

# CANTON CITY COUNCIL

**President** Kristen Bates Aylward

**Council At Large:**

James Babcock - **Asst. Majority Leader**  
Louis Giavasis  
Crystal Smith

**Mailing Address:**

218 Cleveland Ave. SW  
Canton, Ohio 44702  
(330) 489-3223  
[www.CantonOhio.gov](http://www.CantonOhio.gov)



**Ward Council Members:**

Darren Mayle, Ward 1  
Brenda Kimbrough, Ward 2  
Jason Scaglione, Ward 3  
Chris Smith, Ward 4  
Robert Fisher, Ward 5  
Jonathan Cooks, Ward 6  
John Mariol, Ward 7 - **Majority Leader**  
Richard Sacco, Ward 8  
Frank Morris, Ward 9

## FINAL AGENDA

July 14, 2025

7:00 PM

**Roll Call:** ELEVEN MEMBERS PRESENT

**Motion to Excuse Members:** MEMBER MORRIS ABSENT

**Invocation:** DARREN MAYLE, WARD 1 COUNCIL MEMBER

**Pledge of Allegiance:** PRESIDENT BATES ALYWARD

**AGENDA CORRECTIONS & CHANGES:** (SUSPENDED RULE 22A TO ADD 2ND RDG O#21 THROUGH O#29; O#28 & O#29 ADOPTED ON 2ND RDG)

**PUBLIC HEARINGS:** 7:00 PM - AN ORD AUTH CANTON TO ANNEX THE TERRITORY KNOWN AS THE 2707 FULTON DR NW AREA - 2024 ANNEXATION CONTAINING APPROXIMATELY 1.852 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS B-3 GENERAL BUSINESS DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY. (NO SPEAKERS) SEE O#127/2025

**OLD BUSINESS:** NONE

**PUBLIC SPEAKS:** ROGER GATES EXPRESSED HOW DISAPPOINTED HE WAS THAT MEMBERS OF COUNCIL DID NOT TAKE UP HIS INVITE TO COME INSPECT HIS HOME AND THE SURROUNDING NEIGHBORHOOD. DANIEL GATES THANKED LAW DIRECTOR REECE FOR ASSISTING HIS FATHER WITH ISSUES CONCERNING HIS HOME. AMY ROE SPOKE ABOUT HER EXPERIENCES WITH CANTON PD'S SLOW RESPONSE TIME. SKYLARK BRUCE EXPRESSED HER FEELINGS ON HOW MORE COUNCIL MEMBERS SHOULD HAVE BEEN A PART OF THE SEARCH FOR RYAN "JJ" GODBEY. JUSTIN NICELY GAVE BACKGROUND INFORMATION ABOUT HIS MENTAL HEALTH. KEITH DOUTHETT EXPRESSED HIS DISAPPOINTMENT IN HOW THE SYSTEM WORKS.

**INFORMAL RESOLUTIONS:** NONE

**COMMUNICATIONS:**

1. REQ NEW D2 LIQUOR PERMIT FOR VENUE AT GREENTREE LLC @ 3840 GREENTREE AVE SW STE 2 (WARD 4). - LIQUOR CONTROL DIV
2. AUTH APPT OF MR. PETER ZAHIRSKY TO THE STARK CO. REGIONAL PLANNING COMM. COMMENCING 7/28/25 TO 12/31/25. – MAYOR SHERER
3. AUTH APPT OF MR. PETER ZAHIRSKY TO STARK CO. LAND REUTILIZATION BANK COMMENCING 7/28/25, WITH NO EXPIRATION DATE. – MAYOR SHERER
4. APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR THE WHIPPLE AVE SW NO. 1–2024 ANNEXATION (SHOPPING CENTER DISTRICT B-6, WARD 3). - PLANNING COMMISSION
5. APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR THE WHIPPLE AVE SW NO. 2–2024 ANNEXATION (SINGLE FAMILY RESIDENTIAL DISTRICT R-1A, WARD 3). - PLANNING COMMISSION
6. REQ AMEND CH. 1131 - DEFINITIONS AND CH. 1166 - FLOOD HAZARD ZONING DISTRICTS. - PLANNING COMMISSION
7. REQ APPROVAL OF UPDATED BARGAINING-UNIT CLASSIFICATION PLANS FOR POLICE AND FIRE DEPTS; EMERGENCY. - SAFETY DIRECTOR PERRY
8. REQ APPROP OF LOAN FUNDS FOR CROMER RESERVOIR IMPROV PROJ AND CHANGE ORDER NO. 1 - DESIGN; EMERGENCY (\$17,734,260.68 FR UNAPPROP BAL 5242 CROMER RESERVOIR IMPROV PROJ FUND TO 5242 207070 CROMER RESERVOIR IMPROV PROJ). - SERVICE DIRECTOR HIGHMAN
9. REQ AUTH GROSS AVE NE AREA WATER MAIN REPLCMT AND ROADWAY IMPROV PROJ; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5256 GROSS AVE NE WATER MAIN REPLCMT PROJ FUND TO 5256 207086 GROSS AVE NE WATER MAN REPLMT PROJ - OTHER; \$900,000.00 SUPP APPROP FR 5201 WATER FUND TO 5201 207086 GROSS AVE NE WATER MAIN REPLCMT PROJ - OTHER). - SERVICE DIRECTOR HIGHMAN
10. REQ OHIO DEPT OF TRANSPORTATION STA US-62-PID 100824 ADDITIONAL APPROP; EMERGENCY (\$28,535.19 SUPP APPROP FR UNAPPRP BAL OF 5201 WATER FUND TO 5201 207072 US 62 ODOT WATER MAIN RELOCATION PROJ - OTHER). - SERVICE DIRECTOR HIGHMAN

#### **FIRST READINGS:**

11. AMEND TITLE THREE, UTILITIES OF PART NINE, STREETS, UTILITIES AND PUBLIC SERVS CODE TO ADD NEW CH.965, STORMWATER UTILITY. - JUDICIARY COMMITTEE
12. AUTH MAYOR OR SAF DIR TO ACCEPT DOWNTOWN CANTON PARTNERSHIP GRANT IN AMT OF \$6,000.00 FOR MURAL FEST; AMEND APPROP O#55/2025: EMERGENCY (\$6,000.00 SUPP APPROP FR UNAPPROP BAL 2175 COMP PLAN

FUND TO 2175 501002 PLANNING AND ZONING - OTHER). - FINANCE COMMITTEE

13. AUTH MAYOR OR SAF DIR TO ACCEPT STARK STORIES - AMERICA 250 GRANT IN AMT OF \$25,000.00 FR VISIT CANTON AND ARTS IN STARK FOR REIMAGINING COURT INITIATIVE; AMEND APPROP O#55/2025; EMERGENCY (\$25,000.00 SUPP APPROP FR UNAPPROP BAL 2175 COMP PLAN FUND TO 2175 501002 PLANNING AND ZONING - OTHER). - FINANCE COMMITTEE
14. AUTH MAYOR OR SAF DIR TO ACCEPT AMERICA 250-H GRANT IN AMT OF \$5,000.00 FR AMERICA-250 OHIO COMMISSION FOR UNTOLD STORIES OF CANTON DIGITAL MEDIA PRESENTATION; AMEND APPROP O#55/2025; EMERGENCY (\$5,000.00 SUPP APPROP FR UNAPPROP BAL 2175 COMP PLAN FUND TO 2175 501002 PLANNING AND ZONING - OTHER). - FINANCE COMMITTEE
15. AUTH AUDITOR TO PAY MORAL OB FOR PHI AIR MEDICAL IN AMT NOT TO EXCEED \$23,761.00; EMERGENCY. - FINANCE COMMITTEE
16. AUTH MAYOR OR SAF DIR TO UTILIZE SUBGRANT TITLED CANTON CITY VIOLENT CRIME REDUCTION INITIATIVE FOR OVERTIME IN THE POLICE DEPT; AUTH AUDITOR TO RENAME FUND 2774; AMEND APPROP O#55/2025; EMERGENCY (\$20,000.00 SUPP APPROP FR UNAPPROP BAL 2774 OCJS 2024 PROJ SAF NEIGHBORHOOD GRANT FUND TO 2774 102001 POLICE ADMIN - OTHER; \$20,000.00 INTER FUND TRF FR 1001 102001 - ADV OUT TO OTHER FUND TO 2774 102001 - ADV. IN FR OTHER FUND). - FINANCE COMMITTEE
17. AUTH MAYOR OR SAF DIR TO UTILIZE SUBGRANT TITLED VIOLENCE INTERDICTION PATROLS INITIATIVE FOR OVERTIME IN POLICE DEPT; AUTH AUDITOR TO RENAME FUND 2788; AMEND APPROP O#55/2025; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL 22788 OCJS 2025 VIOLENCE INTERDICTION PATROLS INITIATIVE GRAN FUND TO 2788 102001 POLICE ADMIN - OTHER; FR UNAPPROP BAL 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - ADV OUT; \$100,000.00 INTER-FUND ADVANCE FR 1001 102001 - ADVANCE OUT TO OTHER FUND TO 2788 102001 - ADVANCE IN FR OTHER FUND). - FINANCE COMMITTEE
18. AUTH MAYOR, SERV DIR OR DESIGNEE, TO: EST FAIR MARKET VALUE OF REAL PROP; ENTER INTO AGMTS FOR PURCHASE/ACQUISITION OF PARCELS; ENTER INTO AGMTS FOR SALE OR DONATION OF CITY-OWNED PROP FOR PERMANENT ROAD RIGHT-OF-WAY, UTILITY EASEMENTS, AND/OR TEMP CONSTRUCTION EASEMENTS FOR SHERRICK RD SE AREA IMPROV PROJ; MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NOS. AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS; DECLARE INTENT TO APPROP PARCELS IF A NEGOTIATED SETTLEMENT CANNOT BE REACHED; EMERGENCY. - FINANCE COMMITTEE
19. AUTH MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO.1 WITH WENGER EXCAVATING, INC. IN AMT NOT TO EXCEED \$114,573.04 FOR PERRY HEIGHTS WATER MAIN REPLMT PROJ - PHASE 2; AMEND APPROP O#55/2025; AUTH AUDITOR TO PAY ALL MORAL OBS RELATED TO CHANGE ORDER;

EMERGENCY (\$114,573.04 SUPP APPROP FR UNAPPROP BAL 5201 WATER FUND TO 5201 207085 PERRY HTS WTR PH2 WATER MAIN REPLCMT - OTHER - \$20,042.46; TO 5201 207091 PERRY HTS WTR PH2 WATER MAIN REPLCMT PAVING - OTHER - \$94,530.58). - FINANCE COMMITTEE

20. AMEND APPROP O#55/2025; EMERGENCY (\$44,750.00 SUPP APPROP FR 4501 CAPITAL PROJ FUND TO 4501 202069 E. TUSC STREETSCAPE PH.3 - OTHER; \$150,000.00 APPROP TRF FR 4501 202054 THE O'JAYS PKWY NE IMPROV - OTHER TO 4501 202001 ENGINEERING - ADMIN - OTHER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

