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

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

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

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

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

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

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

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

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

SECTION 1

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

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

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

SECTION 3

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

SECTION 4

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

INTRODUCED August 4, 2014

ADOPTED August 18, 2014

CLERK OF COUNCIL

APPROVED August 19, 2014

EXECUTIVE

ENACTED EFFECTIVE August 19, 2014

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