



Pat Moeller

Mayor

Eric Pohlman
Vice Mayor

Carla Fiehrer
Council Member

Susan Vaughn
Council Member

Michael Ryan
Council Member

Timothy Naab
Council Member

Robert Brown
Council Member

3 Public Hearings

Call to Order

Offering of Prayer – Council Member Carla Fiehrer

Pledge of Allegiance

Special Presentations by City Council or the City Manager/ Proclamations/ Verbal Reports

1. Coronavirus/Covid-19 Presentation Update by Health Commissioner Kay Farrar
2. National Public Works Week Proclamation by Director James Williams
3. Fourth of July Presentation by City Manager Joshua Smith
4. Street Levy Curb and Gutter Assessment Presentation

Audience of Citizens

Individuals who wish to make comments regarding items scheduled on the Agenda may speak during this part of the agenda or may reserve the right to speak specifically when that item is up for a vote on Council floor. Individuals who wish to speak regarding items not specifically scheduled may do so at this time. All individuals who intend to address City Council are required to sign in at the table in the back of the room. Each speaker is allowed 5 minutes.

For the time being only those who wish to speak regarding a specific agenda item will be permitted to give their comments in person. If Citizens wish to have an issue addressed by City Council or City Administration they should email those questions or comments to the City Clerk at: nick.garuckas@hamilton-oh.gov. The City Clerk may read your comments into the record during the appropriate Council Meeting. If comments are submitted far enough in advance of an upcoming meeting, an official City response may also be read into the record. You must still provide your name and address for the record. Please be concise with potential comments.

Consent Agenda

The Consent Agenda is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Agenda. Anyone may request an item on this calendar to be "pulled" off the Consent Agenda and considered separately. Agenda items pulled from the Consent Agenda will be considered separately under Pulled Consent Items.

- Approval of Minutes
- All Staff Reports
- Receive and File Council Information
- Caucus Reports
- [Informational Report – April 2020 Monthly Financial Report](#)
- [Informational Report – April 2020 Monthly Investment Report](#)

Committee of the Whole

The Committee of the Whole is intended to allow the City Council to consider all reports on the Consent or Caucus Agendas under suspended rules that would normally apply to the City Council. City Council may ask questions, provide direction, or comment on reports.



Unless City Council states otherwise this section of the agenda will not be held at this time.

Caucus Agenda May 27, 2020

1. [Recommendation Relative to **Filing an application to the Council of the City of Hamilton, Ohio for the expansion of Hamilton’s Designated Outdoor Refreshment Area \(DORA\) and the amendment of the regulations associated with the DORA. \(City of Hamilton, Applicant\).**](#)
2. [Recommendation Relative to **the Disposition of Land Bank property at 123 & 127 Pershing Avenue, Hamilton, Ohio 45011.**](#)
3. [Recommendation Relative to **the Disposition of Land Bank property at 412 Hudson, Hamilton, Ohio 45011.**](#)
4. [Recommendation Relative to **the Disposition of Land Bank property at 610 South Fourth Street, Hamilton, Ohio 45011.**](#)
5. [Recommendation Relative to **the Disposition of Land Bank property at 904 N E Street, Hamilton, Ohio 45013.**](#)
6. [Recommendation Relative to **the Disposition of Land Bank property at 2141 Benninghofen Avenue, Hamilton, Ohio 45015.**](#)
7. [Recommendation Relative to **a Request for a Final Plat approval for Hickory Woods, Block “D” Subdivision, located at 1 East Persimmon Drive, situated in the First Ward, South Side, Hamilton, Ohio \(David P. Long of Alum Cliff Industries, LLC., Applicant\).**](#)
8. [Recommendation Relative to **adding the position classification of Systems Engineer within the Department of Infrastructure.**](#)

Public Hearings

5. [A Public Hearing regarding amendments to certain sections of Zoning Ordinance No. 7503, Section 1121.00 “B-2 Community Business District”; Section 1122.00 “B-3 Central Business District” Section 1123.00 “I-1 Limited Industrial District” and Section 1124.00 “I-2 - Industrial District”. \(City of Hamilton, Applicant\).](#)
6. [A Public Hearing regarding amendments to certain sections of Zoning Ordinance No. 7503, Section 1111.00 “Commercial Design Standards”, Section 1110.00, “Residential Design Standards”, Section 1130.00, “Special Provisions of the Zoning Ordinance”. \(City of Hamilton, Applicant\).](#)
7. [A Public Hearing regarding amendments to certain sections of Zoning Ordinance No. 7503, related to medical clinics, inpatient rehabilitation facilities, and supportive housing. \(City of Hamilton, Applicant\).](#)



These icons illustrate which strategic goals Council Actions align to

Work	Live	Play
 <p>Generate \$125 mm in new private investment</p>	 <p>Exceed total county growth rate median home sale prices</p>	 <p>Generate \$40mm in investment for recreational amenities</p>
 <p>Increase gross wages paid by Hamilton employers by \$100mm</p>	 <p>General Operations & Government Business</p>	 <p>Engage 500,000 participants in special events, arts, & recreation activities</p>

Council Actions Pertaining to Legislative Items:

Pending Legislation:

8. [An ordinance vacating a portion of Short Street Alley, portion located at 1157 Central Avenue, situated in the Second Ward, City of Hamilton, Butler County, Ohio. \(City of Hamilton, Applicant\). \(Second Reading\).](#) 
9. [An ordinance to approve the Final Plat for 1157 Central Avenue \(Dedication of Part of Lot 26270 & Vacation of part of an existing 12' wide Alley\), situated in the Second Ward of the City of Hamilton, Butler County, Ohio. \(Hamilton Convenience, LLC, Property Owner\). \(Second Reading\).](#) 
10. [An ordinance authorizing the execution of the Excess Energy Sales Schedules with American Municipal Power, Inc. \(AMP\). \(Second Reading\).](#) 

New Legislation:

11. [An ordinance amending certain sections of Zoning Ordinance No. 7503, Section 1121.00 “B-2 Community Business District”; Section 1122.00 “B-3 Central Business District” Section 1123.00 “I-1 Limited Industrial District” and Section 1124.00 “I-2 - Industrial District”. \(City of Hamilton, Applicant\). \(First Reading\).](#) 
12. [An ordinance amending certain sections of Zoning Ordinance No. 7503, Section 1111.00 “Commercial Design Standards”, Section 1110.00, “Residential Design Standards”, Section 1130.00, “Special Provisions of the Zoning Ordinance”. \(City of Hamilton, Applicant\). \(First Reading\).](#) 



13. [An ordinance amending certain sections of Zoning Ordinance No. 7503, related to medical clinics, inpatient rehabilitation facilities, and supportive housing. \(City of Hamilton, Applicant\). \(First Reading\).](#) **I P 0**
14. [An ordinance approving, adopting, and enacting the 2020 Replacement Pages to the 1998 Codified Ordinances of the City of Hamilton, Ohio, and repealing matters in conflict therewith. \(First Reading\).](#) **0**
15. [A resolution authorizing and directing the use of street property tax funds to pay for curb and gutter assessment through the duration of the street levy.](#) **P 0**
16. [A resolution ordering the resurfacing of streets and concrete where necessary and appropriate on various streets and avenues in the City of Hamilton, Ohio, and amending Resolution No. 2020-2-10 to eliminate the assessment of curbs and gutters. \(2019 Concrete Repair and Resurfacing Program – Assessment Roll\).](#) **P 0**

Audience of the City Manager

Audience of City Council

Executive Session

Adjournment



City Council Meeting Informational Report

TO: The Honorable Mayor and Members of the City Council
FROM: Dave Jones, Finance Director
RE: APRIL, 2020 MONTHLY FINANCIAL REPORT TO COUNCIL

Dear Mayor and Members of Council:

This report is provided for your information and requires no City Council action.

