AGENCY has a responsibility under the law to keep PII (as defined in Appendix A) private and confidential, and as a result of any PII received by FORTE in the performance of this Agreement, FORTE shall have the same responsibility. FORTE also acknowledges that the PII to which it will have access pursuant to this Agreement (if any), that FORTE shall gain possession of any ownership or other proprietary rights with respect to such PII. FORTE acknowledges and understands that PII may be subject to applicable local, state and federal Rules and Laws and applicable information industry standards; provided however, to the extent that AGENCY informs FORTE of a local law expanding the definition of PII in Appendix A, FORTE shall only be required to use commercially reasonable efforts to comply with such expanded local requirements.
 - b. Consumer Information that is collected or obtained from AGENCY pursuant to this Agreement shall be stored and maintained by FORTE in a secure environment and transmitted by FORTE in a secure form that meets industry-mandated data security standards. Although FORTE will protect and safeguard PII in a manner that meets industry-mandated data security standards, the parties agree that there may be some instances in which PII or certain PII data elements are protected in a more secure manner than other data (e.g., encryption).
5. Rights to Use and Access. AGENCY hereby grants to FORTE a non-exclusive right to use all of AGENCY’s Source Data including PII provided by AGENCY’s customers, necessary to perform the Services under this Agreement. FORTE shall limit the use and access to AGENCY’s Source Data to uses pursuant to the terms of the Agreement and to FORTE’s bona fide employees or independent consultants, contractors or auditors and required governmental agencies, who have a need to know such information

and who agree to comply with use and non-disclosure restrictions similar to those contained within this Agreement.

6. Security of Consumer Information. Each Party shall implement and maintain a Security Program that includes appropriate administrative, technical and physical safeguards reasonably designed to: (i) ensure the security and confidentiality of Consumer Information within its systems; (ii) protect against any anticipated threats or hazards to the security or integrity of Consumer Information within its systems; and (iii) protect against unauthorized access to or use of Consumer Information stored on its systems; and (iv) dispose of Consumer Information in a secure manner per applicable Rules and Laws.
 - a. In order to comply with safeguard obligations generally described in the preceding paragraph, each Party shall (1) designate an employee or employees to coordinate its Security Program, (2) identify reasonably foreseeable internal and external risks to the security, confidentiality and integrity of Consumer Information located on its systems that could result in the unauthorized disclosure, misuse, alteration, destruction or other compromise of such information, and assess the sufficiency of any safeguards in place to control these risks. At a minimum, such risk assessment should include consideration of risks in each relevant area of a Party's operations, including: (i) employee training and management; (ii) information systems, including network and software design, as well as information processing, storage, transmission and disposal; and (iii) detecting, preventing and responding to attacks, intrusions, or other systems failures, which shall include the use of commercially reasonable efforts to establish procedures and logging mechanisms for FORTE systems and networks that will allow tracking and analysis in the event there is a compromise of its systems, and maintain an audit trail history for at least three (3) months for review by AGENCY upon reasonable request; (3) design and implement information safeguards to control the risks identified through risk assessment, and regularly test or otherwise monitor the effectiveness of the safeguards' key controls, systems, and procedures; and (4) use commercially reasonable efforts to assure data security when disposing of any Consumer Information.
7. Disclosures. Neither Party shall have an obligation to maintain the confidentiality of any Consumer Information which: (i) has been received by it from a third party without restriction on disclosure and without breach of agreement or other wrongful act by the receiving party; or (ii) is independently developed by it without reference to any Consumer Information. If required by any court of competent jurisdiction or other governmental authority, each Party may disclose to such authority, data, information or materials involving or pertaining to Consumer Information to the extent required by such order or authority. FORTE shall, if not otherwise prohibited, give the other Party as much advance notice of the possibility of such disclosure as is practical so that it may, at its own expense, attempt to stop such disclosure or obtain a protective order concerning such disclosure.
8. Breach Notification. In the event of an actual or validated breach of security of a Party's system, website, database, equipment or storage medium or facility that results in unauthorized access to Consumer Information on a Party's system by any third party (including any consultant or subcontractor of the Party that is not authorized to access such information), the Party that experienced the breach shall notify the other Party within a commercially reasonable time after taking any appropriate measures necessary to prevent further access, and shall take commercially reasonable efforts to resecure its systems as soon as possible. The Party that experienced the breach shall provide any information that the other Party reasonably requests pertaining to the incident, unless prohibited from doing so by applicable Rule or Law and shall provide reasonable cooperation to investigate any such incident. In addition, in the event of an actual or validated breach of security to a Party's system regarding PCI data related to AGENCY's account with FORTE, the Party that experienced the breach shall, to the extent reasonably practicable, cooperate with the investigative actions of the appropriate forensic unit and/or law enforcement agency and agrees to provide the other Party with a copy of the final Incident Report, if any, upon request.