**\*Ordinances and Formal Resolutions for First Reading Vote**

**SECOND READINGS: (SUSPEND RULE 22A TO ADD 2ND RDG O#21 THROUGH O#29; O#28 & O#29 ADOPTED ON 2ND RDG)**

21. AUTH CITY TO ANNEX TERRITORY KNOWN AS THE TRUMP & LINCOLN - 2025 ANNEX CONTAINING APPROX 16.512 ACRES MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 4; ZONING TERRITORY B-4 SPECIAL BUSINESS DISTRICT; EMERGENCY. - ANNEX **PUB HRG 7/28/25 @ 7:00 PM**
22. AMEND O#84/2025 (PERMITS & PENALTY SECTIONS); EMERGENCY. - JUD
23. AUTH MAYOR OR SAF DIR TO ACCEPT ALL DONATIONS RECEIVED FOR POLICE SUB-STATION IN A TOTAL AMT NOT TO EXCEED \$115,000; EMERGENCY. - FIN
24. AUTH MAYOR OR SER DIR TO ENTER INTO PROFESS SERVS CONTRACT WITH ARCADIS DURING DESIGN PHASE OF NW BOOSTER SURGE TANK PROJECT IN AN AMT OF NOT TO EXCEED \$111,900; AUTH AUDITOR TO PAY ALL MORAL OBS FOR CHANGE ORDERS; AMEND APPROP O#55/2025; EMERGENCY (\$111,900.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207097 NW BOOSTER SURGE TANK PROJ - OTHER). - FIN
25. AUTH CITY TO ANNEX TERRITORY KNOWN AS THE TRUMP AVE SE - ORCHARDVIEW DR SE - 2024 ANNEX CONTAINING APPROX 84.568 ACRES MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 4; ZONING TERRITORY I-1 LIGHT INDUSTRY DISTRICT; EMERGENCY. - ANNEX **PUB HRG 7/28/25 @ 7:01 PM**
26. AUTH MAYOR OR SERV DIR TO ENTER INTO A ROADWAY MAINTENANCE AGMT WITH BOARD OF TRUSTEES, PLAIN TOWNSHIP, STARK COUNTY, OHIO; EMERGENCY. - PS&T
27. AUTH MAYOR OR SERV DIR TO APPLY FOR, ACCEPT, ENTER SUPPLEMENTAL WATER POLLUTION CONTROL LOAN FUND AGMT FOR DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES ASSOCIATED WITH MONUMENT RD. SANITARY SEWER REPLACEMENT, GP 1364; DESIGNATING REPAYMENT SOURCE FOR LOAN; EMERGENCY. - FIN

28. **125/2025** AUTH CANTON MUNICIPAL COURT TO ENTER AGMT WITH STATE OF OHIO, DEPT OF REHABILITATION & CORRECTION FOR FY 2026-2027 COMMUNITY CORRECTIONS ACT 2.0 GRANT IN AN AMT NOT TO EXCEED \$752,253 COMMENCING 7/1/25 THROUGH 6/30/27; EMERGENCY. - FIN\*
29. **126/2025** AUTH CLERK TO CERTIFY COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR SERVS PERFORMED BY AND/OR ON BEHALF OF CITY BUILDING AND CODE DEPT. FOR BOARD UP/CLEAN UP/DEMOLITION CHARGES; EMERGENCY. - FIN\*

**\*Ordinances and Formal Resolutions for Second Reading Vote**

**THIRD READINGS:**

30. **127/2025** AUTH CITY TO ANNEX TERRITORY KNOWN AS THE 2707 FULTON DR NW AREA - 2024 ANNEX CONTAINING APPROX 1.852 ACRES MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 7; ZONING TERRITORY B-3 GENERAL BUSINESS DISTRICT; EMERGENCY. **PUB HRG 7/14/25 @ 7:00 PM**
31. **128/2025** ADOPT CITY ALTERNATIVE TAX BUDGET FOR FISCAL YEAR ENDING 12/31/26; EMERGENCY.
32. **129/2025** AUTH VACATION OF A PORTION OF 8TH ST. NE; APPROVE AND ACCEPT REPLAT OF LOTS 6250, 6251, & 39454, PART OF LOTS 2019, 2020, & 39558, PART OF OUTLOT 137, PART OF SENECA PL. NE AS VACATED AND THE VACATED PORTION OF 8TH. NE; EMERGENCY. **PUB HRG WAIVED**
33. **130/2025** AUTH VACATION OF AN UNNAMED 10' ALLEY; APPROVE AND ACCEPT THE REPLAT OF LOT 37897 AND LANDS OF T.L. BALL AND THE VACATED PORTION OF AN UNNAMED 10' ALLEY; EMERGENCY. **PUB HRG WAIVED**
34. **131/2025** AUTH MAYOR OR SAF DIR. TO ENTER AGMT FOR AND ACCEPT \$5,500 IN GRANT FUNDS FR WALMART'S SPARK GOOD LOCAL GRANT FOR CITY POLICE DEPT; AMEND APPROP O#55/2025; EMERGENCY (\$5,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER).

**COMMITTEE MEETINGS:**

**MONDAY, JULY 28, 2025 @ 6:30 PM**

JUDICIARY COMMITTEE

FINANCE COMMITTEE

PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

**CITY ANNOUNCEMENTS:** MAYOR SHERER REMINDED EVERYONE THAT THE RECYCLING CENTER WILL BE CLOSED FOR THE NEXT THREE WEEKS.

**MISCELLANEOUS BUSINESS:** NONE

**ADJOURNMENT: 7:45 PM**

**THE NEXT REGULAR COUNCIL MEETING: MONDAY, JULY 28. 2025 @ 7:00 PM**



Department of  
Commerce

Division of Liquor Control

com.ohio.gov

Mike DeWine, Governor Jim Tressel, Lt. Governor Sherry Maxfield, Director

NOTICE TO LEGISLATIVE AUTHORITY

TO

09250403-1 PERMIT NUMBER	NEW TYPE	VENUE AT GREENTREE LLC VENUE AT GREENTREE LLC 3840 GREENTREE AVE SW STE 2 Canton CANTON OH 44706
ISSUE DATE		
1/13/2025 FILING DATE		
D-2 PERMIT CLASSES		
76055 TAX DISTRICT	FEB RECEIPT NO	

FROM 6/24/2025

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO	

MAILED 6/24/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN 07/25/2025

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT  
THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: FEB NEW 09250403-1

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING  
BE HELD ☐ IN OUR COUNTY SEAT ☐ IN COLUMBUS

WE DO NOT REQUEST A HEARING ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF CANTON CITY COUNCIL  
218 CLEVELAND AV SW  
CANTON OH 44702



July 7, 2025

Canton City Council  
Council Chambers  
Canton, OH 44702

**RE: Stark County Regional Planning Commission Appointments**

Dear Madam President and Honorable Members:

The City of Canton has five appointments to the Stark County Regional Planning Commission. Two are fixed by the terms of the Resolution of Cooperation of the RPC, that being the Mayor and City Engineer, and three are public appointees, currently two are filled by Mr. Chris Hardesty and Mr. JR Rinaldi which expire on December 31, 2025, and the third is filled by Mr. Donn Angus which expires on December 31, 2026.

This communication requests City Council's approval of the appointment of Mr. Peter Zahirsky, to fill the position formerly held by Mr. Chris Hardesty. Mr. Zahirsky's new term will commence on upon Council authorization and expire on December 31, 2025.

Thank you for your attention to this matter.

Sincerely,

William V. Sherer II  
Mayor

cc: Stark County Regional Planning Commission  
Matthew Bailey, Planning Commission Secretary  
Law Department  
File





July 7, 2025

Canton City Council  
Council Chambers  
Canton, OH 44702

**RE: Stark County Land Reutilization Bank Appointment**

Dear Madam President and Honorable Members:

The City of Canton has one appointment to the Stark County Land Reutilization Bank. This appointment was held by Mr. Chris Hardesty who has resigned.

Therefore, this communication requests the appointment of Mr. Peter Zahirsky, Director of Economic Development for the City of Canton, to fill the vacancy. Mr. Zahirsky's term will commence upon Council approval with not date of expiration.

Thank you for your attention to this matter.

Sincerely,

William V. Sherer II  
Mayor

Cc: Alex Zumbar, SCLRB  
John Anthony, Esq.  
Law Department



July 9, 2025

Canton City Council  
Council Chambers  
Canton, Ohio 44702

RE: Ward Assignment and Zoning Classification for The Whipple Ave SW No. 1 – 2024 Annexation

Dear Madame President and Honorable Members:

On Tuesday, July 8, 2025, the Canton City Planning Commission met and recommended APPROVAL of a proposed Ward Assignment and Zoning Classification for land being annexed into the City of Canton known as The Whipple Ave SW No. 1 - 2024 Annexation. This area being proposed for annexation is a 1.634-acre area of land located in Canton Township.

The approved proposed Ward Assignment is Ward 3. This is the ward that is abutting the site.

The approved proposed Zoning Classification is B-6 – Shopping Center District and R-1a – Single Family Residential District. These designations are in line with the abutting districts to the annexation area. As this annexation is comprised of only ROW, this essentially takes the zoning designation from the property line to the middle line of the roadway. In this case, the B-6 designation would stretch from the portion of the annexation starting at Tuscarawas St W south to 11<sup>th</sup> St SW, and the R-1a designation would continue from 11<sup>th</sup> St SW to 13<sup>th</sup> St SW.

Therefore, on behalf of the Planning Commission, I respectfully request legislation to adopt and assign the recommended Ward Assignment and Zoning Classification assignment of The Whipple Ave SW No. 1 - 2024 Annexation.

As always, if any additional information is needed, please contact the Planning Department at 330.489.3344.

Sincerely,

Matt Bailey  
Secretary  
Canton City Planning Commission



# WHIPPLE AVE. SW NO.1 AND NO. 2 ANNEXATION VICINITY MAP

# WHIPPLE AVE. SW NO. 1 - 2024 ANNEXATION MAP TO THE CITY OF CANTON

PART OF SW QUARTER OF SECTION 7, CANTON  
TOWNSHIP, STARK COUNTY, OHIO

DECEMBER 2024

THE PROCEEDINGS APPROVING AND AUTHORIZING THE ANNEXATION OF THE LAND SHOWN AND DESCRIBED HEREIN WAS PASSED BY THE COUNCIL OF THE CITY OF CANTON, OHIO, BY ORDINANCE \_\_\_\_\_ ON THE \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_.

ALL WOOD, CLERK OF COUNCIL

THE LAND SHOWN HEREIN, APPROVED AND AUTHORIZED FOR ANNEXATION, WAS GIVEN CITY LOT OR OUTLOT NUMBER(S) AS SHOWN; SAID NUMBER(S) HAS/HAVE BEEN ENTERED IN THE SCHEDULE OF LOTS OF THE CITY OF CANTON, OHIO, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHRISTOPHER BARNES, PE, CANTON CITY ENGINEER

THE PROCEEDINGS APPROVING AND AUTHORIZING THE ANNEXATION OF THE LAND SHOWN AND DESCRIBED HEREIN WAS PASSED BY THE STARK COUNTY COMMISSIONERS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND ENTERED IN THE COMMISSIONERS JOURNAL \_\_\_\_\_ PAGE \_\_\_\_\_.