Choose Strategic Goal(s)

- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- E** Engage 50,000 participants annually in special events, arts and recreation activities
- O** General Operations/ Government Business





HAMILTON OHIO

MONTHLY FINANCIAL REPORT
TO THE CITY COUNCIL

Prepared by the Department of Finance

APRIL 30, 2020

INCOME STATEMENT GENERAL FUND
MONTH ENDING April 30, 2020
(Budgetary Basis)

Comparative Revenue

Description	Revenue This Month Current Year	Revenue Year To Date	Revenue Prior Year To Date	Revenue Estimated	% Est Received
General	\$2,488,201.92	\$10,484,760.18	\$10,671,364.54	\$30,699,750.00	34.15%
Public Works	0.00	243.00	3,735.12	4,200.00	5.79%
Police	64,539.79	311,238.40	207,438.21	857,750.00	36.29%
Fire	181,083.13	656,760.44	669,092.26	1,908,000.00	34.42%
Public Health	25,683.50	295,764.27	242,583.30	443,200.00	66.73%
Parks & Recreation	5,562.91	22,823.12	14,965.49	100,000.00	22.82%
Municipal Court	54,141.41	243,348.47	281,192.34	905,175.00	26.88%
Construction Services	353,116.27	566,682.93	265,719.81	714,320.00	79.33%
Planning	3,965.00	13,170.00	11,950.00	46,500.00	28.32%
Transfer In	0.00	0.00	0.00	0.00	0.00%
Proceeds From Debt	0.00	0.00	0.00	0.00	
Reimbursement of Expense	706,085.10	3,155,031.12	3,006,767.12	12,230,505.00	25.80%
TOTAL REVENUES	\$3,882,379.03	\$15,749,821.93	\$15,374,808.19	\$47,909,400.00	32.87%

Comparative Expenditures

Description	Expenditures This Month Current Year	Expenditures & Encumbrances Year To Date	Expenditures & Encumbrances Prior Year To Date	Budget This Year	Budget Used %
City Council	\$8,781.98	\$30,119.61	\$24,623.82	\$80,856.00	37.25%
City Clerk	6,535.70	26,343.08	23,585.38	103,311.00	25.50%
Municipal Court	192,620.48	780,691.02	650,786.77	2,138,296.00	36.51%
City Manager	35,987.46	181,978.35	155,313.24	425,945.00	42.72%
Department of Neighborhoods	23,973.05	104,049.09	0.00	411,947.00	25.26%
Construction Services	40,817.20	192,684.18	226,558.04	558,270.00	34.51%
Planning	35,424.00	278,781.12	254,833.46	734,559.00	37.95%
Law	77,757.21	300,773.45	328,751.51	894,296.00	33.63%
Human Resources	0.00	0.00	\$122.09	0.00	
Civil Service	35,516.87	152,415.44	142,559.82	531,425.00	28.68%
Finance - Administration	85,007.46	350,851.02	345,373.10	1,167,153.00	30.06%
Finance - Purchasing	28,045.60	83,411.27	84,911.88	291,881.00	28.58%
Finance - Building Services	12,567.42	123,074.30	198,024.41	345,667.00	35.60%
Finance - Taxation	41,090.00	219,784.86	182,372.58	609,500.00	36.06%
Finance - Utility Cashiers	9,091.29	41,253.38	47,432.44	136,873.00	30.14%
PW - Administration	13,322.41	83,006.06	76,618.56	184,798.00	44.92%
PW - Engineering	38,773.37	175,383.17	174,592.55	606,773.00	28.90%
PW - Traffic Engineering	14,959.82	69,695.17	67,308.40	218,528.00	31.89%
PW - Signal	23,220.89	136,665.54	127,499.58	295,274.00	46.28%
Police	1,191,633.69	5,226,547.20	4,986,286.51	16,351,213.00	31.96%
Bldg Maint - Criminal Justice	11,618.28	88,036.13	134,517.17	166,875.00	52.76%
Corrections	0.00	1,440.00	154,080.44	1,440.00	100.00%
Fire	808,575.16	3,490,283.85	3,405,940.42	11,259,656.00	31.00%
Fire Building Maintenance	14,849.86	165,424.37	198,889.17	261,018.00	63.38%
EMT/Paramedic Levy Expenditures	265,134.81	1,286,893.18	1,168,195.59	2,450,779.00	52.51%
Health - Administration	72,016.46	237,278.55	216,880.64	599,403.00	39.59%
Environmental Health	39,185.92	178,907.33	220,714.78	570,862.00	31.34%
Nursing	0.00	16,192.60	48,061.36	144,308.00	11.22%
Special Approp - General	442,134.24	3,197,041.64	4,896,559.50	4,282,018.00	74.66%
Special Appropriations	41,032.83	690,618.04	667,010.66	1,293,275.00	53.40%
Income Tax Refunds	24,068.64	112,879.63	111,495.99	480,000.00	23.52%
Transfers Out	110,789.13	556,510.38	239,019.65	1,747,906.00	31.84%
CDBG Expense	15,662.50	18,796.16	(10,179.42)	50,000.00	37.59%
TOTAL EXPENDITURES	\$3,760,193.73	\$18,597,809.17	\$19,548,740.09	\$49,394,105.00	37.65%
FUND NET GAIN / LOSS	\$122,185.30	(\$2,847,987.24)	(\$4,173,931.90)	(\$1,484,705.00)	

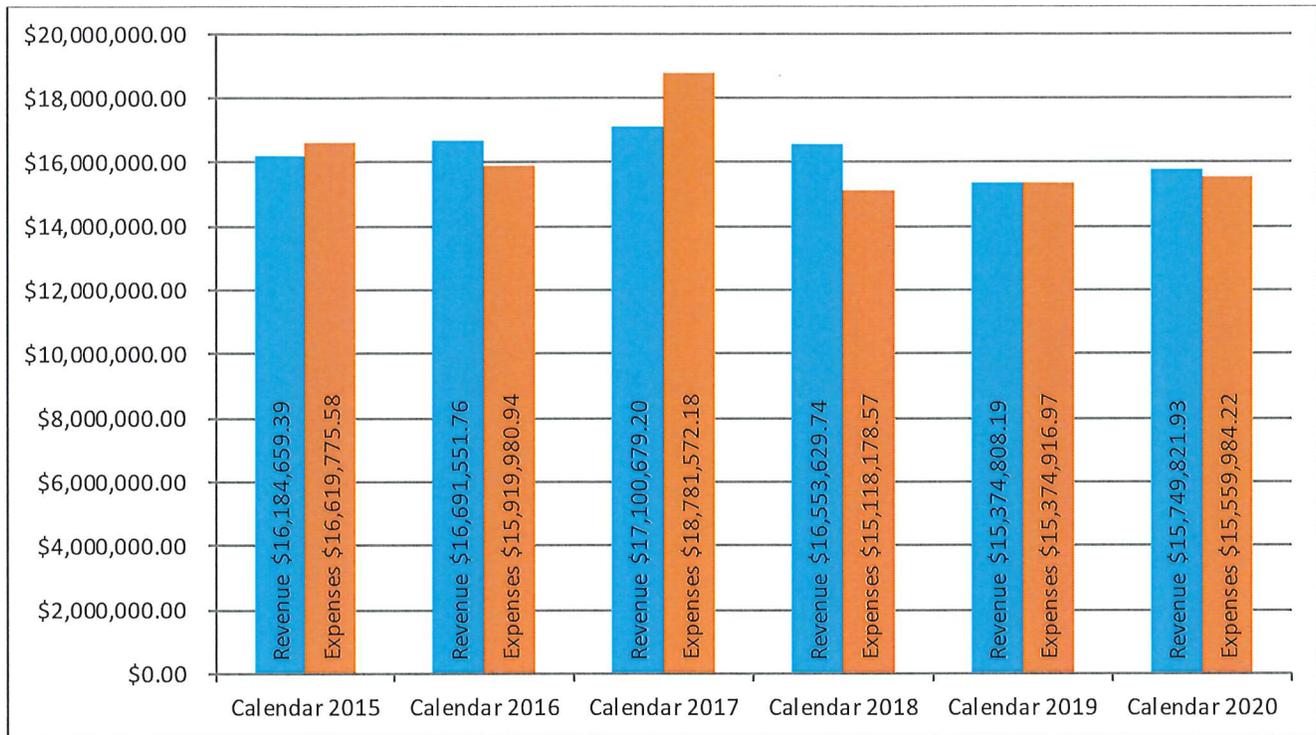
**INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - GENERAL REVENUE
MONTH ENDING April 30, 2020
(BUDGETARY BASIS)**

	Revenue This Month Current Year	Revenue Year To Date	Revenue Prior Year To Date	% Increase/ Decrease Over Prior Year	Revenue Estimated	% Est. Received
TAXES						
Real Estate Taxes	\$ -	\$ 1,217,134.56	\$ 1,221,998.65	-0.40%	\$ 2,300,000.00	52.92%
Personal Property Taxes	-	-	-	-	-	-
Income Tax - General Fund	1,806,718.44	7,121,871.45	7,560,969.50	-5.81%	22,000,000.00	32.37%
Income Tax - JEDD 1	28,752.35	148,257.42	144,244.78	2.78%	430,000.00	34.48%
Income Tax - JEDD 2	5,358.31	35,914.83	40,119.27	-10.48%	135,000.00	26.60%
Income Tax - JEDD 3	492.99	4,741.65	1,385.76	242.17%	10,000.00	47.42%
Motel Tax	-	25,949.28	-	100.00%	150,000.00	17.30%
2/3rd KWH Tax Revenue	221,612.47	462,228.56	478,046.46	-3.31%	1,550,000.00	29.82%
1/3rd KWH Tax Revenue	110,789.13	231,095.38	239,019.65	-3.32%	775,000.00	29.82%
SUB-TOTAL-TAXES	\$ 2,173,723.69	\$ 9,247,193.13	\$ 9,685,784.07	-4.53%	\$ 27,350,000.00	33.81%
LICENSES & PERMITS:						
Cable TV Franchise Fees	\$ -	\$ 190,734.48	\$ 246,004.18	-22.47%	\$ 650,000.00	29.34%
Other Licenses, Permits	-	8,885.00	2,295.00	287.15%	6,450.00	137.75%
SUB-TOTAL LICENSES & PERMITS	\$ -	\$ 199,619.48	\$ 248,299.18	-19.61%	\$ 656,450.00	30.41%
INTERGOVERNMENTAL						
ULGF - County	\$ 58,769.73	\$ 314,730.15	\$ 305,402.50	3.05%	\$ 975,000.00	32.28%
ULGF - Direct	8,404.21	56,413.04	-	100.00%	196,000.00	28.78%
Inheritance Taxes	-	-	-	-	-	-
Other Intergovernmental	154,414.16	163,944.66	3,476.90	4615.25%	398,500.00	41.14%
SUB-TOTAL INTERGOVERNMENTAL	\$ 221,588.10	\$ 535,087.85	\$ 308,879.40	73.24%	\$ 1,569,500.00	34.09%
CHARGES FOR SERVICES	\$ 26,249.60	\$ 163,945.40	\$ 166,466.73	-1.51%	\$ 690,100.00	23.76%
INVESTMENT INCOME	\$ 63,491.81	\$ 221,714.30	\$ 136,710.92	62.18%	\$ 175,000.00	126.69%
MISCELLANEOUS	\$ 3,148.72	\$ 117,200.02	\$ 125,224.24	6.41%	\$ 258,700.00	45.30%
TOTAL	\$ 2,488,201.92	\$ 10,484,760.18	\$ 10,671,364.54	-1.75%	\$ 30,699,750.00	34.15%

**INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - REIMBURSEMENT OF EXPENSE
MONTH ENDING April 30, 2020
(BUDGETARY BASIS)**

	Revenue This Month Current Year	Revenue Year To Date	Revenue Prior Year To Date	% Increase/ Decrease Over Prior Year	Revenue Estimated	% Est. Received
REIMBURSEMENT OF EXPENSE:						
FROM FUND:						
One Renaissance Center Fund 200	\$ 4,863.99	\$ 21,008.89	\$ 25,925.39	-18.96%	\$ 85,600.00	24.54%
FEMA Reimbursement Fund 205	-	-	-	-	-	-
Stormwater Fund 279	9,314.23	46,534.51	45,839.20	1.52%	135,950.00	34.23%
Refuse Fund 280	3,498.30	21,506.93	20,039.40	7.32%	49,200.00	43.71%
Street Maintenance Fund 281	30,295.03	150,555.10	145,837.63	3.23%	455,890.00	33.02%
Gas Fund 501	84,743.12	427,446.18	389,551.20	9.73%	1,333,070.00	32.06%
Electric Fund 502	95,162.71	482,131.64	441,948.84	9.09%	1,502,210.00	32.09%
Water Fund 503	84,743.12	427,446.18	389,551.20	9.73%	1,333,070.00	32.06%
Wastewater Fund 504	75,890.15	370,107.21	346,014.49	6.96%	1,116,920.00	33.14%
Parking Fund 550	2,991.12	13,412.44	12,914.88	3.85%	42,595.00	31.49%
Golf Fund 560	-	-	-	-	-	-
CDBG Reimbursement	40,500.00	98,548.72	92,811.57	6.18%	50,000.00	197.10%
Public Safety & Health Inc Tax Fund 210	46,583.33	186,333.32	186,333.32	0.00%	566,000.00	32.92%
SUB-TOTAL GENERAL	\$ 478,585.10	\$ 2,245,031.12	\$ 2,096,767.12	7.07%	\$ 6,670,505.00	33.66%
Law Enforcement Funds:						
Safety Helmet Grant Fund 232	-	-	-	-	-	-
DARE Grant Fund 239	\$ -	\$ -	\$ -	-	\$ -	-
Police Pension Fund 246	-	-	-	100.00%	240,000.00	0.00%
Law Enforcement Block Grant 225	-	-	-	-	-	-
2002 Police Levy Fund 249	-	-	-	100.00%	725,000.00	0.00%
Court Special Project Fund 207	-	-	-	-	70,000.00	0.00%
Public Safety & Health Inc Tax Fund 210	113,750.00	455,000.00	455,000.00	0.00%	1,380,000.00	32.97%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL POLICE	\$ 113,750.00	\$ 455,000.00	\$ 455,000.00	0.00%	\$ 2,415,000.00	18.84%
Fire Funds:						
Fire Pension Fund 250	\$ -	\$ -	\$ -	100.00%	\$ 240,000.00	0.00%
Charter Fire Force Fund 252	-	-	-	100.00%	800,000.00	0.00%
2002 Fire Levy Fund 253	-	-	-	100.00%	725,000.00	0.00%
Public Safety & Health Inc Tax Fund 210	113,750.00	455,000.00	455,000.00	0.00%	1,380,000.00	32.97%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL FIRE	\$ 113,750.00	\$ 455,000.00	\$ 455,000.00	0.00%	\$ 3,145,000.00	14.47%
TOTAL	\$ 706,085.10	\$ 3,155,031.12	\$ 3,006,767.12	4.93%	\$ 12,230,505.00	25.80%

