

**Codification Proposal  
City of  
Sunbury, Ohio  
Code of Ordinances**



Richard C. Frommeyer  
Codification Consultant  
1-800-445-5588

# **AMERICAN LEGAL PUBLISHING CORPORATION PROPOSAL FOR THE City OF SUNBURY, OHIO**

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June 26, 2023

David J. Brehm  
Attorney  
6 S. Vernon Street  
Sunbury, OH 43074

Dear David:

Thank you for your interest and considering American Legal Publishing for your recodification project. Based on the information you provided me over the phone I have enclosed our proposal to Sunbury's code of ordinances. A recodification includes incorporating all permanent nature ordinances into a codified code book, updating your index and tables as needed, formatting the pages into a new typestyle and look, including the choice of a single or dual column print, and complete copies of the entire code book. It will also make the changes to the code from Village to City.

It will includes a legal review and written report by one of our staff attorneys. **We feel an accurate code reviewed and edited by an Ohio staff attorney is the most important part of any codification project.** We are the only codification company that will update state law changes on a yearly basis. Please call if you have any questions.

The project will be overseen by our law department. The review will uncover inconsistencies between sections in the code and inconsistencies with the code and state statutes. Additionally, there might be some reorganization and renumbering of the code if necessary. New binders and divider tabs are included in the price. There is also the option to receive the new code on a flash drive, downloadable (dropbox/FTP site). We also can place you code on the Internet. By having the code on the web during this pandemic it allows for citizens and staff to view the code without having to come into the City building and handling documents.

We welcome the opportunity to provide codification services for Sunbury 's municipal documents. I would be happy to setup a meeting to go over the agreement and provide a demonstration of our software in the near future. Should you have any questions about the proposal, please do not hesitate to call me.

Sincerely,



**Richard C. Frommeyer**

Codification Consultant  
American Legal Publishing  
A Member of the ICC Family of Solutions  
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800.445.5588 office  
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# AMERICAN LEGAL PUBLISHING ADVANTAGES AND BENEFITS

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## QUALIFICATIONS

- American Legal Publishing Corporation began as the codification division of the Anderson Publishing Company of Cincinnati in **1934**. We became a separate corporation in 1979. In 2007 we became an employee owned company.
- American Legal currently serves more than 3,400 local government clients across the country. Our clients range in size from Boston, New York City, Los Angeles, Cleveland, Chicago, Dallas, Fort Worth, Philadelphia and Salt Lake City to villages with populations under 500.
- American Legal currently serves over **800** cities and villages across the state. We work with Cleveland, Toledo, Reading, Dublin, Montgomery, and Bowling Green to name a few.
- We are the codification consultants to the International Municipal Lawyers Association and numerous state municipal leagues.

## LEGAL ANALYSIS

- Our legal staff's **Exclusive Editorial and Legal Report** details internal code inconsistencies as well as inconsistencies between your ordinances and state statutes and federal law. Our legal team consists of fifteen members with law degrees, including the president of the company. An attorney will provide your legal review. We are the only codification company that will use Ohio licensed attorneys on your project.
- We provide the **most comprehensive analysis** in the codification industry: outlining problems, providing you with alternatives, and allowing you to implement desired improvements.
- You receive the Editorial and Legal Report with the **draft** of your code, allowing you to review your code with the assistance of our detailed, written editorial analysis which will ultimately be reviewed with you at a conference in Sunbury. We are the only codification company that will update state law on a yearly basis.

## SUBJECT MATTER FORMAT

- We will arrange your ordinances according to logical subject matter. We group all of your land use ordinances together in one section, your business regulations together in one section, your administrative ordinances in another section, etc.
- We can offer you free **Model Ordinances** covering nearly any municipal topic to replace an outdated ordinance or to cover an area where you may not have an ordinance.

## TABLE OF SPECIAL ORDINANCES, PARALLEL REFERENCES AND INDEXING

- As part of your new code, we will create Tables of Special Ordinances covering such topics as annexations, zoning map changes, franchises, easements, etc. These ordinances will be listed in table form by ordinance number, date of passage, and will include a brief description of each ordinance.
- Your code will include Parallel Reference Tables that indicate which code sections are based on state statutes, where prior code sections appear in your new code, and a cross-reference of ordinance numbers to code section numbers.
- Our comprehensive index includes no dead ends when you search for a topic.

## **STYLE OPTIONS**

- We offer different timesteps for your code, single or dual column printing and various types of binders.

## **TIMELY DELIVERY AND FLEXIBLE BILLING**

- We will complete your code within 9 months (excluding your review time).
- We can work with you to schedule the project so that it meets your budgetary needs.
- We complete supplements within 45 days for yearly supplements or instantly.

## **RE-ORDERS AND PAMPHLETS**

- We have **no minimum** or maximum orders of extra copies of your code. You can call us at any time and order 1 or 1,000 additional copies of your code.
- You can order only as many codes as you need without having to worry about buying, storing and updating copies that you don't need.
- You can receive specific pamphlets for your police department, zoning department, etc.