SARA DONALD, CLERK OF COUNTY COMMISSIONERS

ENTERED FOR TRANSFER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ALAN HAROLD, STARK COUNTY AUDITOR

RECEIVED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

RECORDED IN \_\_\_\_\_

JAMIE WALTERS, STARK COUNTY RECORDER

DATA USED:  
THE MAPS - PERRY TWP. 12SE, CITY OF CANTON 80  
CANTON TWP. 704  
DEEDS & PLATS AS SHOWN AND BELOW:  
20110610023840 CANTON CENTRE, REPLAT NO. 2  
DEFENSE HOUSING PROJECT - PG 25 PAGE 110-111  
DEDICATION PLAT WHIPPLE RD SW - PG 28 PAGE 58  
DEDICATION PLAT WHIPPLE ROAD SW - PG 8 PG 141  
DEDICATION PLAT WHIPPLE ROAD SW - PG 8 PG 112  
DEDICATION PLAT OF PART OF WHIPPLE RD SW - PG 8 PG 109  
KEY BANK ANNEXATION PLAT - 200902130005242  
1928 EXTENSIONS OF CANTON CORPORATION LIMITS; CITY CONSID. FILE NO. 2801

BASIS OF BEARINGS:  
THE CENTERLINE OF WHIPPLE AVE. SW BEARS S 01°47'30" W AS DERIVED FROM THE STARK COUNTY GEOGRAPHIC INFORMATION SYSTEM.

ANNEXATION AREA SUMMARY  
0.0755 AC. WHIPPLE AVE. SW R/W  
1.5551 AC. WHIPPLE AVE. SW R/W  
1.6306 AC. TOTAL

## LEGEND

LOT LINE

INDICATES PROPOSED  
CANTON CORP. LINE

## TRACT LIST

NEW CITY LOT #/A	TRACT	OWNER	ACRES/FEET	ADDRESS	R/R/C/L	NOTES
1	A	STARK COUNTY COMMISSIONERS	PG 25 PG 110	WHIPPLE AVE SW	131577	0.0755 AC. TRACT
2	B	STARK COUNTY COMMISSIONERS	PG 25 PG 110	WHIPPLE AVE SW	131577	1.5551 AC. TRACT

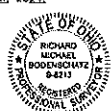
## LINE TABLE

LINE	BEARING	DIST.
1	S 89°35'14"E	33.00'
2	S 55°12'53"E	33.00'
3	S 87°52'42"E	33.00'

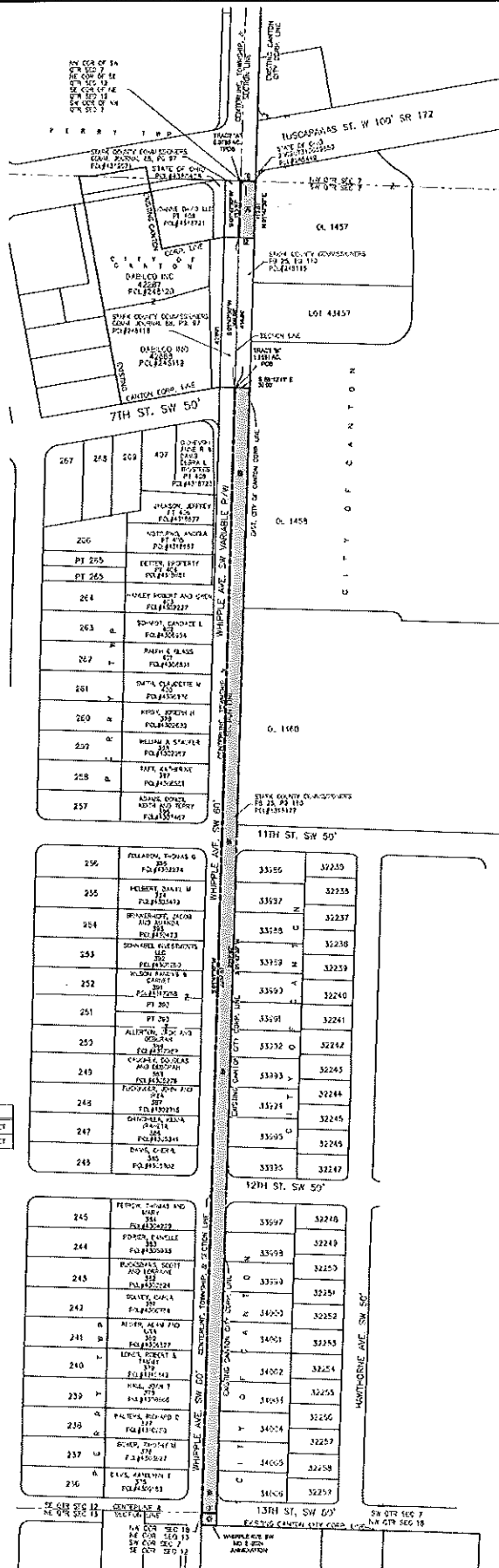


I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT MAP OF THE PROPOSED ANNEXATION TO THE CITY OF CANTON, BASED ON RECORD INFORMATION, THIS 26TH DAY OF DECEMBER, 2024.

RICHARD M. BODENSCHNITZ, PS 8213



WHIPPLE AVE SW NO. 1 - 2024 ANNEXATION		
SCALE: 1"=100'	DATE: DEC. 2024	DWN BY: CMC
OFFICE OF THE CITY ENGINEER CANTON, OHIO		
CHRISTOPHER BARNES, P.E., CITY ENGINEER		
R/S 303 & 305 W 101 ST 2001 1/2 W 101 ST 2001 1/2		



C.F. XXXX  
XXXXXX

December 2024

**Whipple Ave. SW No. 1 - 2024 Annexation**

Description of a 1.634 Acre  
Annexation to the City of Canton

Situated in the Township of Canton, County of Stark and State of Ohio and known as being part of the Southwest Quarter of Section 7, (T-10,R-8), and being all of a 1.634 acre tract of land (Parcel Number 131577) currently owned by the Stark County Commissioners, OH and recorded in Stark County Recorder's Plat Book 25, Page 110; said tract also being a portion of Whipple Ave. SW (variable width right of way), and more fully bounded and described as follows, to-wit;

The annexation boundary herein described consists of two non-contiguous tracts of land:

**Tract "A"**  
**0.0785 Acres**

Beginning for the same at the northwest corner of the southwest quarter of section 7, said point being the True Place of Beginning of the tract herein described;

1. Thence S 87°55'16" E, along the north line of the southwest quarter section line of section 7, said line being the north line of said 0.0785- acre tract, a distance of 30.00 feet;
2. Thence S 01°47'30" W, along east line of said 0.0785-acre tract and the existing City of Canton corporation line, said line also being the west line of City Out Lot 1457, a distance of 113.81 feet;
3. Thence N 88°12'39" W, along the south line of said 0.0785-acre tract and the existing City of Canton corporation line, a distance of 30.00 feet;

4. Thence N 01°47'30" E, along the west line of said 0.0785-acre tract and the centerline of Whipple Ave. SW, a distance of 113.97 feet and returning to the point of beginning of the annexation herein described

The above described annexation contains 0.0785 acres of land, more or less, of which the entirety is in public road right-of-way.

**Tract "B"**  
**1.5551 Acre**

Beginning for the same at the northwest corner of the southwest quarter of section 7, thence S 01°47'30" W along the centerline of Whipple Ave. SW, said line also being the township line and section line, a distance of 414.64 feet to a point, said point being the True Place of Beginning of the tract herein described:

1. Thence S 88°12'11" E, along the north line of said 1.5551-acre tract and the existing City of Canton corporation line, a distance of 30.00 feet;
2. Thence S 01°47'30" W, along the east line of said 1.5551-acre tract and along the existing City of Canton corporation line, said line being the east right of way line of Whipple Ave. SW, a distance of 2257.62 feet;
3. Thence N S 87°59'22" W, along the south line of said 1.5551-acre tract and along the centerline of 13<sup>th</sup> St. SW, a distance of 30.00 feet to the intersection of the centerlines of 13<sup>th</sup> St. SW and Whipple Ave. SW;
4. Thence N 01°47'30" E, along the west line of said 1.551-acre tract and along the existing section line and township line, a distance of 2257.57 feet, returning to the point of beginning of the annexation herein described.

The above described annexation contains 1.5551 acre of land, more or less, of which 1.5551 acre of land is public road right-of-way.

The above described annexation, being two noncontiguous tracts of land, contains 1.634 acres of land, more or less, of which 1.634 acres is public road right-of-way, as compiled from record information under the supervision of Richard M. Bodenschatz, PS 8213 of the Canton City Engineer's Office, Canton, Ohio, in December 26, 2024.

The basis of bearing for the above two ~~three~~ tracts is the centerline of Whipple Ave. SW being S 01°47'30" W as derived from the Stark County Geographic Information System.

Subject to all legal highways, easements, leases or other restrictions.

	<u>December 26, 2024</u>
Rick Bodenschatz, PS 8213	Date

7/14/25  
CB

THE  
CITY OF

**CANTON, OHIO**



**WILLIAM V. SHERER II, MAYOR**

July 9, 2025

Canton City Council  
Council Chambers  
Canton, Ohio 44702

RE: Ward Assignment and Zoning Classification for The Whipple Ave SW No. 2 – 2024 Annexation

Dear Madame President and Honorable Members:

On Tuesday, July 8, 2025, the Canton City Planning Commission met and recommended APPROVAL of a proposed Ward Assignment and Zoning Classification for land being annexed into the City of Canton known as The Whipple Ave SW No. 2 - 2024 Annexation. This area being proposed for annexation is a .0172-acre area of land located in Canton Township.

The approved proposed Ward Assignment is Ward 3. This is the ward that is abutting the site.

The approved proposed Zoning Classification is R-1a – Single Family Residential District. This designation is in line with the abutting district to the annexation area. As this annexation is comprised of only ROW, this essentially takes the zoning designation from the property line to the middle line of the roadway.

Therefore, on behalf of the Planning Commission, I respectfully request legislation to adopt and assign the recommended Ward Assignment and Zoning Classification assignment of The Whipple Ave SW No. 2 - 2024 Annexation.

As always, if any additional information is needed, please contact the Planning Department at 330.489.3344.

Sincerely,

Matt Bailey  
Secretary  
Canton City Planning Commission





# WHIPPLE AVE. SW NO.1 AND NO. 2 ANNEXATION VICINITY MAP

**WHIPPLE AVE. SW NO. 2 - 2024  
ANNEXATION MAP TO THE CITY OF CANTON**

PART OF NW QUARTER OF SECTION 18, CANTON  
TOWNSHIP, STARK COUNTY, OHIO

DECEMBER 2024

**ANNEXATION AREA SUMMARY**

0.0172 AC. 13TH ST. SW R/W

0.0172 AC. TOTAL

THE PROCEEDINGS APPROVING AND AUTHORIZING THE  
ANNEXATION OF THE LAND SHOWN AND DESCRIBED HEREIN  
WAS PASSED BY THE STARK COUNTY COMMISSIONERS ON THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND ENTERED IN THE  
COMMISSIONERS JOURNAL \_\_\_\_\_, PAGE \_\_\_\_\_.

