

## CHAPTER 761

### Entertainment Device Arcades

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#### **761.01 APPLICABILITY.**

This chapter shall apply to the operation of entertainment devices that are lawfully operated pursuant to the Ohio Revised Code and does not legalize or license any operation of a device that is unlawful to operate pursuant to the Ohio Revised Code. This chapter shall apply immediately to all entertainment device arcades that commence operations after the date of the enactment of this chapter. All entertainment device arcades in operation at the time of enactment of this chapter shall come into compliance with all sections of this chapter no later than 30 days after enactment of this chapter, unless otherwise stated herein.

(Ord. 2014-52. Passed 11-18-14.)

#### **761.02 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) "Anything of value" shall mean cash, cash equivalents, tangible objects, credits to play, sweepstakes entry points and any other tangibles or intangibles, no matter how slight. "Anything of value" includes playing a game, viewing a video display, hearing an audio transmission, and reading entries or outcomes from any other kind of device. A person who gives anything of value for a product, or service, whether tangible or intangible, in any way, directly or indirectly, in association with being given access to the use of an entertainment device, is deemed to have given value for the access to the entertainment device.

(b) "Entertainment device" shall mean any mechanical, electronic, video or digital device that is capable of accepting anything of value, directly or indirectly, from or on behalf of a person, for the purpose of playing a game, viewing a video display, hearing an audio transmission or reading entries or outcomes from any other kind of device. "Entertainment device" does not include any vending machine, juke box, audio book, video player or any device that gives anything of value where the only value given, directly or indirectly, is a video or audio transmission or the playing of a game.

(c) "Entertainment device arcade" shall mean any business, establishment, room or place where four or more entertainment devices are kept for use by the public or by persons other than the owner of the devices, where persons giving anything of value to access the use of the entertainment devices or the

premises, and the person may be given anything of value by the operator, whether the giving occurs on or off the premises or at the same time or a later time.

(d) "Law Enforcement Agency" shall mean the Willowick Police Department or the Lake County Sheriff's Department.

(e) "Operator" shall mean any person or organization that owns, controls, operates, promotes, or maintains or knowingly engages in conduct that facilitates the operation of an entertainment device arcade or the entertainment devices in an entertainment device arcade.

(Ord. 2014-52. Passed 11-18-14.)

### **761.03 LICENSE; APPLICATION; REQUIREMENTS.**

(a) License to Operate. No person, partnership, corporation, or other entity shall operate or conduct an entertainment device arcade without first obtaining an annual license to operate therefor as provided in this chapter from the Building Department. The license to operate shall first be obtained prior to the initial operation of the entertainment device arcade and annually thereafter, with the subsequent annual application and associated fee due prior to the first day of January of each calendar year.

(b) Application. Every person, partnership, corporation, organization or other entity shall make an application in writing to the Building Department, which application shall set forth:

- (1) The name and Federal tax identification number under which the business is to be conducted;
- (2) The location where the business is conducted, with a description of the premises, including a scaled diagram;
- (3) The name, address and government issued photo identification of the manager, supervisor and all other employees;
- (4) The name, address and government issued photo identification of the owner or owners of the entertainment devices;
- (5) The name, address and government issued photo identification and principal occupation of every person with an interest in the business. If the business is conducted by:
  - A. A sole proprietorship, the name, home address and government issued photo identification and principal occupation of that individual;
  - B. A firm, limited liability company or partnership, the names, home addresses and government issued photo identification and principal occupation of each member of the firm or partnership; and
  - C. A corporation, the names, home addresses and government issued photo identification and principal occupations of all officers and shareholders and the statutory agent.
- (6) If a corporation, or limited liability company, a certificate of good standing from the Ohio Secretary of State;
- (7) The name, description, model number and serial number of each entertainment device on the premises and any other device on the premises that is necessary to the operation of the entertainment device;
- (8)
  - A. A list of each separate prize that may be given out and each separate dollar amount that may be given; and
  - B. The odds of winning any offered prize or dollar amount awarded for the participation in any game, activity, program, scheme or play, use or participation in any way in an entertainment device or participating in any other activity or promotion in the entertainment device arcade, whether or not the determination of the giving of the thing of value or the delivery of the thing of value occurs totally within the confines of the premises or requires some event, occurrence or happening at another location.
- (9) The name and address of any and all persons, businesses or organizations that provide games, computer software, equipment, or services or operate devices linked to the licensee's entertainment devices or to devices necessary to operate the entertainment devices, whether any such provisions are sold, leased or licensed; and

(10) A certificate or report, provided by an authorized independent testing laboratory, identifying the components of the entertainment devices and related systems, identifying the operational characteristics of the entertainment device and systems and verifying that each entertainment device identified in paragraph (b)(7) above, and the software therein, is either a skill-based amusement machine, as defined in Ohio R.C. 2915.01, or is part of a sweepstakes game format. If the certificate or report verifies that the entertainment device and the software therein is part of a sweepstakes game format, the certificate or report shall verify the following information:

A. The sweepstakes game is governed by official rules, which are clearly posted and available to customers.

B. Sweepstakes entries are provided to customers upon purchase of a good or service, for which consideration is paid, and no consideration is paid for the sweepstakes entry itself. Additionally, the sweepstakes game provides for a method of free entry upon request, and the chance of winning the sweepstakes game does not vary between free entries and entries received as a result of purchase.

C. The total number of entries, the number of winning and losing entries and the number and nature of prizes of the sweepstakes game are finite, predetermined and established prior to the start of the sweepstakes. Additionally, all winning and losing entries are predetermined prior to the start of the sweepstakes game and the entries cannot be changed or modified once the sweepstakes game begins.

D. The sweepstakes game contains no element of skill and the customer has no ability to alter or affect the outcome or results of the sweepstakes game.

