

ORDINANCE NO. 76-19

**AN ORDINANCE AMENDING SECTION 903.01(B)(3) OF THE
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO
RELATIVE TO REPAIR AND RECONSTRUCTION OF RED
BRICK STREETS.**

WHEREAS: It is necessary to amend the procedures for determining how to pay for the costs of repair and/or reconstruction of red brick streets in the City of Medina.

WHEREAS: That Section 903.01 (b)(3) of the codified ordinances of the City of Medina, Ohio presently reads as follows relative to Red Brick Streets:

903.01 CLASSIFICATION BY WIDTH AND STRENGTH.

(b) Classification by Strength of Streets.

(1) Class I Streets (8 inches). In all streets, or sections of streets, where wheel loads in excess of 8,000 pounds are frequent, the pavement to be constructed or reconstructed therein shall be a minimum of eight inches in thickness with steel reinforcement and proper subsurface drainage, in accordance with the standards of the City, and shall be designated as Class I Streets.

(2) Class II Streets (7 inches). In all streets or sections of streets, where wheel loads in excess of 8,000 pounds are infrequent the pavement to be constructed or reconstructed therein shall be of concrete meeting the requirements of the City specifications, and shall be a minimum of seven inches in thickness with steel reinforcement and proper subsurface drainage in accordance with the standards of the City, and shall be designated as Class II Streets.

(Ord. 11-93. Passed 1-25-93.)

(3) Red Brick Streets. All streets or sections of streets, within the City currently surfaced in red brick shall be repaired or reconstructed using red brick, under the following conditions and terms:

When it is decided by the City that a street or section of a street, currently surfaced in red brick needs repair or reconstruction such that a resolution of necessity is needed, the Clerk of Council shall notify all adjacent property owners that such repair or reconstruction is to be done and the comparative costs of such repair or reconstruction being done in red brick or alternative paving. Such notification shall be by certified mail to the tax mailing address of the property owners. Such property owners shall have fifteen days from the date of receipt of the notice (to be figured from the date of the last property owner's receipt of notice) to file with the Clerk of Council a petition setting forth that property owners representing sixty percent (60%) of the adjacent front footage request that such repairs or reconstruction be done in approved material other than red brick. When such a petition is received by the Clerk of Council then the resolution of necessity shall specify that the street shall be repaired or reconstructed in approved material other than red brick. If no petition is filed with the Clerk of Council, then the repair or reconstruction shall be done in red brick.

When repairs are such that they may be done without a resolution of necessity, such repairs shall be done in red brick.

(Ord. 73-82. Passed 9-13-82.)

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Section 903.01 (b)(3) of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows relative to Red Brick Streets:

903.01 CLASSIFICATION BY WIDTH AND STRENGTH.

(b) Classification by Strength of Streets.

(1) Class I Streets (8 inches). In all streets, or sections of streets, where wheel loads in excess of 8,000 pounds are frequent, the pavement to be constructed or reconstructed therein shall be a minimum of eight inches in thickness with steel reinforcement and proper subsurface drainage, in accordance with the standards of the City, and shall be designated as Class I Streets.

(2) Class II Streets (7 inches). In all streets or sections of streets, where wheel loads in excess of 8,000 pounds are infrequent the pavement to be constructed or reconstructed therein shall be of concrete meeting the requirements of the City specifications, and shall be a minimum of seven inches in thickness with steel reinforcement and proper subsurface drainage in accordance with the standards of the City, and shall be designated as Class II Streets.

(Ord. 11-93. Passed 1-25-93.)

(3) **Red Brick Streets.** All streets or sections of streets, within the City currently surfaced in red brick shall be repaired or reconstructed using red brick, under the following conditions and terms:

When it is decided by the City that a street or section of a street, currently surfaced in red brick needs repair and/or reconstruction such that a resolution of necessity is needed and it is determined that adjacent property owners shall be assessed, the law and procedures as set forth in Chapter 727 and/or Section 727.01 of the Ohio Revised Code shall apply.

When repair and/or reconstruction is such that the City determines that it may be done without a resolution of necessity, such repair and/or reconstruction shall be completed in red brick.

SEC. 2: That any Ordinance in conflict with this Ordinance in connection with Red Brick Streets is hereby repealed.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: May 13, 2019

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: May 14, 2019

SIGNED: Dennis Hanwell
Mayor

Effective date: June 12, 2019