SARA DONALD, CLERK OF COUNTY COMMISSIONERS

ENTERED FOR TRANSFER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ALAN HAROLD, STARK COUNTY AUDITOR

RECEIVED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

RECORDED IN \_\_\_\_\_

JAMIE WALTERS, STARK COUNTY RECORDER

THE PROCEEDINGS APPROVING AND AUTHORIZING  
THE ANNEXATION OF THE LAND SHOWN AND  
DESCRIBED HEREIN WAS PASSED BY THE COUNCIL  
OF THE CITY OF CANTON, OHIO, BY ORDINANCE  
\_\_\_\_ ON THE \_\_\_\_ OF \_\_\_\_\_,  
\_\_\_\_, 20\_\_\_\_.

JILL WOOD, CLERK OF COUNCIL

THE LAND SHOWN HEREIN, APPROVED AND  
AUTHORIZED FOR ANNEXATION, WAS GIVEN CITY  
LOT OR OUTLOT NUMBER(S) AS SHOWN; SAID  
NUMBER(S) HAS/HAVE BEEN ENTERED IN THE  
SCHEDULE OF LOTS OF THE CITY OF CANTON,  
OHIO, THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
\_\_\_\_, 20\_\_\_\_.

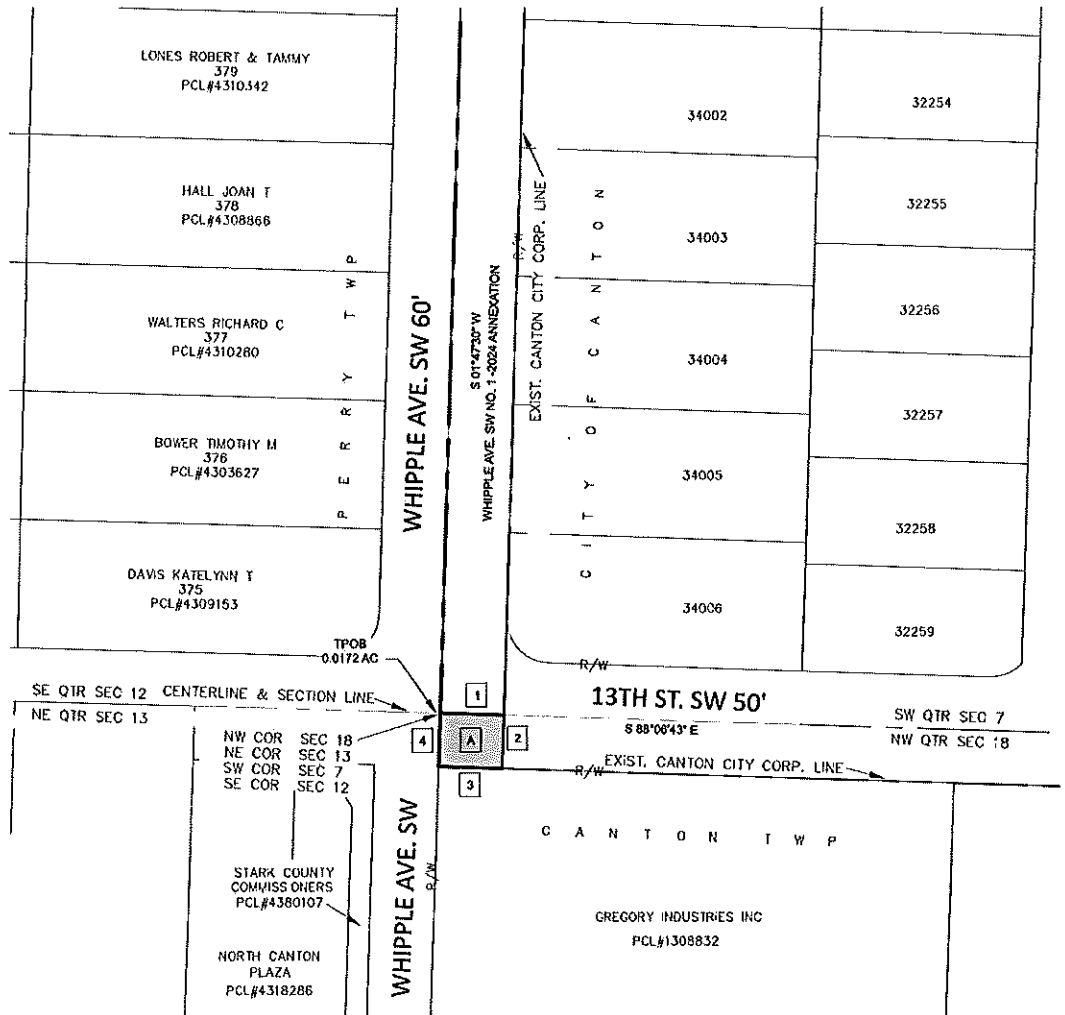
CHRISTOPHER BARNES, PE, CANTON CITY ENGINEER

**DATA USED:**

TAX MAPS- PERRY TWP. 12SE, CITY OF CANTON 60  
DEEDS & PLATS AS SHOWN AND BELOW:  
202106100029940 CANTON CENTRE REPLAT NO. 2  
DEFENSE HOUSING PROJECT- PB 25 PAGE 110-111  
DEDICATION PLAT WHIPPLE RD SW- PB 28 36  
DEDICATION PLAT WHIPPLE RD. EXTENSION & 13TH SW  
DEDICATION PLAT OF PART OF WHIPPLE RD SW  
KEY BANK ANNEXATION PLAT- 200902130005242

**BASIS OF BEARINGS:**

THE CENTERLINE OF WHIPPLE AVE. SW., NORTH OF  
CENTERLINE OF 13TH ST. SW, BEING  
S 01°47'30" W AS DERIVED FROM THE STARK  
COUNTY GEOGRAPHIC INFORMATION SYSTEM.



**TRACT LIST**

NEW CITY LOT NO.	TRACT	OWNER	INSTRUMENT	ADDRESS	PARCEL	NOTES
XXXX	A	CITY OF CANTON	PB 6 PG 109 DW 1520 PG 111	13TH ST. SW	R/W	0.0172 AC. TRACT

**LINE TABLE**

LINE	BEARING	DIST
1	S88°06'43"E	39.00'
2	S01°47'30"W	25.00'
3	N88°06'43"W	30.00'
4	N01°54'10"E	25.00'

I HEREBY CERTIFY THAT THIS IS A TRUE AND  
CORRECT MAP OF THE PROPOSED ANNEXATION TO  
THE CITY OF CANTON, BASED ON RECORD  
INFORMATION, THIS 26TH DAY OF DECEMBER 2024.

RICHARD M. BODENSCHATZ, PS 8213



**LEGEND**

- LOT LINE
- INDICATES PROPOSED CANTON CORP. LINE
- INDICATES EXISTING CANTON CORP. LINE



WHIPPLE AVE. SW NO. 2 - 2024 ANNEXATION  
SCALE: 1"=40' DATE: DEC. 2024 DWN BY: GML  
**OFFICE OF THE CITY ENGINEER  
CANTON, OHIO**  
CHRISTOPHER BARNES, P.E., CITY ENGINEER  
118 301 N. W. ST. CANTON, OHIO 44703-2801 | [info@cantondesign.com](mailto:info@cantondesign.com)

C.F. XXXX  
XX-XX-XX

December 2024

**Whipple Ave. SW No. 2 - 2024 Annexation**

Description of a 0.0172 Acre  
Annexation to the City of Canton

Situated in the Township of Canton, County of Stark and State of Ohio and known as being part of the Northwest Quarter of Section 18, (T-10, R-8), and being all of a 0.0172 acre tract of land currently owned by the City of Canton, OH and recorded in Stark County Recorder's Deed Volume 1520, Page 111 and City Plat book 6, page 109; said tract also being a portion of 13<sup>th</sup> St. SW (a 50 foot wide public right-of-way), and more fully bounded and described as follows, to-wit;

The annexation boundary herein described consists of one tract of land:

**0.0172 Acres**

Beginning for the same at the northwest corner of section 18, said point being the True Place of Beginning of the tract herein described;

1. Thence S 88°06'43" E, along the north line of section 18, said line being the north line of said 0.0172- acre tract, a distance of 30.00 feet;
2. Thence S 01°47'30" W, along east line of said 0.0172-acre tract and the existing City of Canton corporation line, a distance of 25.00 feet;
3. Thence N 88°06'43" W, along the south line of said 0.0172-acre tract and the existing south right of way line of 13<sup>th</sup> St. SW, a distance of 30.00 feet;
4. Thence N 01°54'10" E, along the west line of said 0.0172-acre tract, a distance of 25.00 feet and returning to the point of beginning of the annexation herein described

The above described annexation contains 0.0172 acres of land, more or less, of which, the entirety is in public road right-of-way.

The above described annexation contains 0.0172 acres of land, more or less, of which 0.0172 acres is public road right-of-way, as compiled from record information under the supervision of Richard M. Bodenschatz, PS 8213 of the Canton City Engineer's Office, Canton, Ohio, in December, 2024.

The basis of bearing for the above tract is the centerline of 13<sup>th</sup> St. SW being S 88°06'43" E as derived from the Stark County Geographic Information System.

Subject to all legal highways, easements, leases or other restrictions.

	<u>December 26, 2024</u>
Rick Bodenschatz, PS 8213	Date

7/14/25  
CH

THE  
CITY OF

**CANTON, OHIO**



**WILLIAM V. SHERER II, MAYOR**

July 9, 2025

Canton City Council  
Council Chambers  
Canton, Ohio 44702

Subj: Zoning and Planning Code Text Amendments – Ch. 1131 – Definitions & Ch. 1166 – Flood  
Hazard Zoning Districts

Dear Madame President and Honorable Members:

On Tuesday, July 8, 2025, the Canton City Planning Commission met and considered recommendations for amendments to the Canton City Zoning and Planning Code, namely amendments pertaining to Chapter 1131 – Definitions and Chapter 1166 – Flood Hazard Zoning Districts. The Canton City Planning Commission recommended approval of the subject amendments at that meeting.

Earlier this year, the Ohio Department of Natural Resources (ODNR) performed a customary audit of the City of Canton's floodplain procedures and regulations. While the city passed the audit, ODNR has presented the city with some FEMA required amendments that are needed to the floodplain regulations found in the Zoning Code.

The proposed amendments to Chapter 1131 offer changes to definitions already found in that chapter.

The proposed amendments to Chapter 1166 add other FEMA required language to the chapter, including some definitions that only would apply to this chapter.

