

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 076

By: All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A TWO-YEAR AGREEMENT IN ORDER TO BI-ANNUALLY UPDATE, REVISE, INTEGRATE AND PUBLISH NEW AND/OR REPLACEMENT PAGES TO THE CODIFIED ORDINANCE BOOK OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to continue to update, revise, integrate and publish into the Codified Ordinance book ordinances of a general and permanent nature, ordinances that reflect changes in the law of the State of Ohio pertaining to the Traffic and General Offenses Code, and ordinances that reflect changes in the Planning and Zoning Code in order to make copies available to the public; and

WHEREAS, based upon various proposals solicited and received, it is the desire of this Council to provide for the continued updating, revision, integration and publication of the aforesaid ordinances on a bi-annual basis in order to maintain the original publication of the Codified Ordinances as current and in the same manner as presently accomplished.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized to enter into a two-year agreement with the **WALTER H. DRANE COMPANY** as the best proposer to continually, on a bi-annual basis, update, revise, integrate and publish new and/or replacement pages to the Codified Ordinance book of the City of Strongsville, all in accordance with the terms and provisions of the Agreement, which is attached hereto as Exhibit "A" and made a part hereof as though fully rewritten herein, and for the sums set forth therein. All other proposals received for this service are hereby rejected.

Section 2. That the Director of Finance be and is hereby authorized to pay the sums in accordance with the terms of the Agreement, and the funds therefore have been appropriated for 2014 and shall be paid from the General Fund.

Section 3. That 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 any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City; and in order to provide updated Codified Ordinances to the public and provide for compatibility and continuity in daily City operations, including the Clerk's office. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Michael J Daymut
President of Council

Approved: Thomas S. Bruer
Mayor

Date Passed: April 7, 2014

Date Approved: April 7, 2014

	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	_____
Daymut	<u>✓</u>	_____
DeMio	<u>✓</u>	_____
Dooner	<u>✓</u>	_____
Maloney	<u>✓</u>	_____
Schonhut	<u>✓</u>	_____
Southworth	<u>✓</u>	_____

Attest: Aimee Puntka
Clerk of Council

ORD. No. 2014-076 Amended: _____
 1st Rdg. 04/07/14 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: 04/07/14 Defeated: _____

The Walter H. Drane Company Professional Codification Service

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216-514-1022
FAX 216-541-4740
E Mail: whdrane1@aol.com

AGREEMENT FOR BIENNIAL CODIFICATION SUPPLEMENT

An agreement dated March 26, 2014, between the City of Strongsville, Ohio, a municipal corporation (hereinafter called the Municipality), and the Walter H. Drane Company, an Ohio corporation (hereinafter called the Contractor), in consideration of mutually agreed upon promises and conditions set forth herein.


- A. For a total of four times, the Contractor shall biennially prepare and publish an updating to the Codified Ordinances containing all ordinances of a general and permanent nature, and in providing such service agrees to:
1. Examine and review all ordinances of the Municipality to ascertain material suitable for integration.
 2. Evaluate all selected material for provisions which appear to be obsolete, repealed specifically or by implication, ambiguous, vague or inapplicable, or in conflict with other law (State statute, Charter or other ordinance provisions and court decisions) and refer questions on the same to the Law Director for a decision.
 3. Edit all ordinance material by correcting all spelling, capitalization, grammatical and typographical errors, but the sense, meaning or legal effect of any ordinance provision shall not be altered.
 4. Classify and arrange selected material into its proper component code, title (or article), chapter and section position.
 5. Prepare proper and descriptive headings for each title, chapter and section.
 6. Number all material to conform with the decimal numbering system and code classification.
 7. Substitute proper code numbers for references within sections of selected material so as to conform with the new numbering system.
 8. Substitute the words "this code" or "this chapter" for "this ordinance" whenever the sense so requires.
 9. Prepare cross references for each chapter to applicable provisions of State statutes, and other sections, chapters or codes of the Codified Ordinances.
 10. Prepare a legislative history for each section, noting the ordinance number and date of passage.
 11. Prepare a supplemental index or revise the general index to cover all ordinance material to be integrated.
 12. Prepare a comparative section table indicating the disposition of integrated ordinances.
 13. Prepare a supplemental listing of special ordinances if such original listing is included in the Codified Ordinances.
 14. Unless otherwise agreed to, revise key provisions of the Codified Ordinances to reflect enactments by the State Legislature.
 15. Guarantee typographical correctness. Errors attributable to the Contractor will be corrected at any time requested by the Municipality without charge to the Municipality. The Contractor's liability for all services shall extend only to the correcting of any such errors within the Codified Ordinances.
 16. Print, collate and deliver to the Municipality sufficient sets of printed pages to equal the original printing, or such number as are requested by the Municipality.

The Walter H. Drane Company

- B. The Municipality agrees to:
1. Pay the Contractor biannually for the term the Contractor's services are retained a sum of:
 - (a) \$350.00 for editorial services set forth in Part A of this agreement.
 - (b) \$24.00 printed page which is changed (new matter included).
 - (c) \$10.00 per page which is unchanged (the reverse side of a changed page).
 - (d) \$1.75 per printed page for 25 extra copies of any component code requested.
 - (e) Cost for updating 2 Folio CD-ROMs not to exceed \$400.00 per update. Extra CD-ROMs not to exceed \$55.00 each.
 - (f) No cost for the Codified Ordinances on zip disk.All sums are payable within thirty days after receipt of the sets of printed pages by the Municipality.
 2. Pay delivery charges of the sets of printed pages from Cleveland to Strongsville, Ohio.
 3. Provide the Contractor with copies of all materials needed to complete the supplementation.
- C.
1. This agreement is subject to acceptance by the Municipality within 45 days of the date of this agreement.
 2. This agreement is subject to cancellation by either of the parties hereto upon 90 days written notice to the other party.

IN WITNESS THEREOF, the parties have set their hands the day and date below written.

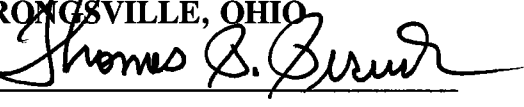
THE WALTER H. DRANE COMPANY
Cleveland, Ohio

By 

Title President

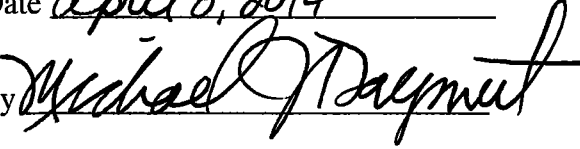
Date March 26, 2014

THE MUNICIPALITY OF
STRONGSVILLE, OHIO

By 

Title Mayor

Date April 8, 2014

By 

Title President of Council

Date April 8, 2014