The Building Department shall publish, within 30 days after the enactment of this chapter, a list of authorized independent testing laboratories, and shall keep said list updated and current at all times. Only certificates or reports from the entities listed by the Building Department as authorized independent testing laboratories shall satisfy the requirements of this section. Said certificate or report shall be provided to the Building Department for each entertainment device prior to an operator placing the device into service.

The certificate or report for an authorized independent testing laboratory required herein shall be updated annually for each entertainment device and the updated certificate or report shall be provided at the time of each annual application, and shall contain the information required in this subsection.

Any update to an entertainment device, or the software therein, during the course of the year shall be reviewed and inspected by an authorized independent testing laboratory, and a certificate or report from the authorized independent testing laboratory shall be filed with the Building Department prior to the operator placing the device in service, and shall contain the information required in this subsection.

No entertainment device shall be lawfully operated unless it is certified to meet the requirements of this subsection.

(c) Duty to Keep Information Current. The person, partnership, corporation, or other entity operating or conducting the business shall have a continuing duty to inform the Building Department as to changes in the information required in this section. No person, partnership, corporation, or other entity shall operate or conduct an entertainment device arcade at any time unless the information on file with the Building Department is current and accurately reports the licensing information at the time of operation.

(d) Rejection of Application.

(1) The Building Department shall reject or preliminarily approve an application within ten business days of receipt. If rejected, the Building Department shall notify the applicant in writing, with reasons for rejection. If the application is preliminarily approved, the Building Department shall notify the applicant in writing of said preliminary approval. Upon notification of preliminary approval, applicant shall pay to the Building Department the annual license fee due in conjunction with the initial or annual application for each entertainment device that will be located on the premises during the following annual period. Upon receipt of said annual license fee, the Building Department shall grant final approval of the application and shall issue a license to operate. No person shall operate an entertainment device arcade until such final approval is granted and said license to operate is issued, unless otherwise permitted herein.

(2) Any application submitted on or before January 1, 2015, may be submitted without the certificate or report provided in paragraph (b)(10) hereof, and may be preliminarily approved by the Building Department without said certificate or report, provided, however, that the required certificate or report shall be provided to the Building Department prior to final approval and no final approval or license to operate shall be issued without said certificate or report being provided to the Building Department. An

entertainment device arcade that has submitted an application prior to January 1, 2015, may operate until January 30, 2015, with the preliminary approval only, and shall submit said certificate or report on or before January 30, 2015, in order to continue operating after that date.

(3) For all applications submitted after January 1, 2015, the required certificate or report shall be included in the initial or annual application, and at any other time as required by this chapter and no entertainment device arcade shall operate without the final approval and license to operate being issued by the Building Department.

(e) Prohibition as a Result of Conviction; Fire Inspection. The Building Department shall not issue a license to any person, partnership, corporation, or other entity if any of the persons with an interest in the business or if any of the employees of the business have been convicted of a violation of a Federal or State statute or of any local ordinance pertaining to gambling or other crime of moral turpitude within five years preceding the application. As a prerequisite to the issuance of such license, an inspection shall be made of the premises by the Fire Department to seek and obtain the approval of said department.

(f) Right of Entry for Inspection. The entertainment device arcade shall be open to inspection and viewing of operations by the Building Department, Fire Department personnel, and Health Department personnel at all times that the arcade is open for business. Law enforcement agency officers may accompany officials from the Building Department, the Fire Department, and the Health Department on any official business or inspection to the extent authorized by this chapter. No operator shall fail to immediately permit entry to any such officials.

(g) Suspension or Revocation of License. Failure to register or pay a license fee for an entertainment device shall be grounds for suspension or revocation of the license for the entertainment device arcade and said device shall be seized and forfeited to the City.

(Ord. 2014-52. Passed 11-18-14.)

#### **761.04 LICENSE FEES; TRANSFER AND DISPLAY; DISPOSITION OF FEES.**

(a) License Fees.

(1) The non-refundable annual license fee, payable to the Building Department at the time of initial or annual application, shall be five thousand dollars (\$5,000.00) for each entertainment device arcade location for each calendar year or any part thereof. The initial five thousand dollar (\$5,000.00) fee shall be due at the time of the initial application and the subsequent annual fee shall be due on or before January 1 of each successive year.

(2) Additionally, a monthly non-refundable license fee of forty-five dollars (\$45.00) for each entertainment device that will be located on the premises during the following monthly period shall be paid to the Building Department. The initial monthly license fee for each entertainment device shall be paid upon preliminary approval of the initial or annual application. The monthly license fees shall then be due for all subsequent payments on the first day of each month. (For example, if the initial monthly license fee was paid on April 1, then the second payment would be due on May 1 for that month).

(3) If a new or additional entertainment device is brought to the premises following the payment of the monthly license fee, then the owner and/or operator shall pay the monthly license fee on such device on a prorated basis for the balance of the monthly license fee period prior to operation or use of any such device. For purposes of determining licensing fees, each device that is operable by one or more persons is a separate device.

(b) Non-transferability; Display. Licenses issued under this chapter shall not be transferable to any other person, partnership, corporation, or other entity and the business may be conducted only at the location for which the license is issued. The license must be so placed as to be made conspicuously visible and shall list each entertainment device with serial number.

(c) Disposition of License Fees. License fees received by the Building Department shall be deposited in the General Fund.

(Ord. 2014-52. Passed 11-18-14.)

#### **761.05 LICENSE REVOCATION; HEARING PROCEDURE.**

(a) **Board of Zoning Appeals.** All licenses issued under this chapter shall be suspended or revoked on recommendation of the Board of Zoning Appeals to Council and upon a finding of the occurrence of any of the following events: (1) a false statement by any licensee as to a material matter made in an application for license or in a hearing concerning this license; (2) a conviction of any licensee for any crime referenced in Section 761.03; and (3) two convictions within a one-year period of any licensee or operation for a violation of the provisions of this chapter.

