

AN ORDINANCE AMENDING THE VILLAGE ZONING CODE TO ESTABLISH
RIGHT-OF-WAY PERMIT FEES AND DECLARING AN EMERGENCY

WHEREAS, the Village of Alexandria, Ohio, is authorized under the Ohio Revised Code, including Chapter 723, to regulate, protect, and manage the use of public streets, rights-of-way, alleys, and public grounds; and

WHEREAS, the Village Council has previously adopted a Zoning Code; and

WHEREAS, construction activities, utility installations, maintenance work, and private use within the public right-of-way impose administrative, inspection, and infrastructure costs upon the Village; and

WHEREAS, the Village Council finds it necessary and appropriate to establish a right-of-way permit fee structure to recover costs associated with reviewing, issuing, inspecting, and enforcing right-of-way permits; and

WHEREAS, the Village Council desires to incorporate said right-of-way permit fee provisions into the Village Zoning Code to improve clarity, consistency, and administration of development-related activities affecting the public right-of-way; and

WHEREAS, adoption of such fees promotes the health, safety, and general welfare of the residents of the Village of Alexandria;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Alexandria, County of Licking, State of Ohio:

SECTION 1.

That the Zoning Code is hereby amended by adding the following new section, to be codified as Section 300.01, Right-of-Way Permit Fees, which shall read as follows:

Section 300.01 – Right-of-Way Permit Fees

A. Permit Required.

No person, firm, corporation, utility, or other entity shall excavate, obstruct, occupy, construct within, or otherwise use the public right-of-way without first obtaining a right-of-way permit issued by the Village in accordance with applicable ordinances and administrative regulations.

B. Permit Fees.

An application for a right-of-way permit shall be accompanied by a non-refundable fee of \$250/permit and \$15/parcel.

C. Purpose of Fees.

The fees established herein are intended to recover the Village's reasonable costs associated with permit review, administration, inspection, enforcement, and restoration of the public right-of-way.

D. Waivers and Reductions.

Village Council or the Zoning Inspector, as designated by Council, may waive or reduce right-of-way permit fees for public projects, governmental entities, or other circumstances deemed to be in the best interest of the Village.

E. Adjustment of Fees.

Village Council may, by resolution, amend the fee amounts set forth in this section from time to time without further amendment to the Zoning Code.

F. No Limitation on Other Authority.

Nothing in this section shall be construed to limit the Village's authority under the Ohio Revised Code or other ordinances to impose restoration requirements, bonds, insurance requirements, or penalties related to right-of-way use.

SECTION 2.

That all ordinances or resolutions, or parts thereof, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 3.

That this Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Village, and shall take effect and be in force immediately upon its adoption.

ATTEST:



Mayor Sean Barnes

 FD

Caroline J. Gissinger, Fiscal Officer

APPROVED AS TO FORM:



David T. Ball, Esq., Solicitor