## **COMPUTERIZATION OF CODE**

- You can receive your code downloadable and on a flash drive in Microsoft Word compatible at no additional charge.
- Access every word in your code in just seconds with our "open source" online searchable software. Your code can be linked to your meeting minutes and other municipal documents. We use open source software for the internet, and do all the conversion work ourselves; we have produced thousands of codes online.
- Users can customize their version by creating color highlights, bookmarks, notes, and pop-up links without affecting the original text.

## **SUBSCRIBERS SERVICE**

- American Legal can sell current copies of Sunbury 's code (printed and computer versions) via our "800" number directly to Law Firms, Developers and other outside parties.
- Our service relieves Sunbury of the burden of maintaining and updating inventory of codes and processing individual payments.

## **SUPPLEMENT SERVICE**

- Our fast and efficient supplement service will keep your code current in future years. Delivery is within 45 days or less for yearly updates and much quicker for instant updates. You can supplement as often as necessary - even after every council meeting.

## **SUBCONTRACTING**

- We do all editing, legal review, printing and computer/internet work inhouse and at one location.

## American Legal Publishing Security Features

American Legal Publishing provides monitoring services of our website 24 hours a day, 7 days a week, 365 days a year. The ALP website is hosted on a VMWare Esx cluster. We have 4 separate hosts that the virtual machines can run on. All 4 of these servers use VMWare High Availability. We also replicate these virtual machines to our Louisville datacenter every 4 hours. At our Colo the internet is a multi-provider based with 6 separate providers that is BGP load balanced and we are given a 99.999% uptime commitment. The Colo is a SOC-3 compliant datacenter for security purposes.

The facility is a hardened facility. We have offsite backups every day. We backup all our documents every night off site as well as an image level backup every hour. We have backup power and a fire suppression system at the facility. The facility is monitored 24 hours a day 7 days a week. There is a video monitoring system at the facility. Due to the number of large city clients we don't reveal the location of our servers or any additional information.

All standard maintenance is completed on Saturdays after 11:00 p.m. The website could go slow for a few seconds or a couple of minutes during maintenance. Over the last 365 days our uptime is 99.999%.

We have tools in place to monitor attacks or breeches. There is redundant power to the server and a redundant power supply to the facility should there be a catastrophic power outage. There are two different fire prevention and suppression systems in the building. Due to the nature of our business we don't offer any additional information in writing about our security systems. We would be happy to answer any additional questions over the phone.

In the event that our website is attacked or goes down because of malicious activity we are notified immediately that there is an issue by our facility. We provide notice to our clients by email or and in some cases phone calls detailing the problem and letting our clients know we are working on a solution. Once we determine the problem we work to get the website up and running as quickly as possible. We immediately put our backup plan in place and this includes uploading all our codes at our Louisville, Kentucky location so we can have our clients back on the web within 4-6 hours of the initial incident. We do provide all clients a copy of their code downloadable, on a disk, or flash drive that could be placed on their site that is searchable as well.

To get into the building where our servers are located you need to swipe a keycard and you need a security code for a keypad punch entry system. You then need a thumb print and other keypad punch code. Once inside the facility the servers are stored in a cage and another key code is needed to open the cage.

We have never experienced a security breach. However, in the event of a security breach we determine the severity of the breach and our next course of action. We would notify our clients of the breach if necessary by email or phone. In the meantime we immediately start our disaster recovery plans. We use our backup server and install all our online codes onto a safe and secured server at a different facility. This typically will take 4-6 hours.

American Legal Publishing announced a new search engine and web hosting site January 1, 2020. By the time your code project is finished we will have been on this new site for close to a year. American Legal has spent over one year developing a site to be even more user friendly and offer many additional services for our clients.

The website is open source (non-proprietary) so it will allow easy access for anyone to download and use the code in other programs or to just provide the code to its citizens, businesses, and staff in a useable format.

Our website auto-recognizes a device being used to access it and adjusts to fit the screen. Navigation icons condense under a drop-down menu when the screen is tablet sized or smaller. These include the Table of Contents; Code Version and Compare features (if applicable per client); Sharing icons (bookmark, print, share, download); and user control icons (search; login; google translate; help and back to Code Library).

Should you have additional questions, please feel free to give us a call.

## KEY PERSONNEL

***With 46 employees, our editorial support staff consists of more than 22 experienced editors skilled in the multiple disciplines required in providing codification services. Our typical editor is a college graduate with a degree in English, Journalism, or Law (15 staff members have law degrees). American Legal has a higher percentage of editors with Masters or Doctorate Degrees than any other national codification firm. Our staff includes a former City Law Director, Former City Councilmember, former City Mayor, and former Council President.***

*American Legal Publishing shall devote a team of our most experienced professionals to provide editing and codification services to Sunbury. The qualifications and role of each team member is described below, depending on production schedules the individuals could change:*

### **AIMEE CHOI - DIRECTOR OF NEW CODE DEPARTMENT**

**Qualifications:**

- Manages the production of American Legal's newest accounts and special projects
- Editor of many large and small cities including the City of Tucson, Arizona Code, San Bernardino County, California and Lake County, Illinois to name a few
- B.A., English/Creative Writing, Northern Kentucky University
- B.A., Journalism/Public Relations, Northern Kentucky University
- Over twenty-four years with American Legal

**Role:** Project manager for the City of Sunbury; responsible for overall project quality and for the successful completion and delivery of the project.