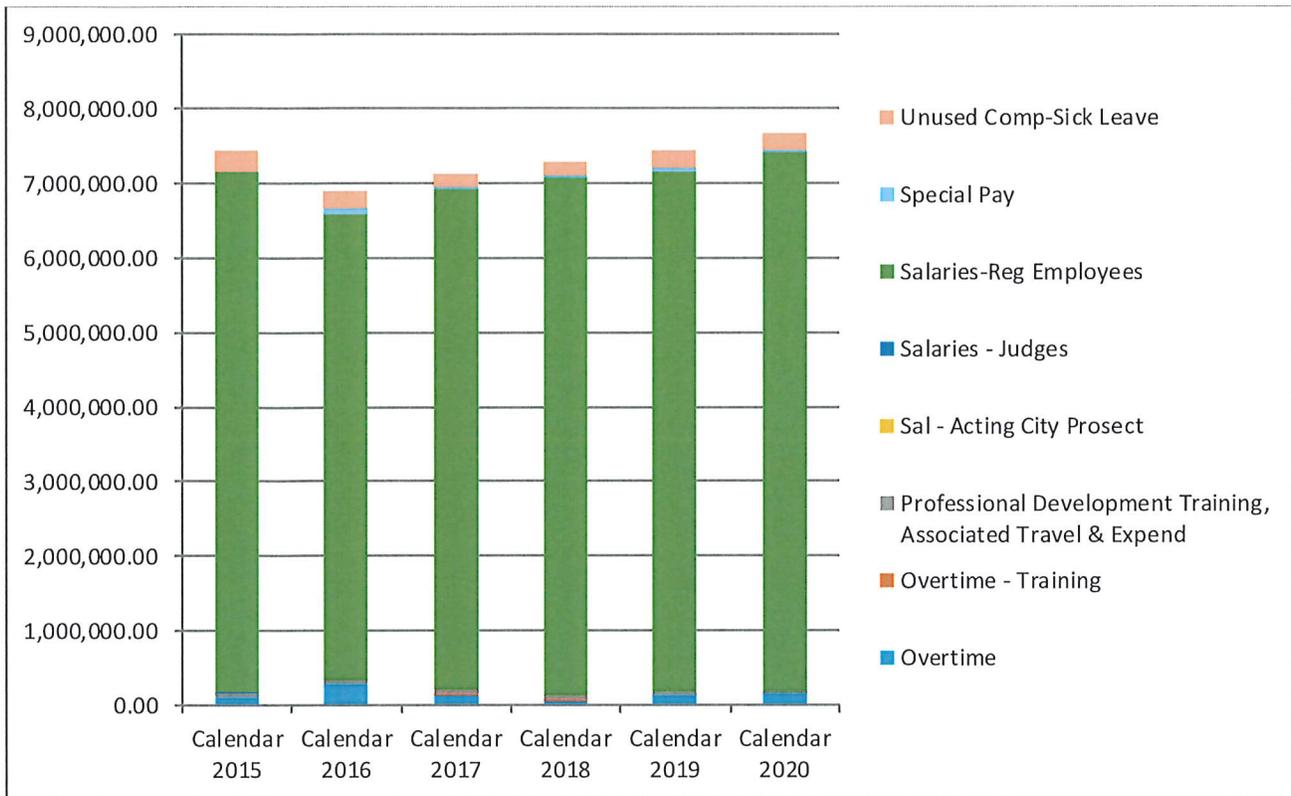
GENERAL FUND: 2020 STATEMENT OF ACTIVITIES YTD THROUGH APRIL



Account Classification	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Revenue	16,184,659.39	16,691,551.76	17,100,679.20	16,553,629.74	15,374,808.19	15,749,821.93
Charges For Services	4,732,988.97	5,093,729.65	5,276,235.79	5,547,952.98	4,173,934.15	4,466,328.62
Enterprise Revenues			1,100.00			
Miscellaneous Revenue			1,100.00			
Fines And Forfeits	244,552.17	314,749.57	284,219.03	258,891.75	254,137.32	197,018.73
Intergovernmental Revenue	401,428.45	367,362.94	506,159.87	359,462.76	336,881.55	655,069.11
Licenses & Permits	405,314.72	453,106.31	565,832.88	547,661.32	640,542.30	884,520.39
Miscellaneous Revenue	54,778.22	147,701.77	186,123.52	121,751.14	276,709.19	294,537.06
Other Financing Sources	0.00		2,503.38	5,052.85	6,819.61	5,154.89
Recreation Fees	10,650.00	0.00	0.00	0.00	0.00	0.00
Taxes	9,720,497.45	10,314,279.52	10,278,504.73	9,712,856.94	9,685,784.07	9,247,193.13
Transfers In	614,449.41	622.00				
Expenses	16,619,775.58	15,919,980.94	18,781,572.18	15,118,178.57	15,374,916.97	15,559,984.22
Other Expenditures	6,053,992.80	5,959,537.70	8,365,129.18	4,425,424.68	4,530,162.76	4,369,120.59
Internal Services	385,736.93	365,908.78	430,765.55	490,500.94	510,308.00	537,107.20
Other Expenses	935,731.85	592,981.25	4,416,941.48	368,759.92	1,316,502.89	382,132.51
Other Purchased Services	928,789.74	994,263.24	1,148,113.64	1,014,876.76	901,264.09	1,010,272.32
Promotional Expenses	4,224.00	800.00	15,248.57	6,822.34	3,471.68	4,986.80
Purchased Professional & Technical Services	1,485,737.52	1,437,368.65	1,719,020.40	1,878,320.86	1,325,051.59	1,492,507.92
Supplies	180,247.63	219,082.88	272,581.19	240,933.37	234,544.86	385,603.46
Transfers	2,133,525.13	2,349,132.90	362,458.35	425,210.49	239,019.65	556,510.38
Personal Services & Benefits	10,565,782.78	9,960,443.24	10,416,443.00	10,692,753.89	10,844,754.21	11,190,863.63
Personal Services	7,437,027.45	6,885,255.76	7,117,274.45	7,291,162.78	7,435,297.43	7,678,938.78
Personal Services - Employee Benefits	3,128,755.33	3,075,187.48	3,299,168.55	3,401,591.11	3,409,456.78	3,511,924.85

NOTE: 2017 includes a \$3.45MM grant to the CIC.

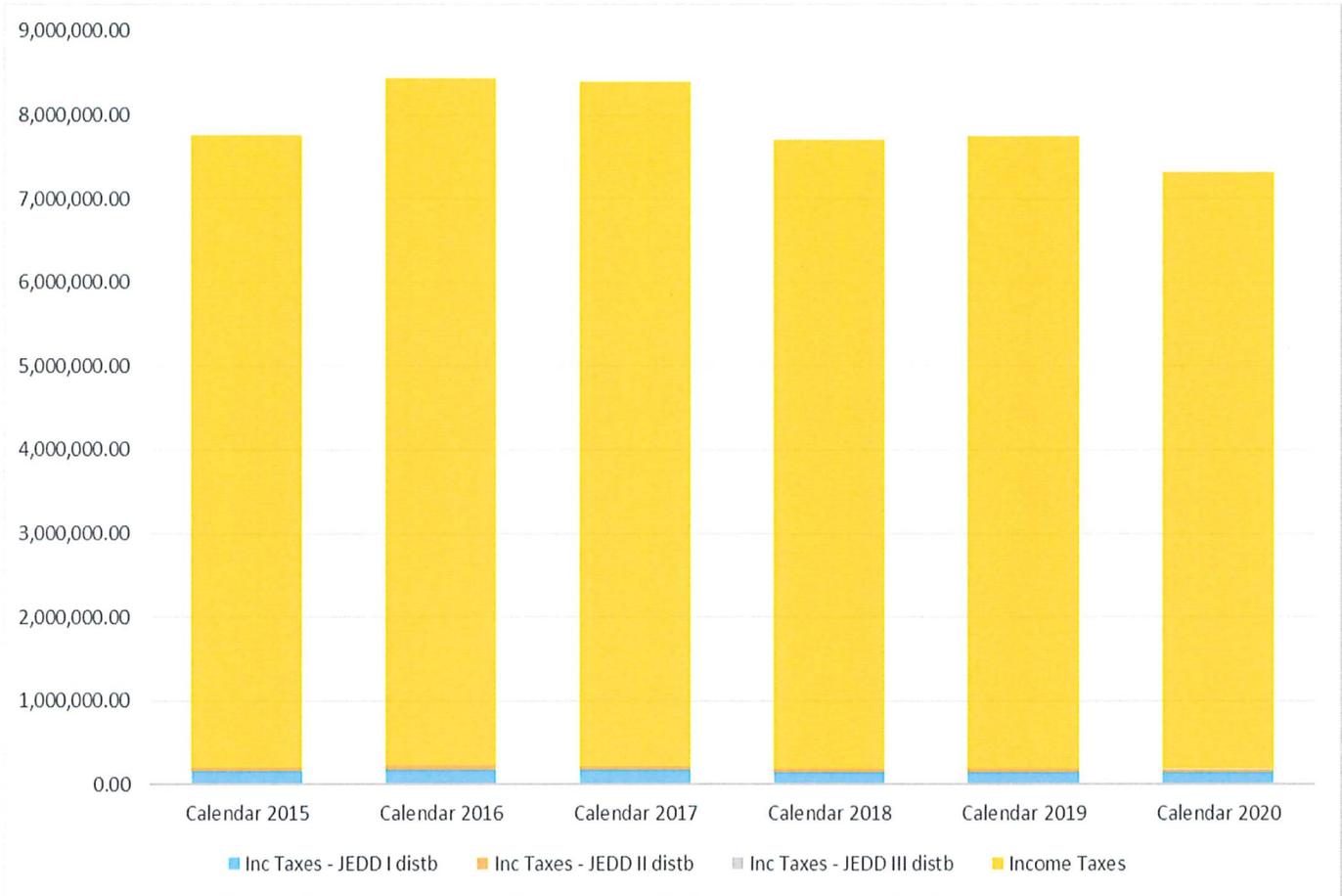
GENERAL FUND: 2020 WAGES PAID YTD THROUGH APRIL



Pay Type	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Overtime	115,306.90	273,814.92	129,137.02	62,633.64	119,783.28	150,571.11
Overtime - Training			31,694.22	13,636.03	11,845.73	0.00
Professional Development Training, Associated Travel & Expend	36,023.93	57,699.81	36,923.33	40,330.53	53,397.24	38,469.29
Sal - Acting City Prosect	57.32					
Salaries - Judges	16,644.48	12,714.36	14,086.56	7,730.86	4,733.06	2,444.24
Salaries-Reg Employees	6,974,714.03	6,249,953.43	6,703,635.32	6,955,703.96	6,973,779.15	7,218,895.12
Special Pay	15,500.07	69,397.61	24,051.92	24,774.47	36,573.75	36,925.69
Unused Comp-Sick Leave	278,780.72	221,675.63	177,746.08	186,353.29	235,185.22	231,633.33
Totals	\$7,437,027.45	\$6,885,255.76	\$7,117,274.45	\$7,291,162.78	\$7,435,297.43	\$7,678,938.78

NOTE: The City experienced three pays in January 2015.

GENERAL FUND: 2020 INCOME TAX COLLECTIONS YTD THROUGH APRIL



Tax Type	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Inc Taxes - JEDD I distb	156,553.99	174,748.45	171,030.00	154,788.54	144,244.78	148,257.42
Inc Taxes - JEDD II distb	49,314.48	63,054.62	48,556.65	39,859.92	40,119.27	35,914.83
Inc Taxes - JEDD III distb				59.22	1,385.76	4,741.65
Income Taxes	7,557,975.32	8,193,600.00	8,173,303.54	7,506,997.68	7,560,969.50	7,121,871.45
Totals	\$7,763,843.79	\$8,431,403.07	\$8,392,890.19	\$7,701,705.36	\$7,746,719.31	\$7,310,785.35

NOTE: Income tax collections for JEDD III began in April 2018.