The proposed amendments are required to maintain the city's participation in the National Flood Insurance Program according to FEMA.

Thus, I am respectfully requesting that legislation be enacted to authorize the subject code amendments of the Canton City Zoning and Planning Code.

As always, if any additional information is needed, please contact the Planning Department at 330.438.4132.

Sincerely,

Matt Bailey  
Secretary  
Canton City Planning Commission

# Chapter 1131 – Definitions Proposed Amendments

## 1131. Definitions

**Floodproofing:** Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Historic Structure:** any structure that is Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register; certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or individually listed on City of Canton Register of Historic Places (a listing maintained by the Canton City Landmark Commission).

**Letter of Map Change (LOMC):** an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMCs are broken down into the following categories:

**Letter of Map Amendment (LOMA):** A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.

**Letter of Map Revision (LOMR):** A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

**Letter of Map Revision, Conditional (CLOMR):** A formal review and comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic and hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway. The effective base flood elevations, or the special flood hazard area, as to whether a proposed project complies with the minimum National Flood Insurance Program floodplain management criteria. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

**Lowest Floor:** the lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an "enclosure below the lowest floor" which is an

unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

**Manufactured home:** a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Ohio R.C. Chapter 3733.4781.

**Manufactured home park:** as specified in the Ohio Administrative Code 4781-12-01(K)3701-27-01, a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land used solely for the storage or display for sale of manufactured homes.

**Mean sea level:** For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**Person:** any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies. An agency is further defined in the Ohio Rev. Code §111.15(A)(2) as any governmental entity of the state and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or university, community college district, technical college district, or state community college. "Agency" does not include the general assembly, the controlling board, the adjutant general's department, or any court.

**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 50 percent 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 twenty-five percent (25%) of the market value of the structure before the damage occurred.

**Substantial Improvement:** any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures, which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration would not preclude the structure's continued designation as a "historic structure".

# Chapter 1166 – Flood Hazard Zoning Districts Proposed Amendments

## **1166. Flood Hazard Zoning District**

### **1166.01 – General Provisions**

- a. **Statutory Authorization.** Article XVIII, Section 3, of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety and general welfare of its citizens.
- b. **Findings of Fact.** The ~~city~~ City of Canton has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, flood-proofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.
- c. **Statement of Purpose.** It is the purpose of these regulations to promote the public health, safety and general welfare, and to:
  - 1. Protect human life and health;
  - 2. Minimize expenditure of public money for costly flood control projects;
  - 3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  - 4. Minimize prolonged business interruptions;
  - 5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
  - 6. Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
  - 7. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
  - 8. Minimize the impact of development on adjacent properties within and near flood prone areas;
  - 9. Ensure that the flood storage and conveyance functions of the floodplain are maintained;
  - 10. Minimize the impact of development on the natural, beneficial values of the floodplain;
  - 11. Prevent floodplain uses that are either hazardous or environmentally incompatible; and
  - 12. Meet community participation requirements of the National Flood Insurance Program.

- d. **Methods of Reducing Flood Loss.** In order to accomplish its purposes, these regulations include methods and provisions for:
1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
  2. Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
  3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
  4. Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and
  5. Preventing or regulating the construction of flood barriers, which will unnaturally divert flood, waters or which may increase flood hazards in other areas.
- e. **Lands to Which These Regulations Apply.** These regulations shall apply to all areas of special flood hazard within the jurisdiction of the ~~city~~ City of Canton as identified in paragraph (f), including any additional areas of special flood hazard annexed by the ~~city~~ City of Canton.
- f. **Basis for Establishing the Areas of Special Flood Hazard.** For the purposes of these regulations, the following studies and/or maps are adopted:
1. Flood Insurance Study Stark County, Ohio and Incorporated Areas and Flood Insurance Rate Map Stark County, Ohio and Incorporated Areas, both effective September 29, 2011 and 2018.
  - ~~1.2.~~ Other Studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways, or delineation of other areas of special flood hazard.
  - ~~2.3.~~ Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the City of Canton as required by Chapter 11665.04(c) Subdivisions and Large Scale Developments.
  - ~~3.4.~~ Any revisions, amendments or superseding versions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the City of Canton Zoning Department and the City of Canton Engineering Department.
- g. **Abrogation and Greater Restrictions.** These regulations are not intended to repeal any existing ordinances including subdivision regulations, zoning, or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall be followed. These regulations are not

intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. These regulations shall not impair any deed restriction, covenant or easement but the land subject to such interests shall also be governed by the regulations.

h. **Interpretation.** In the interpretation and application of these regulations, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of these regulations may be in conflict with a state or Federal law, such state or Federal law shall take precedence over these regulations.

i. **Warning and Disclaimer of Liability.** The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the City of Canton, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

j. **Severability.** Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid. (Ord. 144-2011. Passed 9-12-11.)

## **1166.02 – Definitions**

The definitions in Chapter 1131 shall apply to this entire section. The following additional definitions shall apply to this section:

**Base (100-Year) Flood Elevation (BFE):** The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the lowest adjacent natural grade elevation plus the depth number (from 1 to 3 feet).

**Basement:** Any area of the building having its floor subgrade (below ground level) on all sides.

**Flood Insurance Risk Zones:** zone designations on FHBM's and FIRM's that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

**Zone A:** Special flood hazard areas inundated by the 100-year flood; base flood elevations are not determined.

**Zones A1-30 and Zone AE:** Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are determined.

**Zone AO:** Special flood hazard areas inundated by the 100-year flood; with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined.

**Zone AH:** Special flood hazard areas inundated by the 100-year flood in any given year; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.

**Zone A99:** Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under construction; no base flood elevations are determined.

**Zone B and Zone X (shaded):** Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than 1 foot or with contributing drainage area less than 1 square mile; and areas protected by levees from the base flood.

**Zone C and Zone X (unshaded):** Areas determined to be outside the 500-year floodplain.

**Recreational vehicle:** for the purposes of this chapter, this is a vehicle, which is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck, and;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation, camping, travel, or seasonal use.

**Special Flood Hazard Area** (also known as "Areas of Special Flood Hazard"): the land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1-30, and A99. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal state or local sources of data including, but not limited to, historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

**Start of Construction:** for the purposes of this chapter, the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation,

addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

**Structure:** for the purposes of this chapter, a walled or roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

### **1166.03 – Administration**

- a. **Designation of the Floodplain Administrator.** The Zoning Inspector is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.
- b. **Duties and Responsibilities of the Floodplain Administrator.** The duties and responsibilities of the Floodplain Administrator shall include, but are not limited to:
  1. Evaluate applications for permits to develop in special flood hazard areas.
  2. Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
  3. Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.
  4. Inspect buildings and lands to determine whether any violations of these regulations have been committed.
  5. Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, variances, and records of enforcement actions taken for violations of these regulations.
  6. Enforce the provisions of these regulations.
  7. Provide information, testimony, or other evidence as needed during variance hearings.
  8. Coordinate map maintenance activities and FEMA follow-up.

9. Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.
- c. **Floodplain Development Permits.** It shall be unlawful for any person to begin construction or other development activity including but not limited to filling; grading; construction; alteration, remodeling, or expanding any structure; or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area until a floodplain development permit is obtained from the Floodplain Administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.
- d. **Application Required.** An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area. Such application shall be made by the owner of the property or his/her authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development's location. Such applications shall include, but not be limited to:
  1. Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
  2. Elevation of the existing, natural ground where structures are proposed.
  3. Elevation of the lowest floor, including basement, of all proposed structures.
  4. Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.
  5. Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable:
    - a. Flood-proofing certification for non-residential flood-proofed structure as required in Chapter 1166.04.
    - b. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of



Chapter 1166.04 are designed to automatically equalize hydrostatic flood forces.

- c. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Chapter 1166.04.
- d. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where the Federal Emergency Management Agency has provided base flood elevations but no floodway as required by Chapter 1166.04.
- e. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Chapter 1166.04.
- f. Generation of base flood elevation(s) for subdivision and large-scale developments as required by Chapter 1166.04.
- g. Volumetric calculations demonstrating compensatory storage has been provided as required by Chapter 1166.04.

- 6. A floodplain development permit application fee set by the schedule of fees adopted by the City of Canton.

**e. Review and Approval of a Floodplain Development Permit Application.**

**1. Review.**

- a. After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have been met. No floodplain development permit application shall be reviewed until all information required in Chapter 1166.03 has been received by the Floodplain Administrator.
- b. The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.

2. **Approval.** Within thirty (30) days after the receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If an application is approved, a floodplain development permit shall be issued. All floodplain development permits shall be conditional upon the commencement of work within ~~one (1) year~~ one hundred eighty (180) days. A floodplain development permit shall expire ~~one (1) year~~ hundred eighty (180) days after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.
- f. **Inspections.** The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.
- g. **Post-Construction Certifications Required.** The following as-built certifications are required after a floodplain development permit has been issued:
  1. For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a Federal Emergency Management Agency Elevation Certificate completed by a registered professional surveyor to record as-built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.
  2. For all development activities subject to the standards of Chapter 1166.03, a Letter of Map Revision.
  - ~~2.3.~~ For new or substantially improved nonresidential structures that have been floodproofed in lieu of elevation, where allowed, the applicant shall supply a completed Floodproofing Certificate for Non-Residential Structures completed by a registered professional engineer or architect together with associated documentation.
- h. **Revoking a Floodplain Development Permit.** A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to the Appeals Board in accordance with Chapter 1166.05 of these regulations.
- i. **Exemption from Filing a Development Permit.** An application for a floodplain development permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$2,500. ~~Additionally, Any proposed action exempt from filing for a floodplain development permit is also exempt from the standards of these regulations.~~
- i.j. **State and Federal Development**

~~1. Maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$5,000.~~

1. Development that is funded, financed, undertaken, or preempted by state agencies shall comply with minimum NFIP criteria.

2. Before awarding funding or financing or granting a license, permit, or other authorization for a development that is or is to be located within a 100-year floodplain, a state agency shall require the applicant to demonstrate to the satisfaction of the agency that the development will comply with minimum NFIP criteria and any applicable local floodplain management ordinance as required by ORC 1521.13. This includes, but is not limited to:

2.a. Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Health-Commerce and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 4781-12.3701.

3.b. Major utility facilities permitted by the Ohio Power Siting Board under Ohio R.C. Section 4906.

4.c. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Ohio R.C. Section 3734.

3. Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 – Floodplain Management.

a. Each federal agency has a responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget request reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of EO 11988.