### **DARLENE FOLEY - EDITOR AND STAFF ATTORNEY**

**Qualifications:**

- Has extensive experience in the editing, supplementing and analysis of codes in Ohio as well as elsewhere including Cleveland and Toledo, Ohio.
- J.D., University of Cincinnati
- B.A., University of Cincinnati
- Over sixteen years with American Legal

**Role:** Will be main editor for the City of Sunbury.

### **LAURA MOSER - LEGAL REVIEW STAFF**

**Qualifications:**

- J.D., University of Cincinnati College of Law
- B.S., Tufts University
- Member of the Federal and Ohio Bar
- Over ten years experience with American Legal
- Formerly worked for Taft, Stettinus, and Hollister

**Role:** Responsible for providing the editorial and legal review for the City of Sunbury.

### **SARAH BAUER - DIRECTOR OF ELECTRONIC PUBLISHING**

**Qualifications:**

- Manages American Legal's Internet publishing department
- Project manager for high level clients
- B.A., English, Northern Kentucky University
- M.A. English, University of Cincinnati
- Over seventeen years with American Legal

**Role:** Responsible for production and placing Code on the Web; primary technical contact for the City.

**RICHARD C. FROMMEYER - CODIFICATION CONSULTANT**

- Qualifications:*
- Over twenty-eight years experience with American Legal Publishing.
  - B.S., University of Kentucky
  - Negotiated the contracts with Toledo, Reading, Bowling Green, Lima, Findlay as well as many other cities and villages in Ohio. Nationally worked with Forth Worth, Texas, Anaheim, CA, Cary, North Carolina, Lake and Will County, Illinois, the City of Charlotte and many more cities, towns, and counties across the country.
- Role:* Main contact person for contract negotiations

**Additional Legal Staff:**

**STEPHEN G. WOLF - CEO**

- J.D., University of Cincinnati College of Law.
- B.B.A., Management, University of Cincinnati.
- Former City Attorney of an Ohio city, and former Mayor.
- Over Thirty-five years with American Legal Publishing.

**RAY G. BOLLHAUER - PRESIDENT, CLIENT RELATIONS**

- J.D., University of Cincinnati College of Law
- B.A., Economics, University of Cincinnati
- Over twenty-five years with American Legal
- Past President of Council and a Councilmember.

**TODD MYERS - SUPPLEMENT DIRECTOR**

- J.D., University of Cincinnati College of Law (Law Review)
- B.S., Criminal Justice, University of Cincinnati
- Over twenty years with American Legal

**NILS HERDELIN- LEGAL EDITOR**

- J.D., Salmon P. Chase, College of Law
- B.A. Political Science, Western Kentucky University
- Member of the Ohio Bar Association



- Former Special Assistant Prosecutor in Campbell County, KY
- Over nine years with American Legal Publishing

### **LISA BRICKNER - LEGAL EDITOR**

- J.D., University of Cincinnati College of Law
- University of San Diego School of Law, Magdalen College
- B. A. Police Administration, Eastern Kentucky University
- University of Oxford, Oxford, England
- Over fifteen years with American Legal Publishing.

### **DEVON MOSER - LEGAL REVIEW STAFF**

- J.D., University of Cincinnati College of Law
- B.A. International Studies, Wright State University
- Army Cadet
- Over fifteen years with American Legal Publishing

### **MICHAEL FIELMAN - LEGAL EDITOR**

- J.D., Salmon P. Chase College of Law, Northern Kentucky University
- Law Review
- B.S. Finance, Miami University (Oxford, Ohio)
- Over twelve years with American Legal Publishing

### **BRANDI BUCHENAU - STAFF ATTORNEY**

- J.D., Salmon P. Chase School of Law
- B.A. Political Science, Northern Kentucky University
- Over three years with American Legal

### **KEVIN ROBERTS - STAFF ATTORNEY**

- J.D., University of Cincinnati College of Law
- B.S., Tufts University
- Member of the Federal and Ohio Bar
- Over thirty two years experience
- Formerly owned a law firm

### **LAURA MOSER - STAFF ATTORNEY**

- J.D., Chase College of Law, Northern Kentucky University
- B.A., Political Science, Northern Kentucky University, Cum Laude
- Member of the Federal Bar and Kentucky Bar
- Over ten years of experience working with Ohio clients

### **JOSEPH STENKEN- STAFF ATTORNEY**

- J.D., University of Cincinnati, College of Law
- B.A. Government Studies, Miami University
- Over five years experience in legal editing

### **RACHAEL HERRLE - STAFF ATTORNEY**

- J.D., University of Cincinnati College of Law
- B.A. English, Miami University
- Worked as an attorney in the Hamilton County Defender's office

## **American Legal Publishing Corporation Ohio Reference List**

Listed below are a few of the over 3,400 ordinance codification and online clients of American Legal Publishing Corporation. American Legal has over 800 clients in Ohio. Some of our nationally known clients include New York City, Albuquerque, Boston, Dallas, Fort Worth, Honolulu, Los Angeles, Philadelphia, Salt Lake City, San Diego County, and the City and County of San Francisco.

