

1 ORDINANCE NO. 2014-353

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3 SPONSOR Mr. Pry, Ms. Lee, Council of the Whole

4
5 DATE August 18, 2014 COMMITTEE Rules

6
7 **An Ordinance amending Section 1345.02 of the Codified Ordinances of the County of**
8 **Summit, entitled “Definitions,” for the Executive’s Department of Community and**
9 **Economic Development, and declaring an emergency.**

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11 WHEREAS, the County currently codifies certain regulations related to flood damage
12 and associated relief in Chapter 1345 of the Codified Ordinances of the County of Summit,
13 entitled “Flood Damage Reduction”; and

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15 WHEREAS, contained in Section 1345.02 is a definition of “substantial damage,” which
16 defines the amount of damage that a property must sustain before certain insurance funds are
17 made available to an impacted property owner; and

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19 WHEREAS, in all unincorporated areas of the County, the County’s Flood Plan
20 Administrator relies on the definition of substantial damage contained in Section 1345.02 to
21 determine if a structure has been substantially damaged; and

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23 WHEREAS, the County currently defines substantial damage as damage of a structure
24 that requires repairs that cost an amount equal to or in excess of 50% of the pre-damage market
25 value of the structure; and

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27 WHEREAS, the County is able to adopt an additional definition of substantial damage-
28 damage that occurs on two separate occasions within a ten-year period, which necessitate repairs
29 that, on average, equal or exceed 25% of the pre-damage market value of the structure; and

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31 WHEREAS, the County Executive has recommended expanding the definition of
32 substantial damage to provide more potential assistance to property owners in the County; and

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34 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
35 that it is necessary and in the best interest of the County to amend the definition of substantial
36 damage in Section 1345.02 as set forth herein;

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38 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
39 of Ohio, that:

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41 SECTION 1

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43 Section 1345.02 of the Codified Ordinances of the County of Summit, entitled
44 “Definitions,” is hereby amended as follows:

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46 **“Substantial Damage**

47 Damage of any origin sustained by a structure whereby the cost of restoring the structure
48 to its before-damaged condition would equal or exceed fifty percent (50%) of the market
49 value of the structure before the damage occurred. Substantial damage also means flood-
50 related damage sustained by a structure on two (2) separate occasions during a 10-year
51 period for which the cost of repairs at the time of each such flood event, on the average,
52 equals or exceeds 25 percent of the market value of the structure before the damage
53 occurred.”

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2 PAGE TWO

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4 SECTION 2

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6 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit and for the further reason of immediately
8 amending the definition of substantial damage in Section 1345.04 of the Codified Ordinances to
9 provide as much assistance as possible to Summit County property owners.

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11 SECTION 3

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13 Provided this Ordinance received the affirmative vote of eight members, it shall take
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
15 effect and be in force at the earliest time provided by law.

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17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating
20 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
21 deliberations of this Council and of any of its committees that resulted in such formal action,
22 were in meetings open to the public, in compliance with all legal requirements, including Section
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED August 4, 2014

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28 ADOPTED August 18, 2014

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32 CLERK OF COUNCIL

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32 PRESIDENT OF COUNCIL

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34 APPROVED August 19, 2014

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38 EXECUTIVE

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40 ENACTED EFFECTIVE August 19, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro