

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, DECEMBER 3, 2024  
7:30 P.M.**

**A. ROLL CALL OF MEMBERS**

**B. PLEDGE OF ALLEGIANCE**

**C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. CAUCUS PRIOR TO MEETING MINUTES HELD ON OCTOBER 15, 2024.
2. REGULAR COUNCIL MEETING MINUTES HELD ON OCTOBER 15, 2024.
3. CAUCUS PRIOR TO MEETING MINUTES HELD ON NOVEMBER 6, 2024.
4. REGULAR COUNCIL MEETING MINUTES HELD ON NOVEMBER 6, 2024.

**D. REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Dufour  
Board of Zoning Appeals - Mencini  
Finance Committee - Scott  
Legislative Committee - Scott  
Parks & Recreation Committee - McCorkle  
Planning Committee - Poindexter  
Safety Committee - Troyer  
Service Committee - Roberts

**E. REPORTS OF SPECIAL COMMITTEES:**

Southwest General Health Center Trustee - Mencini  
Berea Board of Education Representative - McCorkle  
Technology & Innovation Council Representative -Dufour

**F. REPORTS OF BOARDS AND COMMISSIONS:**

**G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

**H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

**I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,  
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**

**J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**

**K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

**L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

**M. ORDINANCES AND RESOLUTIONS FIRST READING**

**N. SECOND READING OF ORDINANCES AND RESOLUTIONS:**

**O. THIRD READING OF ORDINANCES AND RESOLUTIONS:**

1. Ord. No. 11438-2024

AN ORDINANCE AMENDING SECTION 1323.02 OF THE BROOK PARK CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**P. ADJOURNMENT:**

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS  
FOR THE COUNCIL MEETING OF DECEMBER 3, 2024**

**THIRD READING:**

Ord. No. 11438-2024 AN ORDINANCE AMENDING SECTION 1323.02 OF THE BROOK PARK  
CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance amending section 1323.02 to allow  
the Building Commissioner to revoke the certificate of  
Occupancy under certain circumstances.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT  
November 21, 2024**

CITY OF BROOK PARK, OHIO

PLC 10-7-24 Legislative  
CA 10-8-24  
Tech 10-15-24  
2700 11-19-24  
P.A. 12-3-24

ORDINANCE NO: 1438-2024

INTRODUCED BY: MAYOR ORCUTT

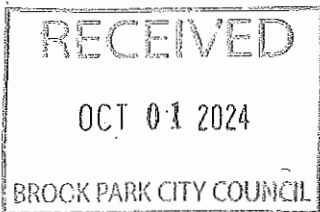
AN ORDINANCE  
AMENDING SECTION 1323.02  
OF THE BROOK PARK CODIFIED ORDINANCES,  
AND DECLARING AN EMERGENCY.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 1323.02 passed by Ordinance No. 2305-1963, March 19, 1963 and Ordinance No. 9555-2009, January 20, 2009 of the Brook Park Codified Ordinances, and reading as follows:

**1323.02 ISSUANCE OF OCCUPANCE CERTIFICATE.**

- (a) A Certificate of Occupancy shall be issued, to an applicant, after any building has received its final inspection as defined by the City Building Code, if such building is found to have been constructed or altered in accordance with the plans and specifications therefor, the provisions of the Ohio and City Building Codes, all other applicable City ordinances and the rules and regulations of the Department of Public Service.
- (b) No person shall occupy a building unless a Certificate has been issued, or occupy any building for which a Certificate has been denied or revoked. The final inspection herein referred to shall be made and the Certificate shall be issued or denied within three days after the Director of Public Service has been notified of the completion of the building, provided the building is open for inspection.
- (c) Revocation of Certificate of Occupancy. The Building Commissioner may revoke a certificate of occupancy if any false statement is made by



the applicant in connection with the issuance of such certificate, or for noncompliance of the Building Code(s) or if the owner, agent or person in charge of a building refuses to comply with the Ohio Building Code or any of the Brook Park Codified Ordinances.

**SECTION 2:** Former Section 1323.02 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 2305-1963, passed March 19, 1963, and Ordinance No. 9555-2009, passed January 20, 2009 is hereby expressly repealed.

**SECTION 3:** 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.

**SECTION 4:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety and welfare of said City, and for the further reason to amend section 1323.02, of the Brook Park Codified Ordinances; therefore provided this Resolution receives the affirmative vote of at least five (5) 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.

PASSED: \_\_\_\_\_

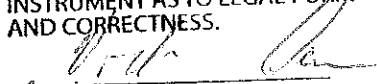
\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS.

  
\_\_\_\_\_  
DIRECTOR OF LAW