Cleveland, Ohio  
Clerk of Council  
(216) 664-4551

Bowling Green, Ohio  
Clerk of Council  
(419) 354-6206

Miamisburg, Ohio  
Clerk of Council  
(937) 866-3303

Toledo, Ohio  
City Clerk's Office  
(419) 245-1065

Cambridge, Ohio  
City Clerk  
(740) 439-2640

Dublin  
Clerk of Council  
(614) 761-6500

Westerville, Ohio  
Clerk of Council  
614-901-6410

Grove City, Ohio  
Clerk of Council  
(614) 277-3065

Reynoldsburg, Ohio  
Clerk of Council  
(614) 322-6836

West Alexandria, Ohio  
Clerk-Treasurer  
(937) 839-4168

Beavercreek, Ohio  
Clerk of Council  
(937) 426-5100

Middletown, Ohio  
City Clerk  
(513) 425-7831

## CODIFICATION COST AND SERVICE SUMMARY

American Legal Publishing proposes to codify the ordinances for the City of Sunbury, Ohio at the following price:

I. Base Cost \$16,200.00

*\*The actual page count may vary from the estimate or you might add new ordinances during the codification process. If the page estimate is low, the cost will be higher than the initial base cost.*

**Includes**

- a. Number of Copies of Sunbury Municipal's Code (includes binders and divider tabs) 5
- b. Legal Analysis
  - i. Research Internal Consistency
  - ii. Research State Law Consistency
  - iii. Legal and Editorial Research and Report
- c. Special Features
  - i. Tables of Special Ordinances
  - ii. Parallel References
  - iii. Comprehensive Index
  - iv. Tabular Matter (Tables, Charts, Graphs)
  - v. Code Downloadable ( MS Word compatible)
- d. Estimated Number Of Pages
  - 8½" x 11" Format
  - i. Single column (12 point type) up to 900 pages including Traffic and General Offenses
  - ii. Dual column (11 point type) up to 765 pages including Traffic and General Offenses

II. Variable Cost

- a. Per Page Increase rate should the finished page count go over the estimated amount
  - 8½" x 11" Format
  - i. Single Column \$18.00
  - ii. Dual Column \$21.00
- b. Shipping & Handling T.B.D.

III. Time to Completion

Number of Months Until Manuscript	4-7 months
Number of Months Until Completed Code (after return of manuscript)	1-3 months
Number of Days for Updated Supplements	45 days or less

IV. Optional Services that may be ordered:

a. Additional Copies of Code		
i. Cost per Extra Code with Binder		\$200.00
ii. Cost per Extra Code without Binder		\$170.00
b. Supplement Service		
8½" x 11" Format		
i. Single-column		\$20.00/per reprinted page
ii. Dual-column		\$23.50/per reprinted page
iii. Tables, charts, graphs, etc.		\$10.00 per page
c. We offer a Subscription Service to sell to citizens		Price T.B.D.
d. Pamphlets (With cardstock cover)		
Per Impression (Printed Page)		
i. 1-50 copies		7.5 ¢
ii. 51-99 copies		7.0 ¢
iii. 100 copies or greater		6.5 ¢
iv. Pamphlet Binders		\$11.50 each
e. Web Based Search and Retrieval Software		
<u>Documents on the Web on Publisher's website:</u>		
i. Initial rebuilding of the Code of Ordinances		\$1,000.00.
ii. Future Supplements of Web Based Code (cost is includes the editing charge for printed pages):		
• Annual update	• Six month updates	
• Quarterly updates	• Monthly updates	
(online update is in conjunction with update to printed supplement)		
iii. Phone Support		No Extra Charge
<u>Optional Services:</u>		
i. On-Site Installation & Training (not necessary)		\$695.00/day + travel
ii. Web based Training (not necessary)		\$95.00 an hour minimum fee of \$200.00
iii. Additional copies of a flash drive of the code in a searchable format		\$75 each
iv. Code can be downloaded off our website or from FTP/Dropbox		<b>No charge</b>
f. Code on the Web (after initial 1st year build and placement on the Web)		\$500.00 per year
g. Access and Search other codes on American Legal Publishing's Website		No charge
h. Advance Legislative Service		\$10.00 per ordinance
i. New Ordinance Notification Service		\$7.00 per ordinance
j. Comprehensive Ordinance List		\$15.00 per ordinance

- I. History Linking Service \$10.00 per ordinance
- I. Definition Links Service \$95.00 an hour
- m. Archived Codes Online Service Annual Service \$50, Quarterly Service \$100, Monthly \$250.00
- n. Custom Banner Service (Must review the files, in many cases it will be free) Price T. B. D.
- o. Online Meeting Minutes (send in minutes for actual price quote) \$1.00 per page or more

V. **Terms (can be budgeted over two fiscal years)**

- i. Forty percent (40%) due upon acceptance of this agreement.
- ii. Forty percent (40%) within 30 days of receiving the draft.
- iii. Pay for any additional services 30 days after receiving and delivery of the completed additional services and receiving an invoice.