(b) **Revocation or Suspension of License.** A license may be suspended or revoked at any time upon recommendation by the Board of Zoning Appeals and confirmation by Council on satisfactory proof that a violation of the laws of the State of Ohio, the Codified Ordinances of the City or this chapter occurs at any entertainment device arcade. In addition to any license suspension, the City may assess the licensee a penalty fee of not less than five hundred dollars (\$500.00), or more than one thousand dollars (\$1,000.00), for any violation of this chapter. Each day a continuing violation exists shall constitute a separate violation for purpose of assessing penalty fees. Suspensions, revocations and assessments of penalty fees by the City is in addition to and separate from any criminal liability and does not preclude criminal prosecution for any violation of this chapter or other County, State of Ohio, or Federal laws. Penalty fees shall be disposed of in the same manner as license fees as set forth in Subsection 761.04(c).

(c) **Submission of Complaint: Regular Inspection.** Any resident or employee of the City may submit a written notice of complaint to the Building Department concerning any entertainment device arcade located within the City. The notice of complaint will include the name, phone number and address of the resident, the address of the location, the device number, if applicable, and the specific reasons why the resident is complaining. The Building Department shall regularly inspect the premises, the operation, the entertainment devices and the licensee's records and may issue a notice of complaint to the licensee for any violations.

(d) **Interview of Complainant.** The Building Department shall interview the complainant and inquire as to the specific reasons for the complaint. The Building Department may dismiss the complaint if it is determined that:

(1) The specific reasons listed in the complaint are not proper grounds for suspension or revocation of the license; or

(2) There are not substantial credible facts to support the complaint by the City resident.

(e) **No Appeal from Dismissal of Complaint.** No appeal shall lie from the decision of the Building Department to dismiss a complaint.

(f) **Hearing.** If the complaint is not dismissed by the Building Department, the Board of Zoning Appeals will then notify the licensee and the owner of the devices on the premises, as listed on the license application, that a complaint has been filed and will set a date for a fact-finding hearing on the matter. Extensions will be granted and necessary investigations will be conducted at the discretion of the Building Department and the Board of Zoning Appeals may request the assistance of a law enforcement agency to assist in the investigation. The Board of Zoning Appeals and any assisting law enforcement agency officer shall have access to the entertainment device arcade and the records of the licensee during all times that the entertainment devices are available for play. The licensee shall be given at least ten days written notice of the intent to suspend or revoke the license, which shall set forth the date, time and place of the hearing and the specific reasons for such a suspension or revocation. The licensee shall have the right at that hearing to present testimony and other relevant evidence and to orally examine or cross-examine any person offering evidence as to the reasons for suspension or revocation. The Board of Zoning Appeals' recommendation may be for dismissal of the complaint, suspension of the license and assessment of penalty fines, or revocation of the license.

(g) **Review by Council.** The recommendation of the Board of Zoning Appeals shall be forwarded to City Council who may accept, reject, or modify the recommendation of the Board of Zoning Appeals. The resident, the licensee and the owner of the devices, as listed on the license application, shall be notified in advance by certified mail of the day on which the Council is to consider the complaint; and they may, if they so choose, be present during Council's consideration of the complaint. Consideration of the complaint before Council shall be at a public hearing which shall be held within 30 days after said notice is given. The licensee shall have the right to be represented by counsel, and have the right to examine and cross-examine witnesses. The Council shall enter its decision the day of hearing. In the event of a decision and ruling adverse to the licensee, the licensee shall have the right to appeal such decision and ruling to a court of competent jurisdiction under authority of and pursuant to the provisions of Ohio R.C. Chapter 2506.

(h) Other Enforcement Actions. The complaint process set forth in this section is separate and distinct from any law enforcement action taken to enforce the laws of the State of Ohio, or these Codified Ordinances and this chapter, and is not a condition precedent or otherwise an impediment to enforcement of said laws by criminal prosecution.

(Ord. 2014-52. Passed 11-18-14.)

### **761.06 LOCATION.**

(a) Limitation on Location. No license shall be granted to an entertainment device arcade that will conduct its business at a location that has been issued a liquor permit by the State of Ohio. No license shall be granted to an entertainment device arcade that will conduct its business at a location that is within 100 feet from the boundaries of a parcel of real estate having situated on it a school or public library.

(b) Exception: Change in Ownership. This section shall not apply to any entertainment device arcade locations in existence at the time of the passage of this chapter; and shall not apply to any duly licensed entertainment device arcade locations in existence at the time a school, public library, public playground or any establishment that has been issued a liquor permit by the State of Ohio, moves within 100 feet of said entertainment device arcade. However, any change in ownership of the entertainment device arcade or change in location will remove said entertainment device arcade from this exception. "Change in ownership" in the case of a partnership or corporation for the purpose of this section, means more than 50% change in partners or shareholders from the partners or shareholders owning the partnership or corporation as of the date the school, public library, or public playground moves within 500 feet of said entertainment device arcade.

(Ord. 2014-52. Passed 11-18-14.)

### **761.07 HOURS OF OPERATION.**

No licensee shall open the premises for business except between the following hours on the following days: (a) Sunday through Thursday from 9:00 a.m. through 1:30 a.m.; and (b) Friday and Saturday from 5:30 a.m. through 1:30 a.m.

(Ord. 2014-52. Passed 11-18-14.)

### **761.08 MISCELLANEOUS OPERATING REQUIREMENTS.**

(a) Supervision of Entertainment Devices. Any entertainment device arcade shall have an adult who is 21 years of age or over on the premises and supervising at all times the entertainment devices during all hours of operation.

(b) Square Footage. The interior of the entertainment device arcade shall provide a minimum area of 50 square feet per entertainment device in each room in which entertainment devices are located.