9. FORTE’s Annual Validation of Adherence to Security Standards. FORTE and AGENCY agree to utilize existing FORTE assessment reports and Certifications (SSAE report and PCI Certification), to validate FORTE’s compliance with the Information Security Requirements set forth in this Appendix E.
 - a. FORTE shall maintain all records pertaining to the Services as required by applicable Rule or Law
 - b. FORTE shall provide at its expense, upon AGENCY’s written request on no more than an annual basis, its most current independent, SSAE report (third party service organization report). An SSAE report for purposes of this Agreement is defined as a specialized report or reports of controls, generally accepted in the industry, in the areas of financial reporting and general information technology controls for the services provided by a hosted solutions provider, managed services provider, service organization, service bureau or other similarly structured provider of software and hardware solutions. FORTE shall select the type of SSAE report that will be provided based upon the relationship between the parties and the products and services provided by FORTE. In the event AGENCY wishes to receive a type of SSAE report not currently provided by FORTE, AGENCY shall provide no less than eighteen (18) months prior written notice to FORTE and FORTE in its sole discretion shall determine whether it will provide the additional type of SSAE report to AGENCY. FORTE will provide a copy of the most current report prepared; provided that AGENCY shall accept and agree to any conditions imposed by the independent audit firm for access to such report. FORTE will use good faith efforts to assist in resolving any issues that may arise between AGENCY and any independent auditor firm regarding the viewing of the SSAE report. AGENCY may not distribute or provide FORTE’s SSAE report to third parties without FORTE’s prior written consent.
 - c. FORTE is PCI DSS certified and undergoes an annual audit in order to maintain PCI DSS compliance against the current version of PCI DSS published on the PCI SSC (PCI Security Standards Council) website.
 - d. AGENCY and its auditors will maintain the confidentiality of FORTE’s procedures and processes, which FORTE describes as confidential, and which are disclosed as a result of any review or audit. FORTE agrees that any material failure, as defined by AGENCY in its reasonable discretion, to cooperate fully and promptly in the conduct of any audit requested pursuant to this paragraph will constitute grounds for AGENCY to immediately terminate the Agreement and cease receiving Services from FORTE; provided, however, AGENCY shall provide FORTE with written notice of such material failure to cooperate and FORTE shall have thirty (30) days opportunity to cure. Such termination shall be [AGENCY/Agency]’s sole and exclusive remedy for any such failure to cooperate.
10. Network and Application Scans. FORTE shall perform network and application security scans that test the FORTE’s systems for (i) security vulnerabilities, (ii) denial of service vulnerabilities and (iii) system access. FORTE will have processes that review and remediate vulnerabilities.

SCHEDULE 1
PRICING FEE SCHEDULE
 (City of Brecksville, OH)

1. Service (Convenience) Fee Pricing Option:

- a) MasterCard, Visa, Discover and American Express cards**
 2.95% of the payment amount with a minimum fee of \$2.00 based upon volume.

- b) Electronic check – online WEB and IVR payments**
 (Includes Forte Verification for known accounts)

eCheck Transaction Tiers	Fees	Frequency
\$0.01 to \$150,000.00	\$2.00 w/Verification	Per Transaction
\$150,000.01 and over	\$7.75 w/Verification	Per Transaction

2. Absorbed Pricing Option:
 Emerging Market and Public-Sector Rate Structure

Processing Costs:	Fees	Frequency
Option 2. Visa, MasterCard, Discover,	*Pass Thru pricing + \$0.30+ 40bpts*	Per Transaction
Option 2. American Express	*Pass Thru pricing + \$0.30	Per Transaction
Forte Protect (End-2-End Encryption)	\$0.10	Per Transaction
Forte Protect (Key Injection Fee)	\$50.00	One Time Per Device
Account Updater (Optional)	\$0.35	Per Transaction
Account Updater (Optional)	\$25.00	Per Month
Credit Card Chargeback Fee	\$25.00	Per Chargeback
Batch Fee	\$0.35	No Charge - Waived
ACH Fee-debits/credits	\$0.55 with Forte Validate	Per Transaction
ACH Return Fee	\$1.00	Per Return
Monthly Fee	\$5.00	Each Month per Merchant Account
Manual Billing (single bill for multiple merchant accounts)	\$150.00	Monthly

*Pass Thru pricing includes the direct interchange dues, assessments and all other fees that are charged directly from the associations. Forte Payment Systems believes in transparent pricing, meaning that we utilize a *Pass-Thru Plus* pricing model. Interchange pass thru pricing is a form of credit card processing that allows the actual cost of the processing (*interchange fees & assessments) to be passed directly through to your office. The advantage of this pricing strategy is that it is transparent and, in most instances, provides the lowest processing costs

Forte’s fees include: Total volume processed multiplied by bpts
 Total # of transactions processed by per item fee

3. Gateway Only Pricing Option:

Fee Description	Fee	Frequency
Forte Gateway Fee	\$0.15	Per Transaction
Monthly Gateway Fee	\$19.95	Per Merchant

4. Equipment Pricing:

Standard Product	Description	Fees and Cost of Equipment
VeriFone V400c Terminal (Standalone)		\$399.00 per terminal plus shipping
VeriFone V400c Terminal (Hybrid with cables)		\$450.00 per terminal plus shipping
MagTek eDynamo		\$155.00 per device plus shipping
MagTek eDynamo and Counter-Top Docking Station Bundle (recommended)		\$190.00 per device with docking station plus shipping