## **CODIFICATION AGREEMENT**

June 26, 2023

Sunbury, a municipal corporation in the State of Ohio ("Municipality") and American Legal Publishing, LLC, ("Publisher"), agree as follows:

### **I. THE PUBLISHER SHALL:**

- (1) Examine the Municipality's Charter (if any), and prior code of ordinances (if any), and all ordinances or resolutions provided by the Municipality and determine which materials are to be codified.
- (2) Utilize its staff of attorneys to review all materials to be codified and prepare a written report for the County attorney.
  - (a) The report may include notice of and suggestions for resolving the following:
    - Apparent conflicts with referenced state and federal statutes and administrative regulations;
    - Repealed, renumbered, or obsolete state and federal statutes and administrative regulations;
    - Apparent conflicts with prominent federal case law; and Internal discrepancies such as duplications, ambiguities, and obsolete terminology.
  - (b) Suggest new provisions which the Municipality should consider including in the new code, and delete old provisions which are no longer necessary or which might be improper or unlawful.
  - (c) The review will not involve re-drafting of entire chapters by the Publisher. However, the Publisher will provide model ordinances to the Municipality upon request if available.
  - (d) At the option of the Municipality, hold a manuscript conference with Municipality representatives to review the report. The Municipality will not be billed for time of the American Legal staff attorney if it chooses this option, but will be billed for travel expenses.

Note: The review performed by the Publisher should not be considered as a substitute for the competent advice of your Municipal Attorney, especially based on his/her in-depth knowledge of the Municipality practices and procedures, and American Legal Publishing is in no way assuming the role of attorney for the Municipality. Land Use sections of the code are especially specific to the locality and are thus only subject to cursory review and comparison with the rest of the code. (A sample Report is attached to indicate the type of comments that are likely to be contained in the report for Sunbury.)
- (3) Classify all ordinances and resolutions which are of a general and permanent nature into titles, chapters, and sections, according to subject matter.
- (4) Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the Municipal Attorney.



- (5) Prepare:
- (a) Title, chapter, and section headings.
  - (b) A table of contents and sectional analysis for each chapter.
  - (c) A legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Publisher.
  - (d) Statutory cross-references to sections of the state statutes and to other pertinent parts of the Code where applicable. These references shall appear at the end of the section to which they apply.
  - (e) Tables of Special Ordinances listing chronologically those ordinances in certain subject areas that the Municipality finds to be pertinent.
  - (f) Parallel Reference Tables showing:
    - 1. The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).
    - 2. A listing of code sections based on state statutes (Statute to Code).
    - 3. A listing of prior code sections incorporated into the new code if applicable (Old Code to New Code).
  - (g) An index (which will be created after the first draft of the Code is submitted).
- (6) Provide the Municipality with model or sample ordinances when available and upon request, at no additional charge.
- (7) Deliver to the Municipality, within seven months from receipt of the materials deemed necessary by the Publisher to begin the codification (prior code, ordinances and new code questionnaire), one copy of a draft of the Code for the Municipality's examination.
- (8) If necessary, hold a conference to make final corrections, additions, and deletions to the Code. The Municipality will be billed for the travel expenses of the American Legal staff attorney. The Municipality may present changes to pages of the draft at the conference. After the final conference, no additional changes are to be made. Any further changes, additions, or deletions shall be made in the future supplements to the Code in accordance with III(3) of this Agreement. When the draft, and any changes thereto made by the Municipality, is returned to the Publisher, such return of the draft shall be deemed final authorization by the Municipality to publish the Code as returned. If additional conferences are requested by the Municipality which require the travel of a member of the staff of the Publisher, then the Municipality shall be advised what the additional cost, if any, for such conference will be.
- (9) Deliver to the Municipality, within three months of receipt of the corrected draft, 5 printed copies of the Code meeting the following specifications:
- (a) Type to be single or dual column, at the option of the Municipality
  - (b) Page size to be 8½" x 11"
  - (c) Printed on high quality paper

(d) All copies to be in hard-covered, 3-ring, loose leaf binders. All binders shall have the Municipality's name stamped in gold and shall contain divider tabs.

(10) Provide a sample adopting ordinance to the Municipality.