**Summary of Cash Basis Activity
For the One Month Period Ending April 30, 2020**

	Balance Apr 01, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Apr 30 2020	Purchase Orders Outstanding	Unencumbered Cash
GENERAL							
100 General	\$8,717,966.73	\$3,882,379.03	\$3,760,193.73	\$305,911.33	\$9,146,063.36	\$3,037,824.95	\$6,108,238.41
SPECIAL REVENUE							
200 One Renaissance Center Fd	783,725.36	\$193,069.17	\$38,940.97	\$0.00	\$937,853.56	394,584.06	\$543,269.50
2013 HOME FUND 2013	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
2014 HOME FUND 2014	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
2015 Home Fund 2015	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
2016 HOME FUND 2016	13,052.67	0.00	0.00	0.00	\$13,052.67	0.00	\$13,052.67
2017 HOME FUND 2017	26,575.42	0.00	0.00	0.00	\$26,575.42	0.00	\$26,575.42
2018 Home Fund 2018	53,922.94	0.00	0.00	0.00	\$53,922.94	137.63	\$53,785.31
2019 HOME FUND 2019	(21,012.35)	1,355.34	1,055.58	0.00	(\$20,712.59)	113,923.00	(\$134,635.59)
205 Fed. Emg.Mgmt.Fund (FEMA)	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
206 Youthbuild Grant Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
207 Hamilton Court Sec.Proj.	55,036.35	3,405.61	0.00	0.00	\$58,441.96	0.00	\$58,441.96
208 Hamilton Court Sp Proj Fd	146,894.72	1,732.00	0.00	0.00	\$148,626.72	4,500.00	\$144,126.72
210 Pub Safety/Health Inc Tax	499,862.58	291,406.21	277,965.37	0.00	\$513,303.42	0.00	\$513,303.42
211 Rounding Up Util Acct Trs	1,576.14	949.95	0.00	(41.78)	\$2,484.31	0.00	\$2,484.31
212 Hamilton Mun Ct Cap Imp	201,107.96	6,755.62	0.00	0.00	\$207,863.58	3,564.29	\$204,299.29
213 MIT Aggregatn/Verifctn Fd	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
215 Hamltn Cap Imp Debt Serv	25,480,315.21	391,602.10	1,224,481.85	0.00	\$24,647,435.46	9,977,309.30	\$14,670,126.16
218 Brownfield Red Pilot Proj	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
219 Brownfields Job Trng Init	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
220 Weed & Seed Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
221 Dispute Resolutn Proc Fd	38,500.89	618.00	369.44	0.00	\$38,749.45	0.00	\$38,749.45
222 DOJ Forfeiture Prog Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
223 Brownfields Rev Loan Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
224 GREAT Grant Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
225 Justice Assistance Grant	18,572.00	0.00	0.00	0.00	\$18,572.00	10,087.00	\$8,485.00
226 Weed & Seed Grnt Exp Site	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
227 Land Reutilization Fund	32,434.45	0.00	4,226.37	0.00	\$28,208.08	0.00	\$28,208.08
230 Targeted Oriented Policing	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
231 Law Enforcement Trust	225,794.27	2,453.25	0.00	0.00	\$228,247.52	0.00	\$228,247.52
232 Safety Helmet Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
233 Safety Seat Belt Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
235 Public Safety Spec Proj	112,871.85	0.00	15,166.37	0.00	\$97,705.48	1,131.06	\$96,574.42
237 Police Hiring Supp Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
238 Probation Services Fund	11,652.10	17,175.62	20,243.14	0.00	\$8,584.58	0.00	\$8,584.58
239 Dare Program	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
240 Drug Law Enforcmt Trust	118,801.17	0.00	7,356.92	0.00	\$111,444.25	5,190.56	\$106,253.69
241 Dui Enfrmt & Eductn Trst	11,637.30	110.00	1,071.88	1,071.88	\$11,747.30	4,250.00	\$7,497.30
242 Indignt Drivrs Alcolh Trt	236,185.33	1,615.48	2,870.00	0.00	\$234,930.81	5,740.00	\$229,190.81
244 Metro Housing Auth Pol Gr	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
245 Police K-9 Unit Fund	100.00	0.00	0.00	0.00	\$100.00	0.00	\$100.00
246 Police Pension Fund	251,812.78	18,903.96	0.00	0.00	\$270,716.74	0.00	\$270,716.74
247 CDBG Police Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
248 COPS MORE Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
249 Police Levy Fund	734,386.93	42,992.34	0.00	0.00	\$777,379.27	0.00	\$777,379.27
250 Firemen's Pension Fund	242,021.60	14,448.61	0.00	0.00	\$256,470.21	0.00	\$256,470.21
251 Emergency Med Serv Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
252 Charter Fire Force Fund	803,405.36	48,162.09	0.00	0.00	\$851,567.45	0.00	\$851,567.45
253 Fire EMS Levy Fund	734,386.93	42,992.34	0.00	0.00	\$777,379.27	0.00	\$777,379.27
254 Technology Initiative Fnd	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
255 Energy Effic Block Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
256 Local Energy Assur Png	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
260 Immunizatn Actn Plan Gran	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
261 Kathryn Weiland Trust Inc	11,137.00	14.60	0.00	0.00	\$11,151.60	0.00	\$11,151.60
262 Clinical Services Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
270 Str & Pks Beautification	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
278 Motor Vehicle License Tax Fund	18,790.06	24.64	0.00	0.00	\$18,814.70	0.00	\$18,814.70
279 Stormwater Mgmt. Fund	1,483,034.76	253,606.35	327,246.64	(4,553.60)	\$1,404,840.87	4,593,167.94	(\$3,188,327.07)
280 Refuse Fund	1,159,409.82	386,049.82	120,681.46	5,865.63	\$1,430,643.05	3,026,739.29	(\$1,596,096.24)
281 Street Maintenance Fund	1,213,825.03	349,374.17	163,074.95	(3,578.33)	\$1,396,645.92	487,188.68	\$909,357.24
282 Transit System	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
283 Convntn & Vistrs Bur Fund	23,074.07	0.00	0.00	0.00	\$23,074.07	0.00	\$23,074.07
284 Miami Conservancy Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
800 CDBG - Revolving Loan Fd	167,853.26	2,228.90	0.00	0.00	\$170,082.16	0.00	\$170,082.16
801 HOME - Revolving Loan Fnd	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
802 Neighborhood Stabl.Prgm	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
803 HPRP Grant Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
804 Neighborhood Stabl. Program 3	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
913 CDBG 2012 - 2013	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
914 CDBG FUND 2014	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
915 CDBG FUND 915	28,396.96	0.00	0.00	0.00	\$28,396.96	0.00	\$28,396.96
916 CDBG Fund 2015-2016	12,801.43	0.00	0.00	0.00	\$12,801.43	0.00	\$12,801.43
917 CDBG Fund 2016-2017	0.00	0.00	0.00	0.00	\$0.00	14,462.01	(\$14,462.01)
918 CDBG Fund 2017-2018	33,586.20	0.00	49,781.68	0.00	(\$16,195.48)	23,659.00	(\$39,854.48)
919 CDBG Fund 2018-2019	33,475.53	0.00	0.00	0.00	\$33,475.53	47,444.51	(\$13,968.98)
920 CDBG Fund 2019-2020	44,113.00	19,836.21	53,699.08	350.00	\$10,600.13	259,433.22	(\$248,833.09)
Total Special Revenue	35,043,117.08	2,090,881.62	2,308,231.70	(886.20)	34,824,880.80	\$18,972,511.55	\$15,852,369.25
CAPITAL PROJECTS							
300 Capital Projects Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
301 Special Assessments	406,494.44	0.00	16,213.43	0.00	\$390,281.01	971,261.19	(\$580,980.18)
302 High Street Property	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
303 Loves MITIE Talawanda Fund	57,543.64	0.00	0.00	0.00	\$57,543.64	0.00	\$57,543.64
304 Walmart MITIE Hamilton Fund	81,113.40	0.00	0.00	0.00	\$81,113.40	0.00	\$81,113.40
305 Hamilton Enterprise Park	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
306 Hamilton Streetscape Imp	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
307 Issue II Project Fund	0.00	0.00	0.00	0.00	\$0.00	1,035,000.00	(\$1,035,000.00)
308 Matandy Steel MPITIE Fund	24,155.85	0.00	0.00	0.00	\$24,155.85	0.00	\$24,155.85
309 Robinson Schwenn MPITIE Fund	670.44	0.00	0.00	0.00	\$670.44	0.00	\$670.44
310 Clean Ohio Grants Program	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
311 Infrastructure Renwl Prgm	1,603,512.87	267,573.97	184,644.38	0.00	\$1,686,442.46	5,333,076.67	(\$3,646,634.21)
348 RIDs - MPITIE Citywide District	80,455.63	0.00	0.00	0.00	\$80,455.63	0.00	\$80,455.63
349 RIDs - MPITIE North District	16,855.25	0.00	0.00	0.00	\$16,855.25	0.00	\$16,855.25
350 RIDs - MPITIE South District	6,866.64	0.00	0.00	0.00	\$6,866.64	0.00	\$6,866.64
351 Quality Publishing MPITIE Fund	5,145.14	0.00	0.00	0.00	\$5,145.14	0.00	\$5,145.14
352 Shoppes @ Hamilton MPITIE Fund	22,725.34	0.00	0.00	0.00	\$22,725.34	0.00	\$22,725.34