~~5.4. Any proposed action exempt from filing for a floodplain development permit is also exempt from the standards of these regulations.~~

j. **Map Maintenance Activities.** To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that City of Canton flood maps, studies and other data identified in Chapter 1166.01 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

**1. Requirement to Submit New Technical Data.**

a. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA

within six months of the date such information becomes available. These development proposals include:

1. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
  2. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
  3. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
  4. Subdivision or ~~other new~~ large-scale development proposals requiring the establishment of base flood elevations in accordance with Chapter 1166.04.
- b. It is the responsibility of the applicant to have technical data, required in accordance with Chapter 1166.03, prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.
- c. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
1. Proposed floodway encroachments that increase the base flood elevation; and
  2. Proposed development which increases the base flood elevation by more than one foot in riverine areas where FEMA has provided base flood elevations but no floodway.
- d. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Chapter 116.03.
2. **Right to Submit New Technical Data.** The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the Mayor of City of Canton, and may be submitted at any time.
3. **Annexation/Detachment.** Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the City of Canton have been modified by annexation or by means of a joint or cooperative agreement with another or other political subdivision or the community has assumed authority over an area by

means of a joint or cooperative agreement with another or other political subdivision or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the City of Canton's Flood Insurance Rate Map accurately represent the City of Canton boundaries, include within such notification a copy of a map of the City of Canton suitable for reproduction, clearly showing the new corporate limits or the new area for which the City of Canton has assumed or relinquished floodplain management regulatory authority.

- k. **Data Use and Flood Map Interpretation.** The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:
1. In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.
  2. Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.
  - ~~3. When Preliminary Flood Insurance Rate Maps and/or Flood Insurance Study have been provided by FEMA:~~
    - ~~a. Upon the issuance of a Letter of Final Determination by the FEMA, the preliminary flood hazard data shall be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations.~~
    - ~~b. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.~~
  - 4.3. The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to

appeal the interpretation as provided in Chapter 1166.05, Appeals and Variances.

5.4. Where an existing or proposed structure or other development is affected by multiple flood zones, by multiple base flood elevations, or both, the development activity must comply with the provisions of this ordinance applicable to the most restrictive flood zone and the highest base flood elevation affecting any part of the existing or proposed structure; or for other developments, affecting any part of the area of the development~~Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, established high water marks, etc.) shall prevail.~~

**1. Use of Preliminary Flood Insurance Rate Map and/or Flood Insurance Study Data**

**1. Zone A:**

- a. Within Zone A areas designated on an effective FIRM, data from the preliminary FIRM and/or FIS shall be reasonably utilized as best available data.
- b. When all appeals have been resolved and a notice of final flood elevation determination has been provided in a Letter of Final Determination (LFD), BFE and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development

**2. Zones AE, A1-30, AH, and AO:**

- a. BFE and floodway data from a preliminary FIS or FIRM restudy are not required to be used in lieu of BFE and floodway data contained in an existing effective FIS and FIRM. However,
  1. Where BFEs increase in a restudied area, communities have the responsibility to ensure that new or substantially improved structures are protected. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data in instances where BFEs increase and floodways are revised to ensure that the health, safety, and property of their citizens are protected.
  2. Where BFEs decrease, preliminary FIS or FIRM data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.
- b. If a preliminary FIRM or FIS has designated floodways where none had previously existed, communities should reasonably utilize this data in lieu of applying the encroachment performance standard of Section 1166.04 since the data in the draft or preliminary FIS represents the best data available.

**3. Zones B, C, and X:**

- a. Use of BFE and floodway data from a preliminary FIRM or FIS are not required for areas designated as Zone B, C, or X on the effective FIRM which are being revised to Zone AE, A1-30, AH, or AO. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety, and property of their citizens are protected

b.m. **Substantial Damage Determinations.** Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, etc. After such a damage event, the Floodplain Administrator shall:

1. Determine whether damaged structures are located in special flood hazard areas;
2. Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
3. ~~Make reasonable attempt to notify owners of substantially damaged structures of the need~~Require owners of substantially damaged structures to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.

Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims. (Ord. 144-2011. Passed 9-12-11.)

#### **1166.04 – Use of Development Standards for Flood Hazard Reduction**

The following use and development standards apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Chapter 1166.01 or 1166.03:

##### **a. Use Regulations.**

1. Permitted Uses: All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by City of Canton are allowed provided they meet the provisions of these regulations.
2. Prohibited Uses:
  - a. Private water supply systems in all special flood hazard areas identified by FEMA, permitted under Ohio R.C. Section 3701.
  - b. Infectious waste treatment facilities in all special flood hazard areas, permitted under Ohio R.C. Section 3734.

- c. Storage or processing of materials that are hazardous, flammable, or explosive in the identified special flood hazard area.
  - d. Storage of material or equipment that, in time of flooding, could become buoyant and pose an obstruction to flow in identified floodway areas.
- b. **Water and Wastewater Systems.** The following standards apply to all water supply, sanitary sewerage and waste disposal systems not otherwise regulated by the Ohio Revised Code or applicable state rules:
  - 1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
  - 2. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
  - 3. On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.
- c. **Subdivisions and Other New Large Developments.**
  - 1. All subdivision proposals and all other proposed new developments shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
  - 2. All subdivision proposals and all other proposed new developments shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
  - 3. All subdivision proposals and all other proposed new developments shall have adequate drainage provided to reduce exposure to flood damage; and
  - 4. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
  - 5. The applicant shall meet the requirement to submit technical data to FEMA in Section 1166.03 when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Chapter 1166.04.
- d. **Residential Structures.** The requirements of this section apply to new residential structures and to substantial improvements of residential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under circumstances provided in Section 1166.03(l).
  - 1. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of



buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring and construction materials resistant to flood damage are satisfied.

2. New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
3. New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
4. New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. Where flood protection elevation data are not available the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.
5. New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings sufficient to allow unimpeded movement of flood waters and the automatic equalization of hydrostatic pressure may have an enclosure below the lowest floor provided the enclosure meets the following standards:
  - a. Be used only for the parking of vehicles, building access, or storage; and
  - b. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
  - c. Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
5. Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
6. Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to

preserve the historic character and design of the structure, shall be exempt from the development standards of Chapter 1166.04(d).

7. Each new residential site shall have direct access to a walkway, driveway, or roadway having a surface elevation not less than the flood protection elevation and such escape route shall lead directly out of the floodplain area.

e. **Nonresidential Structures.** The requirements of this section applies to new construction and to substantial improvements of nonresidential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1166.03.

1. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of Chapter 1166.04(d)(1) - (2) and (5) - (7).
2. New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:
  - a. Be dry flood-proofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  - c. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Flood-proofing Certificate, that the design and methods of construction are in accordance with Chapter 1166.04(e)(2) and (3).
3. Where flood protection elevation data is not available, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.
4. Each new nonresidential site shall have direct access to a walkway, driveway, or roadway having a surface elevation not less than the flood protection elevation and such escape route shall lead directly out of the floodplain area.

f. **Accessory Structures.** Structures that are six hundred (600) square feet or less which are used for parking and storage only are exempt from elevation or dry floodproofing standards within zones A, A1-30, AE, AO, and AH designated on the community's FIRM. Such structures must meet the following standards:  
~~Relief to the elevation or dry flood-proofing standards may be granted for accessory structures containing no more than 600 square feet. Such structures must meet the following standards:~~

1. They shall not be used for human habitation;
  2. They shall be constructed of flood resistant materials;
  3. They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
  4. They shall be firmly anchored to prevent flotation;
  5. Service facilities such as electrical and heating equipment shall be elevated or flood proofed to or above the level of the flood protection elevation; and
  6. They shall meet the opening requirements of Chapter 1166.04(d)(5).
- g. **Recreational Vehicles.** Recreational vehicles on sites within zones A, A1-A30, AE, AO, or AH must meet at least one of the following standards:  
~~Recreational vehicles must meet at least one of the following standards:~~
1. They shall not be located on sites in special flood hazard areas for more than 180 days, or
  2. They must be fully licensed and ready for highway use, or
  3. They must be placed on the site pursuant to a floodplain development permit issued and must meet all standards of Chapter 1166.04(d).
- h. (h) **Above Ground Gas or Liquid Storage Tanks.** Within zone A, A1-30, AE, AO, or AH, new or substantially improved ~~AH~~ above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.
- i. **Assurance of Flood Carrying Capacity.** Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:

#### 1. Development in Floodways

- a. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
- b. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:
  1. Meet the requirements to submit technical data in Chapter 1166.03(j)(1);

2. An evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
3. Certification that no structures are located in areas that would be impacted by the increased base flood elevation;
4. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
5. Concurrence of the Mayor of City of Canton and the Chief Executive Officer of any other communities impacted by the proposed actions.

## **2. Development in Riverine Areas with Base Flood Elevations but No Floodways**

- a. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than 1.0 (one) foot at any point. Prior to the issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or,
- b. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one-foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:
  1. An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible;
  2. Chapter 1166.04(i)(1)B., items 1. and 3. - 5.

3. **Alterations of a Watercourse.** For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the "bankfull stage." The field determination of "bankfull stage" shall be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique or other applicable publication available from a Federal, State, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:

- a. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.
  - b. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.
  - c. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with City of Canton specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.
  - d. The applicant shall meet the requirements to submit technical data in Chapter 1166.04(j)(1)A.3. when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.
4. **Compensatory Storage Required for Fill.** Fill within the area of special flood hazard shall result in no net loss of natural floodplain storage. The volume of the loss of floodwater storage due to filling in the special flood hazard area shall be offset by providing an equal volume of flood storage by excavation or other compensatory measures at or adjacent to the development site.
- k. **Fill.** The following standards apply to all fill activities in special flood hazard areas:
1. Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method,
  2. Fill slopes shall not be steeper than one-foot vertical to two feet horizontal,
  3. Adequate protection against erosion and scour is provided for fill slopes. When expected velocities are five feet per second or greater during the occurrence of the base flood, armoring with stone or rock protection shall be provided. When expected velocities are less five feet per second during the base flood, protection shall be provided by covering the fill with vegetative cover.
  4. Fill shall be composed of clean granular or earthen material.

1. **Storage of Materials.** Storage of material or equipment not otherwise prohibited in Chapter 1166.04(a)(2) shall be firmly anchored to prevent flotation. (Ord. 144-2011. Passed 9-12-11.)

#### **1166.05 – Appeals and Variances**

##### **a. Appeals Board Established.**

1. The City's Board of Zoning Appeals is hereby appointed to serve as the Appeals Board for these regulations as established by Chapter 119566.03 of the Codified Ordinances of the City of Canton.
2. Records of the Appeals Board shall be kept and filed in the City of Canton Zoning Department

##### **b. Powers and Duties.**

1. The Appeals Board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of these regulations.
2. Authorize variances in accordance with Chapter 1166.05 of these regulations.

- c. **Appeals.** Any person affected by any notice and order, or other official action of the Floodplain Administrator may request and shall be granted a hearing on the matter before the Appeals Board provided that such person shall file, within 30 days of the date of such notice and order, or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator's decision. Such appeal shall be in writing, signed by the applicant, and be filed with the Floodplain Administrator. Upon receipt of the appeal, the Floodplain Administrator shall transmit said notice and all pertinent information on which the Floodplain Administrator's decision was made to the Appeals Board. Upon receipt of the notice of appeal, the Appeals Board shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.

- d. **Variances.** Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. The Appeals Board shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship.

##### **1. Application for a Variance**

- a. Any owner or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Floodplain

Administrator, who upon receipt of the variance shall transmit it to the Appeals Board.