**II. THE MUNICIPALITY SHALL:**

- (1) The Municipality will provide clear copies of all materials necessary to perform the codification, including an up to date copy of any previously published code of ordinances, copies of ordinances and pertinent resolutions not previously codified, and a completed New Code Questionnaire (provided by the Publisher). (If the Municipality provides meeting minutes to the Publisher to review for legislation contained therein rather than actual ordinances or resolutions, there will be an additional charge of \$45.00 an hour to extract ordinances or resolutions from the minutes for use in the new code.)
- (2) After receipt of the draft of the code and legal report described in paragraph I (2), the Municipality shall have 90 days to review the draft and report and to return to the Publisher its comments about the draft and its answers to the legal report. In the alternative, if the Municipality opts for the legal conference described in paragraph I (9), it must contact the Publisher within 90 days to set up a meeting date. The meeting, itself, need not occur within the same 90 day period. If the Municipality fails to either return its comments and answers to the legal report within 90 days or, if applicable, to set up a meeting date, the Municipality may request that the Publisher extend the deadline in writing. The Publisher may adjust the contract price to cover any increased costs due to the Municipality's delay.
- (3) The Publisher agrees to include in the final version of the Code all ordinances adopted by the Municipality up to the time the manuscript is originally due back to the Publisher under the provisions of (2) above. The Municipality agrees that any ordinances adopted after this date shall be included at the Publishers' supplement rates (as set out in paragraph III(3)(b)) at the time of the inclusion of these ordinances into the code.
- (4) (a) Pay to the Publisher for shipping of the final code order as a base price, the sum of \$16,200.00 for its services set out in Section I, payable as follows:

Pay forty percent (40%) due upon acceptance of this agreement and provided invoice.  
Pay forty percent (40%) within 30 days of receiving the draft.  
Pay the balance and for any additional services 30 days after receiving and delivery of the completed additional services and receiving an invoice.

If the code page contains an image (diagram, photograph, chart, graph, etc.) or table, there is an additional \$10.00 per page rate.

(b) The price above is based upon a code of the following number of pages according to the format option chosen by the Municipality. Should the final page count be more pages than this estimate, the base price will increase accordingly at the time of the final invoice:

FORMAT	NUMBER OF PAGES	INCREASE
8½" x 11" Single-column page 12 point font	up to 900 including Traffic & General Offenses	\$18.00 per page
8½" x 11" Dual-column page 11 point font	up to 765 including Traffic & General Offenses	\$21.00 per page

- (5) Pay any invoices within 30 days of the invoice date. Invoices outstanding beyond the 30 day period shall be subject to a late payment equal to 1.5% of the unpaid balance per month, or part thereof.

**III. OPTIONAL SERVICES.**

The Municipality, by the initials of the person executing the agreement on its behalf, exercises the following options:

- |  |         |
|--|---------|
|  | INITIAL |
| (1) <u>Code Format:</u> (Initial one only)   |         |
| (a) Single-column format   | _____   |
| (b) Dual-column format   | _____   |
| (2) <u>Additional Copies of Code:</u> number of copies _____ (with binders: Yes or No) | _____   |

The Municipality may purchase additional codes at (*circle one*): \$200.00 per copy with a binder or \$170.00 without a binder.

- (3) Five year supplemental service plan: \_\_\_\_\_

For a period of five years after delivery of the code:

(a) The Publisher shall:

1. Incorporate into the code new pertinent ordinances submitted by the Municipality.
2. Revise or make additional entries to the table of contents, parallel reference tables, and index as necessary to reflect the incorporation of additional, changed or deleted material.
3. Within 45 days, deliver to the Municipality 10 printed copies of supplemental pages with an instruction sheet for directing the placement of the new pages in the code.

(b) The Municipality shall:

1. Provide a copy of ordinances or resolutions passed subsequent to publication of the previous code supplement;
2. Pay to the Publisher the sum of \$20.00 per reprinted single column page or \$23.50 per reprinted dual column page, plus shipping and handling.

The prices above are for a five-year period and cannot be changed except for adjustments in the second, third, fourth, and fifth years of this agreement to reflect any decrease or increase in the United States Consumer Price Index calculable from the month of delivery of the Code.

If the code page contains an image (diagram, photograph, graph, etc.) or table, there is an additional \$10.00 per page charge.

- (c) Upon completion of the five-year period, this agreement shall automatically renew itself from year to year except that either party may alter or cancel the terms of this agreement at any time upon ninety days written notice.

(4) Code Downloadable or on Flash Drive (word processing program): \_\_\_\_\_

At no additional charge, the Publisher will provide the code downloadable in one of the following formats (*circle one*) at no charge: WordPerfect or Microsoft Word compatible

If requested the code can be provided on a flash-drive for \$75.00.

(5) Subscribers Service: \_\_\_\_\_

The Publisher will operate a subscription service upon the Municipality's request as follows:

- (a) After the Publisher determines production cost and shipping and handling charges, the Municipality has the right to set the total price of the codes for the subscribers. The difference will be credited to the Municipality's future supplement invoices.
- (b) Subscribers can be charged in advance or at time of shipment if they wish to subscribe to the supplements. The total cost for this subscription will be for a year's worth of supplements.
- (c) Subscribers of the complete code will be required to pay in advance of shipment by check or credit card.
- (d) The Publisher will incur all mailing costs for the marketing of the code. Order forms with an announcement of the codes and supplement service availability will be included in this mailing.
- (e) Any law firms, realtors, businesses, libraries or other interested parties contacted may inquire about code orders by using the Publisher's toll-free number.
- (f) The Publisher will print subscribers' orders as needed, and will not require the Municipality to either pre-purchase copies or store extra copies.