**Summary of Cash Basis Activity
For the One Month Period Ending April 30, 2020**

	Balance Apr 01, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Apr 30 2020	Purchase Orders Outstanding	Unencumbered Cash
353 Historic Developers (Mercantile)	4,189.96	0.00	0.00	0.00	\$4,189.96	0.00	\$4,189.96
354 Tippman Properties MPITIE Fund	564.54	0.00	0.00	0.00	564.54	0.00	564.54
355 Nuturen Manufacturing TIF	27,320.63	0.00	0.00	0.00	\$27,320.63	0.00	\$27,320.63
356 Champion Mill Sports Complex TIF	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
357 Mixed Use Development SODA - TIF	132,131.55	0.00	38,728.13	0.00	\$93,403.42	0.00	\$93,403.42
360 Governmental Bldg Sale Proceeds	2,720,348.94	0.00	0.00	0.00	\$2,720,348.94	1,197,449.87	\$1,522,899.07
Total Capital Projects	5,190,094.26	267,573.97	239,585.94	0.00	5,218,082.29	\$8,536,787.73	(\$3,318,705.44)
ENTERPRISE - GAS							
501 Gas Utility	3,236,853.81	1,762,817.14	1,510,009.19	480,264.01	\$3,969,925.77	210,875.06	\$3,759,050.71
510 Gas Sys Special Proj.Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
512 Gas Construction Fund	1,201,547.18	0.00	0.00	0.00	\$1,201,547.18	1,448.24	\$1,200,098.94
515 Gas Cap Imprmt Fund	991,295.46	12,300.00	10,699.61	(1,680.01)	\$991,215.84	932,954.24	\$58,261.60
516 Gas Rate Stabilization Fd	2,132,085.04	2,795.92	0.00	0.00	\$2,134,880.96	0.00	\$2,134,880.96
517 Gas System Reserve Fund	1,033,000.00	0.00	0.00	0.00	\$1,033,000.00	0.00	\$1,033,000.00
518 Gas Bond Service Fund	0.00	84,207.25	84,207.25	0.00	\$0.00	0.00	\$0.00
Sub-Total - Gas	8,594,781.49	1,862,120.31	1,604,916.05	478,584.00	9,330,569.75	\$1,145,277.54	\$8,185,292.21
ENTERPRISE - ELECTRIC							
502 Electric Utility	14,742,369.05	5,883,082.96	6,266,669.70	566,441.88	\$14,925,224.19	2,822,468.59	\$12,102,755.60
520 Elec Sys Spec Proj Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
522 Electric Construction Fd	15,197,987.57	0.00	19,191.50	0.00	\$15,178,796.07	7,279,881.82	\$7,898,914.25
523 Boiler No. 9 Scrubber Prj	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
524 Hydroelectric Oprtns Fund	442,207.32	146,361.23	180,907.65	3,326.48	\$410,987.38	130,478.34	\$280,509.04
525 Electric Cap Imprvmt Fund	5,911,453.70	106,958.86	203,403.72	37,975.78	\$5,852,984.62	5,094,983.82	\$758,000.80
526 Elec Rate Stablztn Fund	4,232,608.12	5,550.46	0.00	0.00	\$4,238,158.58	0.00	\$4,238,158.58
527 Elec System Reserve Fund	14,416,627.90	18,905.35	0.00	0.00	\$14,435,533.25	0.00	\$14,435,533.25
528 92 Electric Bd Service Fd	0.00	168,311.78	0.00	(168,311.78)	\$0.00	0.00	\$0.00
529 Electric Debt Rducln Resv	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
Sub-Total - Electric	54,943,253.66	6,329,170.64	6,670,172.57	439,432.36	55,041,684.09	\$15,327,812.57	\$39,713,871.52
ENTERPRISE - WATER							
503 Water Utility	4,676,478.51	1,204,610.16	1,082,396.47	23,489.36	\$4,822,181.56	958,500.18	\$3,863,681.38
530 Water Sys Spec. Proj Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
531 Water Construction Fund	2,145,903.92	0.00	0.00	(1,668.49)	\$2,144,235.43	1,935,234.87	\$209,000.56
535 Water Cap Imprmt Fund	1,272,613.63	0.00	28,745.49	0.00	\$1,243,868.14	165,349.87	\$1,078,518.27
536 Water Rate Stablztn Fund	1,669,268.86	2,189.01	0.00	0.00	\$1,671,457.87	0.00	\$1,671,457.87
537 Water System Reserve Fund	2,470,283.94	0.00	0.00	0.00	\$2,470,283.94	0.00	\$2,470,283.94
Sub-Total - Water	12,234,548.86	1,206,799.17	1,111,141.96	21,820.87	12,352,026.94	\$3,059,084.92	\$9,292,942.02
ENTERPRISE - WASTEWATER							
504 Wastewater Utility	6,150,673.87	1,110,320.36	843,293.69	(157,277.48)	\$6,260,423.06	396,406.42	\$5,864,016.64
540 Wastewater Sp Proj fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
541 Wastewater Constructn Fd	546,714.00	0.00	0.00	0.00	\$546,714.00	0.00	\$546,714.00
542 Wwater Debt Procds-Const.	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
543 Riverside Nature Area Con	26,181.08	34.33	0.00	0.00	\$26,215.41	0.00	\$26,215.41
545 Wastewater Cap Imprvmt Fd	6,138,056.53	33,593.00	254,194.39	0.00	\$5,917,455.14	1,747,734.88	\$4,169,720.26
546 Wastewtr Rate Stablztn Fd	2,145,365.87	2,813.34	0.00	0.00	\$2,148,179.21	0.00	\$2,148,179.21
547 Wastewater Sys Reserve Fd	3,230,000.00	0.00	0.00	0.00	\$3,230,000.00	0.00	\$3,230,000.00
548 Wastewater Bond Service	0.00	297,349.10	0.00	(297,349.10)	\$0.00	0.00	\$0.00
Sub-Total - Wastewater	18,236,991.35	1,444,110.13	1,097,488.08	(454,626.58)	18,128,986.82	\$2,144,141.30	\$15,984,845.52
ENTERPRISE - OTHER							
550 Parking Fund	68,759.79	52,024.12	44,007.59	(11,820.40)	\$64,955.92	62,209.96	\$2,745.96
551 Pkg Capital Imprvmt Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
560 Golf Fund	40,082.47	90,438.26	29,734.84	0.00	\$100,785.89	36,977.98	\$63,807.91
561 Golf Rate Stblztn Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
570 Central Park Sports Arena	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
Sub-Total - Other	108,842.26	142,462.38	73,742.43	(11,820.40)	165,741.81	\$99,187.94	\$66,553.87
Total - Enterprise	\$94,118,417.62	\$10,984,662.63	\$10,557,461.09	\$473,390.25	\$95,019,009.41	21,775,504.27	\$73,243,505.14
INTERNAL SERVICES							
610 Fleet Maintenance Fund	(87,812.83)	145,203.02	156,036.13	0.00	(\$98,645.94)	317,110.13	(\$415,756.07)
620 Central Services	84,933.15	620,215.41	619,580.63	(64,185.61)	\$21,382.32	857,507.84	(\$836,125.52)
640 Central Benefits Fund	1,537,835.59	265,236.71	4,484.71	0.00	\$1,798,587.59	49,801.75	\$1,748,785.84
650 Economic Budget Stabilization	1,700,000.00	0.00	0.00	0.00	\$1,700,000.00	0.00	\$1,700,000.00
Total - Internal Services	3,234,955.91	1,030,655.14	780,101.47	(64,185.61)	3,421,323.97	\$1,224,419.72	\$2,196,904.25
TRUST AND AGENCY							
700 Travel Advance Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
710 Employee Txs & Brnts Fund	1,204,598.39	0.00	0.00	554,229.18	\$1,758,827.57	0.00	\$1,758,827.57
711 Building Stds Fee Assmt Fu	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
712 Misc Collectn For Others	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
715 Unclaimed Monies Fund	30,676.76	0.00	0.00	0.00	\$30,676.76	0.00	\$30,676.76
720 West Milton Tax Collectn	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
721 New Miami Tax Collectn Fu	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
722 Oxford Tax Collectn Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
723 Eaton Tax Collection Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
724 Monroe Tax Collection Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
726 Butler Cty Annex Tax Fund	165,096.35	0.00	0.00	9,980.61	\$175,076.96	0.00	\$175,076.96
727 Ham.Cen.Bus.Sp.Imprv Dst.	22,687.86	0.00	0.00	0.00	\$22,687.86	0.00	\$22,687.86
728 Joint Econm Dvlp Dstrc I	(1,385.73)	0.00	0.00	9,565.32	\$8,179.59	0.00	\$8,179.59
729 Phillipsburg Tax Collectn	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
730 Benninghoffen Trust Fund	75,383.69	98.85	0.00	0.00	\$75,482.54	0.00	\$75,482.54
731 Joint Econm Dvlp Dist II	(1,010.36)	0.00	0.00	15,876.78	\$14,866.42	0.00	\$14,866.42
732 Village of New Paris Tax Collect	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
733 Joint Econm Dvlp Dist III	11.88	0.00	0.00	493.00	\$504.88	0.00	\$504.88
740 Fire Damage Dep Escrow Fu	172,628.93	0.00	0.00	0.00	\$172,628.93	0.00	\$172,628.93
745 Police Prop.Rm Forfeiture	256,258.99	0.00	0.00	0.00	\$256,258.99	0.00	\$256,258.99
752 Municipal Court Cash	199,716.69	0.00	0.00	0.00	\$199,716.69	0.00	\$199,716.69
760 Treasury Investment Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
775 Sinking Fund	3,870.30	243,172.40	243,172.40	0.00	\$3,870.30	0.00	\$3,870.30
Total - Trust and Agency	2,128,533.75	243,271.25	243,172.40	590,144.89	2,718,777.49	\$0.00	\$2,718,777.49
TOTAL	\$148,433,085.35	\$18,499,423.64	\$17,888,746.33	\$1,304,374.66	\$150,348,137.32	\$53,547,048.22	\$96,801,089.10