(c) No Alcoholic Beverages. No operator shall permit the sale, possession or consumption of alcoholic beverages on the premises of an entertainment device arcade.

(d) Public Peace. No operator shall fail to maintain order and quiet on the premises so as not to violate the public peace.

(e) No Minors. No persons under the age of 18 years shall be permitted on the premises of any entertainment device arcade.

(f) Photo Identification. The operator shall require a photo identification of every person to whom anything of value is given in connection with the entertainment device arcade and, if the dollar value of the thing given to a person is six hundred dollars (\$600.00) or more, the operator shall make and maintain a copy of the person's photo identification and shall record the person's name and home address and a description of the thing given, a stated dollar value of the thing given, the date and time of the giving and, if an entertainment device is involved in the circumstances of the giving, the serial number or other identifying description of the device. By the second Tuesday of each month, the operator shall cause to be delivered to the Building Department a copy of the record of things given to persons together with the above-required information given during the preceding month. If the records pertaining to photo identification contain Social Security numbers or driver's license numbers, the operator and the Building

Department shall not disclose those numbers to anyone except as required by the laws of the State of Ohio and the United States government.

(g) Posting. The operator shall post in a conspicuous place on the premises in the room where the entertainment devices are located in no less than 20-point type:

(1) Each separate prize that may be given and each separate dollar amount that might be given.

(2) The odds as stated in the filing with the Building Department, as required under Section 761.03(b).

(3) A complete statement of the rules and conditions pertaining to the giving of any prizes or anything of value to any person, whether or not the determination of the giving of the thing of value or the delivery of the thing of value occurs totally within the confines of the premises or requires some event, occurrence or happening at another location.

(4) On each machine, a sticker, if issued at the direction of and by the Building Department, indicating that it has been registered by the operator with the Building Department and bearing a unique identification number for that machine.

(h) Records. The operator shall keep a complete set of all records of the operations at the premises at all times, including all Federal, State and local tax records, all records of payments and receipts, all records of expenses and revenues of the operation, all banking records, all contracts, leases and agreements affecting the premises, equipment and operation, all personnel records and all other records pertaining to the business, which shall be available for inspection and copying by any entity provided a right of entry under Section 761.03(f). Records more than ten years old are exempt from this requirement.

(i) Correct Information. No applicant shall make a false or incorrect statement in an application for an entertainment device arcade license, and no operator shall fail to update the information supplied to the Building Department to reflect existing operations as required in Section 761.03(c).

(j) Reporting of Internet Time. Any entertainment device arcade that engages in the sale of internet time or computer usage time in exchange for anything of value shall provide to the Building Department, no later than the second Tuesday of each month, a report detailing the daily amount of time sold in the preceding calendar month.

(k) Strict Liability for Violations. It is the intent of this chapter that operators are strictly liable for any violations of this chapter.

(Ord. 2014-52. Passed 11-18-14.)

## **761.09 SEVERABILITY.**

In the event any provision of this chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

(Ord. 2014-52. Passed 11-18-14.)

## **761.10 PENALTY.**

(a) Minor Misdemeanor. Whoever violates or fails to comply with any of the provisions of this chapter, for which no penalty is otherwise provided, is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150.00) for each offense, said fine shall not be reduced or suspended. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) Failure to Obtain or Operate Without a License. Whoever violates or fails to comply with the requirement to obtain a license for an entertainment device arcade or an entertainment device as provided in this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00), or imprisoned not more than 30 days or both, for each offense, provided said fine shall not be reduced or suspended. A separate offense shall be deemed committed each day during or on which a violation of noncompliance occurs or continues.

(Ord. 2014-52. Passed 11-18-14.)

## Certified Independent SBAM Testing Labs

The following entities have been certified by the Commission as an independent SBAM testing lab:

- Gaming Laboratories International (GLI)
- BMM North America, Inc.
- Eclipse Compliance Testing





**CITY OF WILLOWICK PLAN REVIEW BOARD  
APPLICATION FOR PERMIT TO OCCUPY FOR  
BUSINESS, COMMERCIAL, INDUSTRIAL, ETC.  
YOU MUST FILL OUT ENTIRE APPLICATION  
440-516-3000**

PERMIT FEE: \$60.00

DATE: \_\_\_\_\_

Location of Occupancy: \_\_\_\_\_ Business Name: \_\_\_\_\_  
(ADDRESS)

Business Owner's Name & Address: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_ Federal ID Number: \_\_\_\_\_  
Or Social Security Number

OWNER OF PROPERTY/NAME/ADDRESS/TELEPHONE NUMBER: \_\_\_\_\_

SUBMIT NEW DETAILED FLOOR PLAN : \_\_\_\_\_ SQ. FT. HABITABLE FLOOR AREA FOR OCCUPANCY: \_\_\_\_\_

Building Size: \_\_\_\_\_ Total Number Of Employees: \_\_\_\_\_

Intended Number of Occupants: \_\_\_\_\_ Total Number of Seating : \_\_\_\_\_

Site Plan With Number of Paved Parking Spaces \_\_\_\_\_ Hours Of Operation : \_\_\_\_\_

Letter of Intent: \_\_\_\_\_ Previous Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

NAME OF PRINCIPAL OR CONTACT PERSON FOR NEW BUSINESS: \_\_\_\_\_

Home Address/City/Zip \_\_\_\_\_ Telephone Number: \_\_\_\_\_

*I hereby certify that the above questions have been answered correctly by me and that the premises will be used for the purpose stated above. Any change in the purpose of occupancy will not be made without approval from Lake County Building, Willowick Fire & Willowick Zoning Department. A final approval by The Willowick Building Dept. (440)516-3000 or a representative thereof, must be complied with before opening of business. I do hereby further agree to maintain the above premises in compliance with the ordinances of the City of Willowick.*