(6) Pamphlets:

(a) Pamphlets, sized for 8½" x 11" copy, containing component parts of a Code, with a cardstock cover, may be ordered: (*circle desired topic and insert number of copies*):

Charter	# of copies	_____	_____
Traffic/General Offenses Code	# of copies	_____	_____
Zoning Code	# of copies	_____	_____
Subdivision	# of copies	_____	_____
All Land Use Regulations	# of copies	_____	_____
Other _____	# of copies	_____	_____

(b) Cost:

1-50	copies of pamphlet	— .075 per printed page
51-99	copies of pamphlet	— .070 per printed page
100 or more	copies of pamphlet	— .065 per printed page

(c) Optional 3-ring pamphlet binders (\$20.00 each) \_\_\_\_\_

(d) Pocket sized pamphlets are available at rates to be agreed upon.

(7) Web based Search and Retrieval program:

(a) The Publisher shall build the Municipality's code into a web based format on the Publisher's website. Publisher will provide a link for the Municipality to link to the site for \$1,000.00. (This is the fee for the first year.) \_\_\_\_\_

(b) Future Web Supplements (cost included in editing charge for printed pages): \_\_\_\_\_  
Initial one below:

Web Updates: \_\_\_\_\_ annually    \_\_\_\_\_ six months    \_\_\_\_\_ quarterly    \_\_\_\_\_ as ordinances pass

Printed Books Updates: \_\_\_\_\_ annually    \_\_\_\_\_ six months    \_\_\_\_\_ quarterly    \_\_\_\_\_ as ordinances pass

(assumes Web update is in conjunction with update to printed supplement)

(c) Optional On-Site Installation & Training (not necessary) \_\_\_\_\_  
at \$695.00/day + Travel Expenses.

or Optional Web Based Training (not necessary) \_\_\_\_\_  
at \$95.00/an hour with a minimum charge of a \$200.00.

(d) Code on the Web (after initial build and first year charge) at \$495.00 per year. \_\_\_\_\_

(e) Access and Search other codes on American Legal Publishing's Website                      No charge

(f) Advance Legislative Service (PDF): As new ordinances are passed they will be added to the New Ordinance List. This list will have the latest ordinances listed by date passed. Once ordinances are supplemented this list will be cleared. An ordinance can post on the same day. The cost for this service is \$10.00 per ordinance. If the entire ordinance needs to stay online then chose our other service called Comprehensive Ordinance List. \_\_\_\_\_

(g) New Ordinance Notification Service: As new ordinances are passed, American Legal will place a New Ordinance Notice that this code section has been amended. Once the ordinance is supplemented into the code of ordinances the Notice will be removed. The cost for this service is \$7.00 per notice. This service is usually combine this service with the Advance legislative Service or the Comprehensive Ordinance List. \_\_\_\_\_

(h) Comprehensive Ordinance List: As new ordinances are passed they will be added to the Comprehensive Ordinance List. This list will have the latest ordinances listed by year. The ordinances will be highlighted in yellow until they are added to the code book. All ordinances can be listed, even ones that are not usually codified such as annexation, variances, budget, and other miscellaneous ordinances. The ordinance is linked to a pdf copy of the original ordinance. The price for this service is \$15.00 an ordinance. If you store the ordinances on the Municipality website there is no storage cost. If ordinances are stored on ALP website a price will be determined each year based on the number of ordinances stored on American Legal Publishing's site. The cost will be \$50.00 per year for additional storage. \_\_\_\_\_

(i) History Linking to Original Ordinance: American Legal Publishing can link a PDF version of your original ordinance to the history section of your online code. The cost for this service is \$10.00 ordinance. \_\_\_\_\_

(j) Definition Links Service: American Legal will build defined term links        or pop up boxes to any word requested by the Municipality. Many counties like this service so that a user can see the definition of the word without going back to the defined terms section of the code. This service is available for the Code of Ordinances and the Land Development Code. The cost for this service is \$95.00 an hour. \_\_\_\_\_

- (k) Archived Codes Online Service: American Legal Publishing can store previous versions of your code and or supplements online for research purposes. The yearly cost for this service will be \$50 for annual updates, \$100 for Quarterly updates, and Monthly \$250 \_\_\_\_\_
- (l) Custom Banner Services: American Legal can make your online code look just like the counties website. The cost for this service is based on the files that are provided by the Municipality. The typical fee is \$50.00, which is a one time.. Please send the files for an actual price.
- (n) Online Meeting Minutes Service: American Legal can store meeting minutes as well as other documents online. Your minutes, resolutions, annexations can all be placed online and indexed for \$1.00 per page provided to publisher in a format set by Publisher. \_\_\_\_\_

**IV. TRANSMITTAL AS OFFER.**

The transmittal of this Agreement to the Municipality is an offer by the Publisher to perform the stated services at the prices and terms referenced within the Agreement. This offer will expire if not executed by the Municipality by July 30, 2023, unless such date is extended in writing by the Publisher.