*Zero Balance Due to Funds Restricted for Future Bond Payments

**Summary of Cash Basis Activity
For the Four Months Period Ending April 30, 2020**

	Balance Jan. 1, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Apr 30, 2020	Purchase Orders Outstanding	Unencumbered Cash
GENERAL							
100 General	\$8,636,701.11	\$15,749,821.93	\$15,559,984.22	\$319,524.54	\$9,146,063.36	\$3,037,824.95	\$6,108,238.41
SPECIAL REVENUE							
200 One Renaissance Center Fd	822,814.28	736,601.68	621,562.40	0.00	937,853.56	394,584.06	\$543,269.50
2013 HOME FUND 2013	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2014 HOME FUND 2014	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2015 Home Fund 2015	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2016 HOME FUND 2016	23,052.67	0.00	10,000.00	0.00	13,052.67	0.00	\$13,052.67
2017 HOME FUND 2017	26,575.42	0.00	0.00	0.00	26,575.42	0.00	\$26,575.42
2018 Home Fund 2018	54,278.55	63,475.00	63,830.61	0.00	53,922.94	137.63	\$53,785.31
2019 HOME FUND 2019	563.52	8,096.51	29,372.62	0.00	(20,712.59)	113,923.00	
205 Fed. Emg.Mgmt.Fund (FEMA)	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
206 Youthbuild Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
207 Hamilton Court Sec.Proj.	43,163.80	15,278.16	0.00	0.00	58,441.96	0.00	\$58,441.96
208 Hamilton Court Sp Proj Fd	148,349.93	7,901.79	7,625.00	0.00	148,626.72	4,500.00	\$144,126.72
210 Pub Safety/Health Inc Tax	479,154.19	1,148,688.96	1,114,539.73	0.00	513,303.42	0.00	\$513,303.42
211 Rounding Up Util Acct Trs	1,705.98	2,487.10	1,705.98	(2.79)	2,484.31	0.00	\$2,484.31
212 Hamilton Mun Ct Cap Imp	220,967.28	30,457.03	43,560.73	0.00	207,863.58	3,564.29	\$204,299.29
213 MIT Aggregatn/Verifctn Fd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
215 Hamltn Cap Imp Debt Serv	1,387,635.76	29,736,824.70	6,477,025.00	0.00	24,647,435.46	9,977,309.30	\$14,670,126.16
218 Brownfield Red Pilot Proj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
219 Brownfields Job Trng Init	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
220 Weed & Seed Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
221 Dispute Resolutn Proc Fd	36,852.81	3,087.00	1,190.36	0.00	38,749.45	0.00	\$38,749.45
222 DOJ Forfeiture Prog Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
223 Brownfields Rev Loan Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
224 GREAT Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
225 Justice Assistance Grant	0.00	18,572.00	0.00	0.00	18,572.00	10,087.00	\$8,485.00
226 Weed & Seed Grnt Exp Site	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
227 Land Reutilization Fund	20,443.06	30,000.00	22,234.98	0.00	28,208.08	0.00	\$28,208.08
230 Targeted Oriented Policing	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
231 Law Enforcement Trust	222,944.42	12,278.00	6,974.90	0.00	228,247.52	0.00	\$228,247.52
232 Safety Helmet Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
233 Safety Seat Belt Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
235 Public Safety Spec Proj	98,005.24	25,000.00	25,299.76	0.00	97,705.48	1,131.06	\$96,574.42
237 Police Hiring Supp Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
238 Probation Services Fund	28,009.81	62,939.14	82,364.37	0.00	8,584.58	0.00	\$8,584.58
239 Dare Program	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
240 Drug Law Enforcmt Trust	114,885.46	7,488.75	10,929.96	0.00	111,444.25	5,190.56	\$106,253.69
241 Dui Enfrmt & Eductn Trst	10,670.30	1,077.00	1,071.88	1,071.88	11,747.30	4,250.00	\$7,497.30
242 Indignt Drvrs Alcolh Trt	234,251.56	6,419.25	5,740.00	0.00	234,930.81	5,740.00	\$229,190.81
244 Metro Housing Auth Pol Gr	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
245 Police K-9 Unit Fund	100.00	0.00	0.00	0.00	100.00	0.00	\$100.00
246 Police Pension Fund	137,959.74	132,757.00	0.00	0.00	270,716.74	0.00	\$270,716.74
247 CDBG Police Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
248 COPS MORE Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
249 Police Levy Fund	387,618.24	389,761.03	0.00	0.00	777,379.27	0.00	\$777,379.27
250 Firemen's Pension Fund	128,168.56	128,301.65	0.00	0.00	256,470.21	0.00	\$256,470.21
251 Emergency Med Serv Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
252 Charter Fire Force Fund	423,895.22	427,672.23	0.00	0.00	851,567.45	0.00	\$851,567.45
253 Fire EMS Levy Fund	387,618.24	389,761.03	0.00	0.00	777,379.27	0.00	\$777,379.27
254 Technology Initiative Fnd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
255 Energy Effic Block Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
256 Local Energy Assur Plng	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
260 Immunizatn Actn Plan Gran	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
261 Kathryn Weiland Trust Inc	9,619.41	1,532.19	0.00	0.00	11,151.60	0.00	\$11,151.60
262 Clinical Services Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
270 Str & Pks Beautification	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
278 Motor Vehicle License Tax Fund	0.00	18,814.70	0.00	0.00	18,814.70	0.00	\$18,814.70
279 Stormwater Mgmt. Fund	1,393,646.86	982,235.42	945,426.89	(25,614.52)	1,404,840.87	4,593,167.94	(\$3,188,327.07)
280 Refuse Fund	1,500,271.19	1,543,003.09	1,613,834.37	1,203.14	1,430,643.05	3,026,739.29	(\$1,596,096.24)
281 Street Maintenance Fund	919,883.38	1,384,526.89	907,864.35	0.00	1,396,545.92	487,188.68	\$909,357.24
282 Transit System	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
283 Convntn & Vistrs Bur Fund	26,263.84	25,949.27	29,139.04	0.00	23,074.07	0.00	\$23,074.07
284 Miami Conservancy Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
800 CDBG - Revolving Loan Fd	142,187.57	27,894.59	0.00	0.00	170,082.16	0.00	\$170,082.16
801 HOME - Revolving Loan Fnd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
802 Neighborhood Stabl.Prgm	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
803 HPRP Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
804 Neighborhood Stabl. Program 3	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
913 CDBG 2012 - 2013	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
914 CDBG FUND 2014	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
915 CDBG FUND 915	28,396.96	0.00	0.00	0.00	28,396.96	0.00	\$28,396.96
916 CDBG Fund 2015-2016	12,801.43	0.00	0.00	0.00	12,801.43	0.00	\$12,801.43
917 CDBG Fund 2016-2017	0.00	0.00	0.00	0.00	0.00	14,462.01	(\$14,462.01)
918 CDBG Fund 2017-2018	(4,933.60)	38,519.80	49,781.68	0.00	(16,195.48)	23,659.00	(\$39,854.48)
919 CDBG Fund 2018-2019	26,640.88	53,965.09	47,130.44	0.00	33,475.53	47,444.51	(\$13,968.98)
920 CDBG Fund 2019-2020	12,963.97	227,721.82	230,085.66	0.00	10,600.13	259,433.22	(\$248,833.09)
Total Special Revenue	\$9,507,425.93	\$37,689,087.87	\$12,348,290.71	(\$23,342.29)	\$34,824,880.80	\$18,972,511.55	\$15,852,369.25
CAPITAL PROJECTS							
300 Capital Projects Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
301 Special Assessments	310,366.56	162,818.84	82,904.39	0.00	390,281.01	971,261.19	(\$580,980.18)
302 High Street Property	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
303 Lowes MITIE Talawanda Fund	38,350.59	50,427.74	31,234.69	0.00	57,543.64	0.00	\$57,543.64
304 Walmart MITIE Hamilton Fund	53,873.74	89,846.88	62,607.22	0.00	81,113.40	0.00	\$81,113.40
305 Hamilton Enterprise Park	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
306 Hamilton Streetscape Imp	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
307 Issue II Project Fund	0.00	65,000.00	65,000.00	0.00	0.00	1,035,000.00	(\$1,035,000.00)
308 Matandy Steel MPITIE Fund	0.00	24,428.44	272.59	0.00	24,155.85	0.00	\$24,155.85
309 Robinson Schwenn MPITIE Fund	1,203.50	2,211.38	2,744.44	0.00	670.44	0.00	\$670.44
310 Clean Ohio Grants Program	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
311 Infrastructure Renwl Prgm	1,830,156.78	387,880.22	531,594.54	0.00	1,686,442.46	5,333,076.67	(\$3,646,634.21)
348 RIDs - MPITIE Citywide District	0.00	246,063.66	165,608.03	0.00	80,455.63	0.00	\$80,455.63
349 RIDs - MPITIE North District	0.00	44,362.70	27,507.45	0.00	16,855.25	0.00	\$16,855.25
350 RIDs - MPITIE South District	0.00	22,648.84	15,782.20	0.00	6,866.64	0.00	\$6,866.64
351 Quality Publishing MPITIE Fund	0.00	5,203.20	58.06	0.00	5,145.14	0.00	\$5,145.14
352 Shoppes @ Hamilton MPITIE Fund	0.00	74,956.91	52,231.57	0.00	22,725.34	0.00	\$22,725.34