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Office use only**

Zoning District: \_\_\_\_\_ Authorized Occupants: \_\_\_\_\_

TEMPORARY APPROVED BY: \_\_\_\_\_ Date: \_\_\_\_\_

Zoning Dept. Inspected by: \_\_\_\_\_ DATE: \_\_\_\_\_

Zoning Permit # \_\_\_\_\_ Zoning Permit Fee \$ \_\_\_\_\_

Fire Dept. Inspected By: \_\_\_\_\_ Date: \_\_\_\_\_

**CITY OF WILLOWICK-APPLICATION FOR COMMERCIAL ESTABLISHMENT LICENSE REQUIRED AFTER APPROVAL**

**Note\* A separate permit is required for all new signs from the Willowick Building Department.**

For Office Use Only

Date: \_\_\_\_\_

Permit #: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Amount: \_\_\_\_\_

Issued By: \_\_\_\_\_

# City Of Willowick

31230 Vine St. Willowick Oh 44095

## Commercial Zoning Application

440-516-3000



Property Address: \_\_\_\_\_

Owners Name: \_\_\_\_\_

Phone No: \_\_\_\_\_

Owners Address: \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Contractor: \_\_\_\_\_

Phone No: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Zoning District :  Apartment District  Industrial District  Retail District  Mixed Use District  Multi Family District

<u>Zoning Review Structure</u>	<u>Zoning Review Accessory Structure</u>	<u>Zoning Review Misc.</u>
2 Sets construction drawings required	2 Sets construction drawings required	2 Site Plans Required
2 Site plans required	2 Site plans required	<input type="checkbox"/> A/C Unit (rear yard only)
<input type="checkbox"/> New Commercial Structure	<input type="checkbox"/> Accessory Building	<input type="checkbox"/> Generator (rear yard only)
<input type="checkbox"/> Addition	<input type="checkbox"/> Tool / Storage Shed > 120 sq. ft.	<input type="checkbox"/> Other _____
<input type="checkbox"/> Interior Alteration	<input type="checkbox"/> Gazebo	
<input type="checkbox"/> Exterior Alterations	<input type="checkbox"/> Deck	
<input type="checkbox"/> Demolition	<input type="checkbox"/> Ramp	
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	

Estimated Cost \$ \_\_\_\_\_

All commercial electrical, building, gas piping, hydronics and HVAC permits are to be obtained from the Lake County Building Department, 105 Main St., bldg. B, Second Floor, Painesville oh 44077 Phone # 440 350-2636.

I state that I am the owner/agent of the subject property, have read and understand the contents of this application; and that all information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.

Property Owners / Agent Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Office Use Only

Approved Date: \_\_\_\_\_

Denied Reason \_\_\_\_\_

Variance Needed Reviewed By: \_\_\_\_\_

**For Office Use Only**

Date: \_\_\_\_\_

Permit #: \_\_\_\_\_

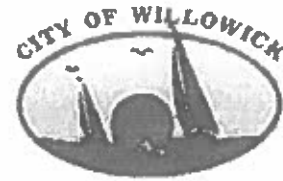
Receipt #: \_\_\_\_\_

Amount: \_\_\_\_\_

Issued By: \_\_\_\_\_

**City Of Willowick**  
31230 Vine St. Willowick Oh 44095  
**Sign Review Application**

440-516-3000



**Business Address:** \_\_\_\_\_

**Owners Name:** \_\_\_\_\_ **Phone No:** \_\_\_\_\_

**Owners Address:** \_\_\_\_\_ **City, State, Zip** \_\_\_\_\_

**Contractor:** \_\_\_\_\_ **Phone No:** \_\_\_\_\_

**Contractor Address:** \_\_\_\_\_ **City, State, Zip** \_\_\_\_\_

Size of Sign \_\_\_\_\_ x \_\_\_\_\_ Height Of Sign \_\_\_\_\_ Illuminated \_\_\_\_\_ Non-Illuminated \_\_\_\_\_

Type of Sign: \_\_\_\_\_ Ground \_\_\_\_\_ Projecting \_\_\_\_\_ Wall \_\_\_\_\_ Roof \_\_\_\_\_ Marquee \_\_\_\_\_ Pole

Other \_\_\_\_\_

Frontage of Building \_\_\_\_\_ Linear Feet

Existing Signage \_\_\_\_\_ sq. ft.

New Sign \_\_\_\_\_ sq. ft.

Estimated Cost \$ \_\_\_\_\_

Application requirements: (4) sets of detailed drawings showing the design of the sign, size of sign, content, lettering, logo, construction, fastening details and detailed drawing of footer/foundation. (4) sets of site plans showing location of sign and distances from right of way, building, parking lot, sidewalks, driveway, property lines and adjacent parcels.

All electrical and building permits are to be obtained from the Lake County Building Department, 105 Main St., Bldg. B Second Floor, Painesville, OH 44077, Phone # 440-350-2636. Applicant will be notified when reviewed for zoning compliance by the City of Willowick. Once approved, you can submit the Zoning approval, site plans and construction drawings to the Lake County Building Department. They will then review for plan approval. Visit ([www.lakecountyohio.gov](http://www.lakecountyohio.gov)) for downloadable forms.

I state that I am the owner/agent of the subject property, have read and understand the contents of this application; and that all information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.

Property Owners / Agent Signature

Date

Print Name

**Office Use Only**

Approved Date: \_\_\_\_\_

Denied Reason \_\_\_\_\_

Variance Needed Reviewed By: \_\_\_\_\_

**Willowick Building Department**

**31230 Vine Street**

**Willowick, OH 44095**

**440-516-3000**

After being approved at the Plan Review Board and prior to the City of Willowick issuing your Commercial Establishment License, you will need to submit the following to the City of Willowick Building Department:

*\*\*Please note when applicable the business may be subject to approval from the Willowick Planning Commission and Willowick City Council.*

1. Certificate of Occupancy from the Lake County Building Department.
2. Completed inspections and approval from the City of Willowick Fire Department.
3. Completed inspections and approval from the Lake County Health Department when applicable. (ex. restaurant and/or bars)
4. Police/Fire emergency contact form.
5. RITA Business Form 48.
6. Completed Commercial Establishment application and fee based on the square footage of your establishment.

