

CITY OF KIRTLAND

ORDINANCE NUMBER 23-O-18

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1468.06 RELATING TO GEOTHERMAL ENERGY SYSTEM STANDARDS, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 18-O-31 was passed on May 29, 2019, adopting Chapter 1468 of the Kirtland Codified Ordinances, particularly §1468.06 relating to the regulation of geothermal energy system standards within the City of Kirtland; and

WHEREAS, the City had performed a thorough review of the current geothermal energy system standards and wishes to update said ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kirtland, County of Lake, State of Ohio, that:

SECTION I: Codified Ordinance Section 1468.06, entitled “Geothermal Energy System Standards,” is hereby amended to read as follows:

1468.06 GEOTHERMAL ENERGY SYSTEMS

Geothermal systems (also known as a ground source heat pump system) shall be regulated in the same manner as other accessory use structures and appliances with the following exception: (1) piping and geothermal fields are permitted in front lots or under parking areas so long as they are buried and not visible in the final site and landscaping plan; and (2) piping and geothermal fields shall have a minimum setback from property lines and public right-of ways of 10 feet. All other County, State and Federal codes and regulations shall apply.

SECTION II: That the heretofore existing 1468.06 of the Codified Ordinances of the City of Kirtland, previously enacted and in force, be amended by the passage of this ordinance, and is hereby replaced as set forth in Section I hereinabove.

SECTION III:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in

meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason to regulate the construction and use of geothermal energy systems within the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five members of Council and approval by the Mayor, otherwise this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2023.

ATTEST:

Approved by the Mayor this _____ day
of _____, 2023.

Clerk of Council
Amend 1468.06 – Geothermal Energy

Mayor Kevin F. Potter