- b. Such application at a minimum shall contain the following information: Name, address, and telephone number of the applicant; legal description of the property; parcel map; description of the existing use; description of the proposed use; location of the floodplain; description of the variance sought; and reason for the variance request.
  - c. All applications for a variance shall be accompanied by a variance application fee set in the schedule of fees adopted by the City of Canton.
2. **Public Hearing.** At such hearing the applicant shall present such statements and evidence as the Appeals Board requires. In considering such variance applications, the Appeals Board shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of these regulations and the following factors:
- a. The danger that materials may be swept onto other lands to the injury of others.
  - b. The danger to life and property due to flooding or erosion damage.
  - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - d. The importance of the services provided by the proposed facility to the community.
  - e. The availability of alternative locations for the proposed use that are not subject to flooding or erosion damage.
  - f. The necessity to the facility of a waterfront location, where applicable.
  - g. The compatibility of the proposed use with existing and anticipated development.
  - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
  - i. The safety of access to the property in times of flood for ordinary and emergency vehicles.
  - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
  - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

3. **Variances shall only be issued upon:**

- a. A showing of good and sufficient cause.
- b. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.
- c. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.
- d. A determination that the structure or other development is protected by methods to minimize flood damages.
- e. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- f. Upon consideration of the above factors and the purposes of these regulations, the Appeals Board may attach such conditions to the granting of variances, as it deems necessary to further the purposes of these regulations.

#### **4. Other Conditions for Variances**

- a. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- b. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in Chapter 1166.05. have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

#### **5. Procedure at Hearings**

- a. All testimony shall be given under oath.
- b. A complete record of the proceedings shall be kept, except confidential deliberations of the Board, but including all documents presented and a verbatim record of the testimony of all witnesses.
- c. The applicant shall proceed first to present evidence and testimony in support of the appeal or variance.



- d. The administrator may present evidence or testimony in opposition to the appeal or variance.
  - e. All witnesses shall be subject to cross-examination by the adverse party or their counsel.
  - f. Evidence that is not admitted may be proffered and shall become part of the record for appeal.
  - g. The Board shall issue subpoenas upon written request for the attendance of witnesses. A reasonable deposit to cover the cost of issuance and service shall be collected in advance.
  - h. The Board shall prepare conclusions of fact supporting its decision. The decision may be announced at the conclusion of the hearing and thereafter issued in writing or the decision may be issued in writing within a reasonable time after the hearing.
6. **Appeal to the Court.** Those aggrieved by the decision of the Appeals Board may appeal such decision to the Stark County Court of Common Pleas, as provided in Ohio R.C. Chapter 2506. (Ord. 144-2011. Passed 9-12-11.)

#### **1166.06 – Enforcement**

##### **a. Compliance Required.**

- 1. No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulations and all other applicable regulations which apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a development permit as stated in Chapter 1166.03.
  - 2. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Chapter 1166.06.
  - 3. Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Chapter 1166.06.
- b. **Notice of Violation.** Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, he shall give notice of such violation to the person responsible therefore and order compliance with these regulations as hereinafter provided. Such notice and order shall:
- 1. Be put in writing on an appropriate form;

2. Include a list of violations, referring to the section or sections of these regulations that have been violated, and order remedial action, which, if taken, will ~~effect~~affect compliance with the provisions of these regulations;
  3. Specify a reasonable time for performance;
  4. Advise the owner, operator, or occupant of the right to appeal;
  5. Be served on the owner, occupant, or agent in person. However, this notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.
- c. (c) **Violations and Penalties.** Violation of the provisions of these regulations or failure to comply with any of its requirements shall be deemed to be a strict liability offense, and shall constitute a fourth degree misdemeanor. Any person who violates these regulations or fails to comply with any of its requirements shall upon conviction thereof be fined or imprisoned as provided by the laws of the City of Canton. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Canton from taking such other lawful action as is necessary to prevent or remedy any violation. The City of Canton shall prosecute any violation of these regulations in accordance with the penalties stated herein. (Ord. 144-2011. Passed 9-12-11.)



July 8, 2025

Canton City Council  
Council Office  
Canton, OH 44702

**RE: Request for Legislation – Approval of Updated Bargaining-Unit Classification Plans  
for Police and Fire Departments**

Dear Madame President and Honorable Members:

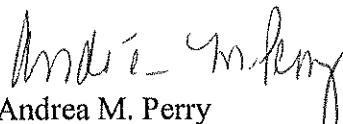
In an effort to recruit and retain the most qualified candidates, the Canton Fire Department and Police Department recently updated their bargaining-unit classification plans to set new hire pay to automatically increase with the increase in pay for safety forces union members. While the intent was to ensure that new hire pay always maintained a 3% difference from Step 1 pay, this ordinance seeks to remove any discrepancies in its calculation methods and to incorporate changes made to current collective bargaining unit.

Therefore, we hereby request legislation that does the following:

1. Amends Ordinance #9/2024 and establishes Exhibit A as the Bargaining-Unit Classification Plans for the Police and Fire Departments.
2. Declares this ordinance to be an emergency measure.

Please do not hesitate to contact us with any questions. We respectfully request second reading passage of this legislation. Thank you for your consideration.

Respectfully,

  
Andrea M. Perry  
Director of Public Safety

cc: William V. Sherer, II, Mayor  
Christina Skondras, Director of Personnel  
Rachel Forchione, Director- Civil Service  
Jason Reese, Law Director

Department Name	Department Number	Home Org Code	Position Number	Classification	Number of Employees	Union Group	Civil Service Designation
Police Department	10PO	102001	232	Captain	3	9	Classified
Police Department	10PO	102001	233	Lieutenant	10	9	Classified
Police Department	10PO	102001	234	Sergeant	17	9	Classified
Police Department	10PO	102001	235	Police Officer*	156	10	Classified
Police Department	10PO	102001	249	Probationary Police Officer* **		10	Classified
Police Department	10PO	102001	242	Criminalist Assistant	1	12	Classified
Police Department	10PO	102001	250	License Records Technician	1	12	Classified
Police Department	10PO	102001	117	Administrative Clerk***	13	12	Classified
Police Department	10PO	102001	225	Information Clerk***		12	Classified
Police Department	10PO	102001	559	Impound Lot Attendant	3	12	Classified
Police Department	10PO	102001	275	Parking Manager	1	11	Classified
Police Department	10PO	102001	276	Assistant Parking Manager	2	11	Classified
Police Department	10PO	102001	330	Parking Enforcer****	6	11	Classified
Police Department	10PO	102001	277	Parking Attendant****		11	Classified

\* Total number of employees in any combination of these classifications may not exceed 156.

\*\*\*Total number of positions filled in any combination of these classifications shall not exceed 13.

\*\*\*\*Total number of positions filled in any combination of these classifications shall not exceed 6.

\*\* Probationary Police Officer is on probation for the initial 12 months of employment and is not represented by the CPPA until conclusion of the 12 month probationary period. Effective January 1, 1995, during the probationary period, all terms and conditions contained in the current City of Canton/CPPA Collective Bargaining Agreement shall apply to an eligible Probationary Police Officer, WITH THE EXCEPTION OF THE FOLLOWING ARTICLES PERTAINING TO:

GRIEVANCE PROCEDURE

INJURY LEAVE

BONUS DAYS

UNIFORM ALLOWANCE

COLLEGE EDUCATION INCENTIVE

Effective upon passage of this ordinance, the salary of Probationary Police Officers with less than twelve (12) months of service shall be set at ninety-seven percent (97%) of the current first step of the base pay described in the respective collective bargaining agreement between the Police unions and the City of Canton. (Ord XX/2025)

Effective upon passage of this ordinance, the Director of Public Safety is authorized, upon verification of prior law enforcement experience, to set the initial salary

## EXHIBIT A

of a Probationary Police Officer at a rate commensurate with the candidate's experience in accordance with the wage steps described in the CPPA CBA. This option is only available to Probationary Police Officers with a minimum of two years of continuous service and less than twelve months break in service hired after the passage of this ordinance. For the purposes of this ordinance, the Director of Public Safety and the Chief of Police shall collaborate to determine the number of years of experience to credit a Probationary Police Officer. (Ord 68/2025)

Officers hired on or after May 31, 2022 will be paid at the Step One (1) rate in the CPPA Collective Bargaining Agreement after twelve (12) months of service, even if still probationary. (Ord 209/2023)

Uniforms will be provided upon hire as determined by the Chief of Police

**Previous History:**

Effective upon passage of this ordinance, the salary of Probationary Police Officers with less than twelve (12) months of service shall be set at three percent (3%) below the current first step of the base pay described in the respective collective bargaining agreement between the Police unions and the City of Canton. Probationary Police Officers with more than twelve (12) months of service will continue to be paid at the current rate established in Ord 209/2023. (Ord 148/2024)

Effective upon passage of this ordinance Probationary Police Officers possessing a current, valid Ohio Peace Officer Basic Training (OPOBT) Certificate issued by the Ohio Peace Officers Training Commission; or a "Letter of Completion" issued by a school certified by the State of Ohio which may be immediately converted to a OPOBT Certification without restriction or the need for additional or supplemental training shall be paid \$40,000 during their probationary period. All others will be paid \$39,000 during their probationary period.

Effective upon passage of Ordinance 225/2021, Probationary Police Officers shall be paid \$51,500 during their probationary period.

Department Name	Department Number	Home Org Code	Position Number	Classification	Number of Employees	Union Group	Civil Service Designation
Fire Department	10FI	103001	265	Battalion Chief	3	8	Classified
Fire Department	10FI	103001	262	Captain	28	8	Classified
Fire Department	10FI	103001	263	Firefighter*	162	8	Classified
Fire Department	10FI	103001	270	Firefighter/Paramedic*		8	Classified
Fire Department	10FI	103001	267	Cadet Firefighter/Paramedic* **		8	Classified
Fire Department	10FI	103001	264	Chief's Clerk- Firefighter	1	8	Classified
Fire Department	10FI	103001	271	HD Auto Mechanic III/EVT	2	11	Classified
Fire Department	10FI	103001	117	Administrative Clerk ***	2	12	Classified
Fire Department	10FI	103001	35	Customer Service Clerk ***		12	Classified
Fire Department	10FI	103001	225	Information Clerk ***		12	Classified

\* Total Number of employees in any combination of these classifications may not exceed 162.