**NOTE: Once the City of Willowick Building Department has received your submission of all of the above, it will be reviewed and then you will be issued a Commercial Establishment License to operate your business in the City of Willowick.**

APPLICATION TO BE COMPLETED IN FULL

CITY OF WILLOWICK  
WILLOWICK BUILDING DEPARTMENT  
31230 VINE STREET  
WILLOWICK, OH 44095  
440-516-3000

APPLICATION FOR LICENSE OF COMMERCIAL ESTABLISHMENT

DATE DUE: JANUARY 1, 202 DATE: \_\_\_\_\_

ANNUAL FEE \$ \_\_\_\_\_  
(PLEASE REMIT)

Name of Commercial Establishment: \_\_\_\_\_

Business Address: \_\_\_\_\_ SQ. FOOTAGE: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Building Owner: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Exact Business to be conducted: \_\_\_\_\_

Mailing Address (if different from above): \_\_\_\_\_

List full name and residence of each partner (or principal officers if a corporation).

1. \_\_\_\_\_  
Social Security No. \_\_\_\_\_ Date of Birth: \_\_\_\_\_

2. \_\_\_\_\_  
Social Security No. \_\_\_\_\_ Date of Birth: \_\_\_\_\_

3. \_\_\_\_\_  
Social Security No. \_\_\_\_\_ Date of Birth: \_\_\_\_\_

4. Hours of Operation: \_\_\_\_\_

5. Type of business (check) Sole Proprietor \_\_\_\_\_ Partnership \_\_\_\_\_ Corp. \_\_\_\_\_  
Other (specify) \_\_\_\_\_

6. Accounting Information: Federal ID Number \_\_\_\_\_  
Social Security No. (if sole proprietorship) \_\_\_\_\_  
Calendar Year \_\_\_\_\_ or Fiscal Year \_\_\_\_\_

7. Name/address of bookkeeper/accountant \_\_\_\_\_

8. Are there now or will there be employees working or residing in Willowick?  
Yes \_\_\_\_\_ No \_\_\_\_\_ Approximate Number \_\_\_\_\_

9. Will other payments be made for services rendered? Yes \_\_\_\_\_ No \_\_\_\_\_  
Circle type: Commission, bonus, subcontractors, Director's fees, other  
(specify) \_\_\_\_\_

List any unusual condition connected with said commercial operation that would have a special effect upon the public health, safety or welfare.

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List full name, address, residence telephone number and e-mail address of the person responsible for the operation, control and maintenance of said commercial operation.

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**CODIFIED ORDINANCE "755.99 PENALTY."**

Whoever violates any provision of this chapter is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than six months, or both. Each day's continued violation shall constitute a separate offense." (Ord. 75-38. Passed 7-21-75)

I do hereby acknowledge my responsibility under Chapter 755 of the Codified Ordinances of the City of Willowick and I am fully aware of the requirements of the same.

**INCOMPLETE APPLICATIONS WILL NOT BE RETURNED**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
**(FOR CITY USE ONLY)**

License No. \_\_\_\_\_

Date Issued \_\_\_\_\_

Date Approved \_\_\_\_\_

Receipt # \_\_\_\_\_

\_\_\_\_\_  
Building Inspector

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www.ripta.com

# BUSINESS REGISTRATION FORM 48

MUNICIPALITY \_\_\_\_\_

FEDERAL IDENTIFICATION NUMBER \_\_\_\_\_

SOCIAL SECURITY NUMBER (COMPLETE ONLY IF A SOLE PROPRIETOR) \_\_\_\_\_

FILING STATUS:  CORPORATION  ESTATE/TRUST  LLC  NON-PROFIT  PARTNERSHIP  S-CORP.  SOLE PROPRIETOR

### RITA LOCATION NAME AND ADDRESS AS USED FOR BUSINESS PURPOSES

BUSINESS NAME: \_\_\_\_\_ PHONE (\_\_\_\_\_) \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

### IF CORPORATE SUBSIDIARY, GIVE NAME AND ADDRESS OF PARENT COMPANY MAIN OFFICE

BUSINESS NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

### IF SOLE PROPRIETORSHIP, GIVE OWNER'S NAME AND HOME ADDRESS

NAME: \_\_\_\_\_ PHONE (\_\_\_\_\_) \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

WHAT DATE DID YOU BEGIN OPERATIONS IN A RITA MUNICIPALITY? \_\_\_\_\_

### PLEASE LIST THE COMPANY NAICS CODE OR CHECK THE BOX THAT BEST DESCRIBES THE COMPANY BUSINESS TYPE

NAICS \_\_\_\_\_  TRANSPORTATION  NON-MANUFACTURING  MANUFACTURING  WHOLESALE  
 RETAIL  FINANCE  SERVICES  PUBLIC ADMINISTRATION  NON CLASSIFICATION

### EMPLOYEE INFORMATION

DO YOU HAVE ANY EMPLOYEES? (CHECK ONLY ONE)  YES  NO ARE CONTRACTORS UTILIZED? (CHECK ONLY ONE)  YES  NO  
\*IF YES COMPLETE REVERSE SIDE\*