IN WITNESS WHEREOF the parties to this contract have hereunto set their hands on the date(s) indicated:

City of Sunbury, Ohio

American Legal Publishing Corporation, LLC

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title Ray Bollhauer, President

Date \_\_\_\_\_

Date \_\_\_\_\_

**CHAPTER 71: TRAFFIC REGULATIONS**

Section

*General Provisions*

- 71.01 Speed limit in city alleys
- 71.02 Operation of motor vehicles on unpaved public or private property prohibited

*Motorcycles; Motor Scooters and Motor Bikes*

- 71.25 Safety helmet or headgear required
- 71.26 Operator's permit required

- 71.99 Penalty

***Cross-reference:***

*Speed limits on designated streets, see Chapter 76, Schedule I*

*Citations for traffic and parking violations, see §§ 72.150 through 72.157*

**GENERAL PROVISIONS**

**§ 71.01 SPEED LIMIT IN CITY ALLEYS.**

(A) For purposes of this chapter an **ALLEY** shall mean every street or way within a block, which is set apart for public use, vehicular traffic and local convenience. ('72 Code, § 34-4)

(B) No person shall drive a motor vehicle upon any alley in the city at a speed in excess of ten miles per hour. ('72 Code, § 34-5)  
(Ord. 2087, passed 2-5-80; Am. Ord. O-87-72, passed 12-23-87) Penalty, see § 71.99

**§ 71.02 OPERATION OF MOTOR VEHICLES ON UNPAVED PUBLIC OR PRIVATE PROPERTY PROHIBITED.**

(A) It shall be unlawful for any person to operate a motor vehicle, as defined by the Florida Uniform Traffic Control Law, F.S. Chapter 316, as may be amended from time to time, on any unpaved public property, or on any paved or unpaved shoulder of a public road.

**CHAPTER 71: TRAFFIC REGULATIONS**

Section

**§ 71.02 OPERATION OF MOTOR VEHICLES ON UNPAVED PUBLIC OR PRIVATE PROPERTY PROHIBITED.**

*General Provisions*

- 71.01 Speed limit in city alleys
- 71.02 Operation of motor vehicles on unpaved public or private property prohibited

(A) It shall be unlawful for any person to operate a motor vehicle, as defined by the Florida Uniform Traffic Control Law, F.S. Chapter 316, as may be amended from time to time, on any unpaved public property, or on any paved or unpaved shoulder of a public road.

*Motorcycles; Motor Scooters and Motor Bikes*

- 71.25 Safety helmet or headgear required
- 71.26 Operator's permit required

(B) It shall be unlawful for any person to operate a motor vehicle on any unpaved private property, not owned by the operator or his immediate family, without the express written consent of the owner, lessee, tenant or other person entitled to possession and use of such premises; said written consent to be carried on the operator's person.

71.99 Penalty

**Cross-reference:**

*Speed limits on designated streets, see Chapter 76, Schedule I*  
*Citations for traffic and parking violations, see §§ 72.150 through 72.157*

(C) The foregoing provisions shall not apply to the following:

**GENERAL PROVISIONS**

**§ 71.01 SPEED LIMIT IN CITY ALLEYS.**

(A) For purposes of this chapter an **ALLEY** shall mean every street or way within a block, which is set apart for public use, vehicular traffic and local convenience. ('72 Code, § 34-4)

(1) A licensed and franchised public utility in the conduct of its business;

(2) Any federal, state or local governmental

(3) Any licensed emergency vehicle;

(B) No person shall drive a motor vehicle upon any alley in the city at a speed in excess of ten miles per hour. ('72 Code, § 34-5)  
(Ord. 2087, passed 2-5-80; Am. Ord. O-87-72, passed 12-23-87) Penalty, see § 71.99

(4) Any situation where such operation is necessary to avoid collision with other traffic;

(5) Where such operation is in compliance with other laws or the directions of a law enforcement officer or official traffic-control devices.('72 Code, § 34-13) (Ord. O-73-51, passed 6-27-73) Penalty, see § 71.99



## **AMERICAN LEGAL PUBLISHING CORPORATION SEARCH & RETRIEVAL WEB SOFTWARE**

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Following is information on our web search and retrieval program American Legal offers. Our open source software allows you to create electronic text as well as access any section, word, or reference in that text (i.e. your code or meeting minutes) instantaneously. The website also provides you with a complete word index. Every word in your code is catalogued.

With our web based software you can conduct searches by word, phrase, section number, date, or anything you want. You can also perform stem searches when you are not sure of the ending of the words you want to find, proximity searches (e.g. find "penalty within 5 words of jail"), and more. You can also do searches by title, chapter, table of contents, and in multiple files (such as in the Code of Ordinances, Charter, Council Minutes, and any other documents in our Web based format) at the same time. Additionally, our software allows each user to customize his or her version by creating a user account with bookmarks and notes within the text without affecting the origin document.

**American Legal Publishing can provide your  
Code and other material on the web, downloadable, on a flash drive.**