\*\* Cadet Firefighter/Paramedic is a 12th-month probationary position and is not represented by the CPFFA until conclusion of the probationary period as defined in the Collective Bargaining Agreement. Effective January 1, 1995 during the probationary period, all terms and conditions contained in the current City of Canton/CPFFA Collective Bargaining Agreement shall apply to an eligible Cadet Firefighter/Paramedic, WITH THE EXCEPTION OF THE FOLLOWING ARTICLES PERTAINING TO:

GRIEVANCE PROCEDURE  
 WORK WEEK  
 UNIFORM ALLOWANCE  
 PERSONAL HOLIDAY  
 PERFECT ATTENDANCE DAYS  
 INJURY LEAVE  
 EDUCATION POLICY

Effective upon passage of this ordinance, the salary of Probationary Firefighters with standing orders shall be set at ninety-seven percent (97%) of the current first step of the base pay for firefighters with standing orders as described in the respective collective bargaining agreement between the Fire union and the City of Canton. Firefighter cadets with standing orders will be paid at "With Standing Orders" Step 1 of the CPFFA Local 249 Collective Bargaining Agreement after 12 months of service, even if still probationary (Ord XX/2025)

Effective upon passage of this ordinance, the salary of Probationary Firefighters without standing orders shall be set at ninety-seven percent (97%) of the current first step of the base pay for firefighters without standing orders as described in the respective collective bargaining agreement between the Fire union and the City of Canton. Firefighter cadets without standing orders will be paid at "Without Standing Orders" Step 1 of the CPFFA Local 249 Collective Bargaining Agreement after 12 months of service, even if still probationary (Ord XX/2025)

### Previous History

Effective upon passage of this ordinance, Firefighter Cadets will be paid at Step 1 of the CPFFA Local 249 Collective Bargaining Agreement after 12 months of service, even if still probationary. (Ord 160/2024)

Effective upon passage of this ordinance, the salary of Probationary Firefighters shall be set at three percent (3%) below the current first step of the base pay described in the respective collective bargaining agreement between the Fire union and the City of Canton. (Ord 148/2024)  
Updated number of Captains (Ord 3/2023 had wrong Captain total of 32) (Jan 2024)

### Pre-2022:

Any Cadet Firefighter/Paramedic hired on or after May 2, 2002 shall be paid according to the following schedule during the first 12 months of employment:

- 1 Cadet with no job certification: \$24,279.00
  - 2 Cadet with EMT/Basic certification: \$26,129.00
  - 3 Cadet with Firefighter certification, or EMT/Basic and Firefighter certifications: \$27,845.40
  - 4 Cadet with EMT/Paramedic certification, or EMT/Paramedic and Firefighter certifications: \$30,114.00
- 
- 1 Cadet with no job certifications \$31,300
  - 2 Cadet with EMT/Basic certification: \$32,600
  - 3 Cadet with Firefighter certification, or EMT Basic and Firefighter certifications: 33,900.00
  - 4 Cadet with EMT/Paramedic certification, or EMT/Paramedic and Firefighter certifications: \$35,200

Any Cadet Firefighter/Paramedic hired on or after January 1, 2022 shall be paid \$46,245 for the first 12 months of employment (Ord 64/2022).  
Any Cadet Firefighter/Paramedic hired before January 1, 2022 shall be paid \$46,245 to include retro pay back to the January 1, 2022 date.



June 27, 2025

Canton City Council  
Council Office  
Canton, OH 44702

**RE: Legislation Request – Appropriation of Loan Funds for the Cromer Reservoir Improvement Project & Change Order #1 - Design**

Dear Madame President and Honorable Members:

Ordinance 73/2025 gave permission to advertise, receive bids, award and execute all contracts for the Cromer Reservoir Improvement Project. The project was advertised and bids were received. The lowest and best bid for the construction portion was received from DN Tanks, LLC in the amount of \$13,948,600.00. The construction bid and construction oversight proposal have been sent to the Ohio Environmental Protection Agency (OEPA) and the Ohio Water Development Authority (OWDA) for review and loan award.

Ordinance 106/2022 authorized the City of Canton to enter into a professional services contract with Arcadis for engineering services during the design phase of the Cromer Reservoir Improvement Project in the amount of \$440,200.00. During construction, it is beneficial to have the design engineer, under contract to assure the design intent is implemented. The design engineer will be used on an as-needed basis to review contract submittals, respond to requests for information, work change directives, and review the O&M manuals. A change order is being requested in an amount not to exceed \$164,800.00 for Arcadis to perform these duties. Due to this increased cost, approval by Canton City Council is needed to move forward.

Including the construction, construction oversight, and above Change Order #1 with Arcadis, the current cost estimate for the project is \$17,734,260.68. This project will be fully funded with a Water Supply Revolving Loan Account with the Ohio Environmental Protection Agency (OEPA), through the Ohio Water Development Authority. The Water Department will be requesting the loan to be amortized over a 25-year period, and the current fixed interest rate is 3.7%.

Therefore, I hereby request legislation that does the following:

1. Authorizes the Auditor to utilize the previously established 5242 Water Service Shop Renovation Fund to receive all loan and revenue proceeds and track project expenses in the amount of \$17,734,260.68.
2. Authorizes the Mayor and/or Director of Public Service to enter into contract Change Order #1 for the Cromer Reservoir Improvement Project with Arcadis for additional design services during construction in an amount not to exceed \$164,800.00.



3. Retroactively authorizes any and all actions taken in regards to the above-named change order authorizing and directing the Auditor to pay any and all moral obligations related to the same.
4. Makes the following supplemental appropriation amending Ordinance 55/2025, as amended:  
  
FROM: Unappropriated Balance 5242 Cromer Reservoir Improvement Project Fund (\$17,734,260.68)  
  
TO: 5242 207070 Cromer Reservoir Improvement Project Fund – Other \$17,734,260.68
5. Authorizes the Auditor to draw warrants upon receipt of vouchers duly approved by the proper departmental authority.
6. Declares this ordinance to be an emergency measure.

Funding is scheduled to be awarded by the Ohio Water Development Authority on July 31, 2025. The contracts cannot be certified without the above appropriation. As such, I am respectfully requesting Council consideration of the ordinance resulting from this meeting an **first reading at Council's July 28, 2025** meeting.

Please do not hesitate to contact me if you have any questions. Thank you for your consideration.

Respectfully,



John M. Highman, Jr.  
Director of Public Service

cc: William V. Sherer, Mayor  
Tyler Converse, Superintendent of Water  
Andrew Roth, Director of Purchasing  
Jason Reese, Law Director  
John Slebodnik, Chief Deputy Auditor



June 30, 2025

Canton City Council  
Council Office  
Canton, Ohio 44702

**RE: Legislation Request – Gross Avenue NE Area Water Main Replacement and Roadway Improvements Project**

Dear Madam President and Honorable Members:

The City of Canton Water Department desires to replace approximately 1.4 miles of failing water mains in the Gross Avenue NE area. This will consist of the area north of 12th Street, south of 19th Street, east of St. Elmo Avenue and west of Gross Avenue. Also, as part of the project, the roadways within the project limits will be milled and paved the full roadway width. Arcadis prepared plans and specifications and we are ready to proceed with bidding the construction contracts. The current cost estimate for the project construction and construction engineering is \$2,800,000.00. Approximately \$400,000.00 of the total estimate is attributable to roadway improvements, and will be paid from the Canton Engineering Department's 2025 budgeted funds. To help fund the water portion of this project, the Water Department successfully secured \$1,500,000.00 from Ohio Public Works Commission in the form of a \$600,000.00 grant and a \$900,000.00 zero percent, ten-year term loan. The remaining waterline funding will be paid with water funds.

Therefore, I hereby request legislation that does the following:

1. Authorizes the Mayor and/or Director of Public Service to advertise, receive bids, award and execute any and all contracts necessary for the Gross Avenue NE Water Main Replacement Project utilizing any procurement process authorized by law.
2. Authorizes the city to receive grant funds in the amount of \$600,000.00 and a zero percent interest loan in the amount of \$900,000.00 for this project from the Ohio Public Works Commission.
3. Authorizes and directs the Auditor to pay any and all moral obligations for contract change orders that are otherwise approved by the Board of Control pursuant to Canton Codified Ordinance 105.14 within the established dollar amount thresholds for the above-named project.
4. Authorizes the Auditor to establish and create Fund 5256 for tracking project revenues and expenditures, and appropriate the total Ohio Public Works Commission funding amount of \$1,500,000.00 when received.

5. Makes the following supplemental appropriations amending Ordinance 55/2025, as amended:

FROM: Unappropriated Balance of the 5256 Gross Ave NE Water Main Replacement Project Fund (\$1,500,000.00)

TO: 5256 207086 Gross Ave NE Water Main Replacement Project – Other \$1,500,000.00

FROM: Unappropriated Balance of the 5201 Water Fund (\$900,000.00)

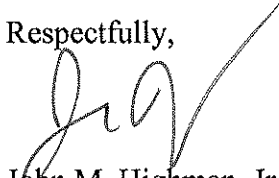
TO: 5201 207086 Gross Ave NE Water Main Replacement Project – Other \$900,000.00

6. Authorizes the Auditor to draw warrants upon receipt of vouchers duly approved by the proper departmental authority.

7. Declares this ordinance to be an emergency measure.

Please do not hesitate to contact me if you have any questions. Thank you for your consideration.

Respectfully,



John M. Highman, Jr.  
Director of Public Service

cc: William V. Sherer II, Mayor  
Jason Reese, Law Director  
Mark Crouse, Finance Director  
Tyler Converse, Superintendent of Water  
Chris Barnes, City Engineer  
John Slobodnik, Chief Deputy Auditor  
Andrew Roth, Director of Purchasing

7.14.25  
cjh

THE  
CITY OF

**CANTON, OHIO**



**WILLIAM V. SHERER II, MAYOR**

July 7, 2025

Canton City Council  
Council Office  
Canton, OH 44702

**RE: Legislation Request – Ohio Department of Transportation (ODOT) STA US-62- 24.05  
PID 100824 Additional Appropriation**

Dear Madam President and Honorable Members:

The City of Canton entered into a final participation agreement in November, 2021 with the Ohio Department of Transportation (ODOT) for the replacement of waterline along US-62 from Maple Avenue NE to 30<sup>th</sup> Street NE. As part of this agreement, the City of Canton Water Department agreed to pay 100% of the construction costs associated with the replacement of the water lines. The total amount paid to ODOT for the project to date is \$2,169,440.00.

At the completion of the Project, a final change order was issued by ODOT to reconcile to the actual materials used. As a result of this change order, the Water Department owes an additional \$28,535.19 to cover the waterline replacement costs and close out the project.

Therefore, I hereby request legislation that does the following:

1. Authorizes and directs the Auditor to pay any and all moral obligations necessary to close out the above-named project.
2. Amends appropriation ordinance 55/2025, as amended, to make the following supplemental appropriation:

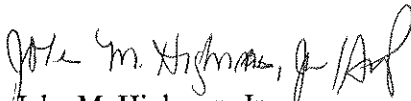
FROM: Unappropriated Balance of the 5201 Water Fund (\$28,535.19)

TO: 5201 207072 US 62 ODOT Water Main Relocation  
Project – Other \$28,535.19

3. Authorizes the Auditor to draw warrants upon receipt of vouchers duly approved by the proper departmental authority.
5. Declares this ordinance to be an emergency measure.

Please do not hesitate to contact me if you have any questions. Thank you for your consideration.

Respectfully,

  
John M. Highman, Jr.  
Director of Public Service

cc: William V. Sherer II, Mayor  
Jason Reese, Law Director  
Mark Crouse, Finance Director  
Tyler Converse, Superintendent of Water  
John Slebodnik, Chief Deputy Auditor  
Andrew Roth, Director of Purchasing