IF YOU HAVE EMPLOYEES PROCEED WITH EMPLOYEE INFORMATION IF YOU DO NOT HAVE EMPLOYEES PROCEED TO THE PROFIT/LOSS SECTION

NUMBER OF EMPLOYEES AT RITA LOCATION: \_\_\_\_\_ MONTHLY GROSS PAYROLL AT RITA LOCATION: \_\_\_\_\_

WILL YOU BE WITHHOLDING RESIDENCE TAX ONLY?  YES  NO

### SEND WITHHOLDING TAX FORMS TO

BUSINESS NAME \_\_\_\_\_ PHONE (\_\_\_\_\_) \_\_\_\_\_

CARE OF: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

IF YOU ARE A NON-PROFIT ORGANIZATION STOP HERE AND SIGN AT BOTTOM

### PROFIT/LOSS INFORMATION

ENDING DAY OF FISCAL YEAR IF OTHER THAN CALENDAR YEAR \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
MONTH DAY YEAR

### SEND NET PROFIT TAX RETURN TO

BUSINESS NAME \_\_\_\_\_ PHONE (\_\_\_\_\_) \_\_\_\_\_

CARE OF: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

THE INFORMATION HEREBY SUBMITTED IS TRUE AND CORRECT.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

**REGIONAL INCOME TAX AGENCY**  
ATTN: BUSINESS REGISTRATION  
P.O. BOX 477900 BROADVIEW HEIGHTS, OHIO 44147-7900

CLEVELAND LOCAL (440) 528-0900  
FAX (440) 528-3135

COLUMBUS LOCAL (614) 534-0512  
TDD (440) 528-3372

YOUNGSTOWN LOCAL (330) 743-3100  
TOLL FREE 1 (800) 850-FI/TA (7452)

ORDINANCE NO. 13-53

AN ORDINANCE AMENDING CHAPTER 755 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED "COMMERCIAL ESTABLISHMENTS"; SPECIFICALLY AMENDING SECTION 755.03, TITLED "PERMIT FEE; EXPIRATION"; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT OBTAINED BY THE COUNCIL OF THE CITY OF WILLOWICK, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. Chapter 755 of the Codified Ordinances of the City of Willowick, Ohio, titled "Commercial Establishments"; specifically, Section 755.03 titled "PERMIT FEE; EXPIRATION"; is hereby amended to read and provide as follows:

755.03 PERMIT FEE; EXPIRATION.

The Commercial Establishment Permit fee charged by the Building Inspector shall be in accordance with the following schedule:

<u>Area of Commercial Establishment in Square Feet</u>	<u>Permit Fee Per Year or Fraction of Year</u>
1,000 and less	\$ 80.00
1,001 to 5,000	90.00
5,001 to 10,000	100.00
10,001 to 15,000	110.00
15,001 to 20,000	120.00
20,001 to 25,000	130.00
25,001 to 30,000	140.00
30,001 to 35,000	150.00
35,001 to 40,000	160.00
40,001 to 45,000	170.00
45,001 to 50,000	180.00
50,000 and over	190.00

Each Commercial Establishment Permit shall expire on December 31. In the event that the Building Inspector does not receive the Commercial Establishment permit fee by December 31, the Commercial Establishment shall pay a penalty equal to one-half of the scheduled permit fee. The penalty shall be in addition to the permit fee set forth in the above schedule.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willowick.

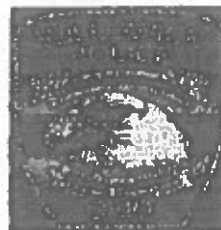
SECTION 3. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick; wherefore, this Ordinance shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor.





# CITY OF WILLOWICK

3033 Lakeshore Boulevard • Willowick, Ohio 44095  
www.cityofwillowick.com



## FIRE DEPARTMENT

**Robert Posipanka, Chief of Fire**

Phone (440) 585-1202 • Fax (440) 585-4112

## POLICE DEPARTMENT

**Brian C. Turner, Chief of Police**

Phone (440) 585-1234 • Fax (440) 585-3770

*Dear Business Owner Manager,*

The Willowick Fire Department is here to perform a Pre-Incident Plan. The purpose of this visit is to prepare personnel to respond to emergencies at this building by evaluating its structure, contents, and occupancy. As we tour your building, please provide the important information requested below and return it to the firefighters before they leave. Thank you for your assistance in this cooperative effort to better prepare for effective management of emergencies at your facility.

**BUSINESS NAME:** \_\_\_\_\_  
**ADDRESS:** \_\_\_\_\_  
**PHONE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**FAX:** \_\_\_\_\_

**BUSINESS OWNER:** \_\_\_\_\_  
**ADDRESS:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_  
**PHONE:** \_\_\_\_\_ **CELL:** \_\_\_\_\_

**AVG. # WORKING OCCUPANTS:** \_\_\_\_\_

**BUSINESS HOURS:** \_\_\_\_\_

**BUSINESS OWNER:** \_\_\_\_\_  
**ADDRESS:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_  
**PHONE:** \_\_\_\_\_ **CELL:** \_\_\_\_\_

**BURGLAR ALARM COMPANY:** \_\_\_\_\_

**BURGLAR ALARM CO. PHONE:** \_\_\_\_\_

**BURGLAR ALARM RESET CODE:** \_\_\_\_\_

### EMERGENCY CONTACTS

- 1. NAME:** \_\_\_\_\_  
**TITLE:** \_\_\_\_\_  
**PHONE:** \_\_\_\_\_ **CELL/PAGER:** \_\_\_\_\_
- 2. NAME:** \_\_\_\_\_  
**TITLE:** \_\_\_\_\_  
**PHONE:** \_\_\_\_\_ **CELL/PAGER:** \_\_\_\_\_
- 3. NAME:** \_\_\_\_\_  
**TITLE:** \_\_\_\_\_  
**PHONE:** \_\_\_\_\_ **CELL/PAGER:** \_\_\_\_\_

**BURGLAR ALARM RESET CODE:** \_\_\_\_\_

**FIRE ALARM COMPANY:** \_\_\_\_\_

**FIRE ALARM CO. PHONE:** \_\_\_\_\_

**FIRE ALARM RESET CODE:** \_\_\_\_\_

**HOLD UP / PANIC ALARM: YES / NO**  
**ALARM SELF RESET: YES / NO**

W. Dale O'Connell  
Fire District 12

# Willowick Fire Department

## Fire Prevention Bureau

30435 Lakeshore Boulevard • Willowick, Ohio 44095  
Phone (440) 885-1202 • Fax (440) 885-1112  
www.cityofwillowick.com



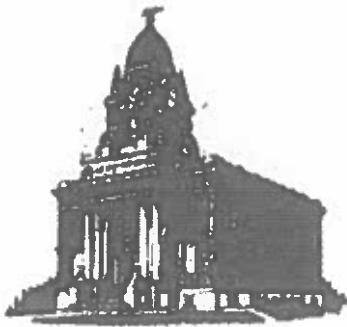
## ***HOW SAFE IS YOUR BUSINESS?***

**Find out by asking yourself these questions**

- Are fire extinguishers up to date?
- Are fire extinguishers mounted properly and free of obstruction?
- Do you have an adequate number of extinguishers?
- Are employees educated in fire safety and able to use a fire extinguisher?
- Are employees aware of the location of fire extinguishers?
- Are fire doors properly working and free from obstruction?
- Are exit doors clearly marked, lit up and free from obstruction?
- Are exit doors unlocked?
- Are egress exits well lit?
- Are rolling fire doors/shutters annually tested?
- Are employees aware of the location of fire doors?
- Do you have a fire safety plan?
- Are employees trained in this plan?
- Are fire drills often performed?
- Are all electrical plates and outlets free from exposed wiring?
- Are extension cords used properly?
- Are electrical panels at least 30 inches from storage space?
- Are gas cylinders secured and stored properly?
- Is propane gas properly used and stored?
- Are flammable liquids properly used and stored?
- Are hallways and storage spaces free from accumulated rubbish?
- Is storage kept a distance of 24 inches from the ceiling in an unsprinklered building?
- Is storage kept a distance of 18 inches from sprinkler heads in a sprinklered building?
- Are sprinkler heads free from obstruction and clean?
- Are combustibles kept a safe distance from any heat source?
- Are safety issues enforced at all times?
- Is your address properly posted?
- Are all fire lanes clearly posted?
- Are hazardous materials properly labeled?
- Are hazardous materials properly disposed of?
- Do you have a current MSDS on site for hazardous materials?
- Is your commercial cooking hood system inspected and up to date?

Every "YES" response indicates a positive fire safety situation, but a "NO" response indicates a potential fire hazard that needs to be corrected. If you have any questions please call the Willowick Fire Prevention Bureau at 440-885-1202.

*Yours in Fire Safety*



# COUNTY OF LAKE

## DEPARTMENT OF LAKE COUNTY BUILDING INSPECTION

105 Main St. Bldg. B, 2nd Floor  
Painesville, OH 44077

PAINESVILLE  
440-350-2636

CLEVELAND  
440-918-7656

TOLL FREE  
800-896-5253

FAX  
440-350-2660

David V. Strichko, Chief Building Official

[www.lakecountyohio.gov](http://www.lakecountyohio.gov)

### GENERAL REQUIREMENTS FOR OBTAINING A CERTIFICATE OF OCCUPANCY FOR AN EXISTING BUSINESS / STRUCTURE

At times it may be required from the local jurisdiction, your insurance provider, your financial lending institution or a state agency for a new or existing business owner to obtain a Certificate of Occupancy. The following information is to help guide you through the procedure and hopefully make it as easy as possible.

First, when you need to obtain a Certificate of Occupancy it is recommended you contact the Lake County Building Department at 440-350-2636 to see if there is an existing Certificate of Occupancy already on file. If so, we can provide you with a copy via email.

Next, if a Certificate of Occupancy is not on file, a formal request must be submitted to the Lake County Building Department for review and approval. The request and submittal must include the following information.

1. A letter addressed to the Building Official requesting a Certificate of Occupancy for an existing structure / business. The letter must include the name of the new business (if name is changing), the name of the old business, the address of the business, owner or owners authorized agent's contact information, the reason for the request and that no work and / or alterations have been performed to the business. If any work and / or alterations have been performed, the occupancy is no longer considered existing and a submittal for an alteration must be approved prior to a Certificate of Occupancy being issued.
2. A drawing / sketch of the layout of the occupancy showing all exit doors, exit / emergency lights, hallways, restrooms etc. List the number of employees and customers (occupant load) on the plan. If the occupancy has existing sprinklers and or fire alarm system please note on the plan.
3. An application for commercial building permit plan review must be attached and can be found on our website. Note: under detailed work description put "Request for C of O of an existing business."
4. A fee of \$206.00 is required (this fee is subject to change). Checks made payable to Lake County Treasurer.

After we receive your complete application, it will be reviewed by the Chief Building Official for general compliance with the Ohio Building Code. Expect this process to take no less than three business days. If we have any questions with regard to the application and / or plan, we will contact the submitter for any clarifications. After the plan has been determined to be in compliance, an approval will be issued. Once an approval has been issued the applicant can schedule a safety inspection with the Lake County Building Department. Upon completion of the inspection and if no serious hazards are found, a Certificate of Occupancy will be generated and can either be picked up at the Building Department or emailed to the applicant.

Note: This approval is not an exemption from any state or local rules and regulations, and it is the owner or owners authorized agent's responsibility to contact any other agencies that may have their own requirements for occupancy.

Sincerely,



David V. Strichko, CBO  
Lake County Building Official  
440-350-2636 Ext 104  
David.Strichko@lakecountyohio.gov

DS/rak