**Summary of Cash Basis Activity
For the Four Months Period Ending April 30, 2020**

	Balance Jan. 1, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Apr 30, 2020	Purchase Orders Outstanding	Unencumbered Cash
353 Historic Developers (Mercantile)	0.00	13,820.09	9,630.13	0.00	4,189.96	0.00	\$4,189.96
354 Tippman Properties MPITIE Fund	0.00	1,862.08	1,297.54	0.00	564.54	0.00	\$564.54
355 Neturen Manufacturing TIF	0.00	90,113.96	62,793.33	0.00	27,320.63	0.00	\$27,320.63
356 Champion Mill Sports Complex TIF	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
357 Mixed Use Development SODA - TIF	132,131.55	0.00	38,728.13	0.00	93,403.42	0.00	\$93,403.42
360 Governmental Bldg Sale Proceeds	4,648,399.71	9,998,209.17	11,926,259.94	0.00	2,720,348.94	1,197,449.87	\$1,522,899.07
Total Capital Projects	\$7,014,482.43	\$11,279,854.11	\$13,076,254.25	\$0.00	\$5,218,082.29	\$8,536,787.73	(\$3,318,705.44)
ENTERPRISE - GAS							
501 Gas Utility	2,211,860.41	9,379,148.15	7,805,611.25	184,528.46	3,969,925.77	2,10,875.06	\$3,759,050.71
510 Gas Sys Special Proj.Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
512 Gas Construction Fund	1,201,547.18	0.00	0.00	0.00	1,201,547.18	1,448.24	\$1,200,098.94
515 Gas Cap Imprmt Fund	1,170,721.56	17,200.00	196,705.72	0.00	991,215.84	932,954.24	\$58,261.60
516 Gas Rate Stabilization Fd	2,121,250.53	13,630.43	0.00	0.00	2,134,880.96	0.00	\$2,134,880.96
517 Gas System Reserve Fund	1,033,000.00	0.00	0.00	0.00	1,033,000.00	0.00	\$1,033,000.00
518 Gas Bond Service Fund	0.00	84,207.25	84,207.25	0.00	0.00	0.00	\$0.00
Sub-Total - Gas	\$7,738,379.68	\$9,494,185.83	\$8,086,524.22	\$184,528.46	\$9,330,569.75	\$1,145,277.54	\$8,185,292.21
ENTERPRISE - ELECTRIC							
502 Electric Utility	13,506,098.21	25,817,210.94	24,724,233.88	326,148.92	14,925,224.19	2,822,468.59	\$12,102,755.60
520 Elec Sys Spec Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
522 Electric Construction Fd	15,242,262.82	0.00	63,466.75	0.00	15,178,796.07	7,279,881.82	\$7,898,914.25
523 Boiler No. 9 Scrubber Prj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
524 Hydroelectric Oprtns Fund	405,065.88	652,186.53	649,999.31	3,734.28	410,987.38	130,478.34	\$280,509.04
525 Electric Cap Imprvmt Fund	7,151,911.18	386,993.11	1,728,984.95	43,065.28	5,852,984.62	5,094,983.82	\$758,000.80
526 Elec Rate Stablztn Fund	4,211,099.49	27,059.09	0.00	0.00	4,238,158.58	0.00	\$4,238,158.58
527 Elec System Reserve Fund	14,343,367.66	92,165.59	0.00	0.00	14,435,533.25	0.00	\$14,435,533.25
528 92 Electric Bd Service Fd	0.00	582,591.50	0.00	(582,591.50)	0.00	0.00	\$0.00
529 Electric Debt Rducltn Resv	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Electric	\$54,859,805.24	\$27,558,206.76	\$27,166,684.89	(\$209,643.02)	\$55,041,684.09	\$15,327,812.57	\$39,713,871.52
ENTERPRISE - WATER							
503 Water Utility	4,621,240.70	4,761,916.29	4,594,447.83	33,472.40	4,822,181.56	958,500.18	\$3,863,681.38
530 Water Sys Spec. Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
531 Water Construction Fund	2,549,152.93	543,056.40	947,973.90	0.00	2,144,235.43	1,935,234.87	\$209,000.56
535 Water Cap Imprmt Fund	1,569,299.82	540.00	325,971.68	0.00	1,243,868.14	165,349.87	\$1,078,518.27
536 Water Rate Stablztn Fund	1,660,786.23	10,671.64	0.00	0.00	1,671,457.87	0.00	\$1,671,457.87
537 Water System Reserve Fund	2,470,283.94	0.00	0.00	0.00	2,470,283.94	0.00	\$2,470,283.94
Sub-Total - Water	\$12,870,763.62	\$5,316,184.33	\$5,868,393.41	\$33,472.40	\$12,352,026.94	\$3,059,084.92	\$9,292,942.02
ENTERPRISE - WASTEWATER							
504 Wastewater Utility	5,815,527.05	4,321,460.80	3,899,909.99	23,345.20	6,260,423.06	396,406.42	\$5,864,016.64
540 Wastewater Sp Proj fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
541 Wastewater Constructn Fd	550,330.94	0.00	3,616.94	0.00	546,714.00	0.00	\$546,714.00
542 Wwater Debt Procds-Const.	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
543 Riverside Nature Area Con	26,048.05	167.36	0.00	0.00	26,215.41	0.00	\$26,215.41
545 Wastewater Cap Imprvmt Fd	6,603,968.70	49,092.00	735,605.56	0.00	5,917,455.14	1,747,734.88	\$4,169,720.26
546 Wastwtr Rate Stablztn Fd	2,134,463.88	13,715.33	0.00	0.00	2,148,179.21	0.00	\$2,148,179.21
547 Wastewater Sys Reserve Fd	3,230,000.00	0.00	0.00	0.00	3,230,000.00	0.00	\$3,230,000.00
548 Wastewater Bond Service	0.00	1,191,618.69	0.00	(1,191,618.69)	0.00	0.00	\$0.00
Sub-Total - Wastewater	\$18,360,338.62	\$5,576,054.18	\$4,639,132.49	(\$1,168,273.49)	\$18,128,986.82	\$2,144,141.30	\$15,984,845.52
ENTERPRISE - OTHER							
550 Parking Fund	86,461.59	128,950.19	139,915.46	(10,540.40)	64,955.92	62,209.96	\$2,745.96
551 Pkg Capital Imprvmt Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
560 Golf Fund	258,620.72	134,530.67	292,365.50	0.00	100,785.89	36,977.98	\$63,807.91
561 Golf Rate Stablztn Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
570 Central Park Sports Arena	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Other	\$345,082.31	\$263,480.86	\$432,280.96	(\$10,540.40)	\$165,741.81	\$99,187.94	\$66,553.87
Total - Enterprise	\$94,174,369.47	\$48,208,111.96	\$46,193,015.97	(\$1,170,456.05)	\$95,019,009.41	21,775,504.27	\$73,243,505.14
INTERNAL SERVICES							
610 Fleet Maintenance Fund	174,323.46	698,013.59	970,982.99	0.00	(98,645.94)	317,110.13	(\$415,756.07)
620 Central Services	11,008.89	3,305,424.79	3,305,382.26	10,330.90	21,382.32	857,507.84	(\$836,125.52)
640 Central Benefits Fund	1,526,417.18	280,121.07	7,950.66	0.00	1,798,587.59	49,801.75	\$1,748,785.84
650 Economic Budget Stabilization	1,704,585.00	295,415.00	300,000.00	0.00	1,700,000.00	0.00	\$1,700,000.00
Total - Internal Services	\$3,416,334.53	\$4,578,974.45	\$4,584,315.91	\$10,330.90	\$3,421,323.97	\$1,224,419.72	\$2,196,904.25
TRUST AND AGENCY							
700 Travel Advance Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
710 Employee Txs & Bnfts Fund	2,400,353.00	0.00	0.00	(641,525.43)	1,758,827.57	0.00	\$1,758,827.57
711 Building Stds Fee Assmt Fu	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
712 Misc Collectn For Others	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
715 Unclaimed Monies Fund	32,251.76	0.00	1,575.00	0.00	30,676.76	0.00	\$30,676.76
720 West Milton Tax Collectn	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
721 New Miami Tax Collectn Fu	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
722 Oxford Tax Collectn Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
723 Eaton Tax Collection Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
724 Monroe Tax Collection Fun	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
726 Butler Cty Annex Tax Fund	141,699.31	0.00	0.00	33,377.65	175,076.96	0.00	\$175,076.96
727 Ham.Cen.Bus.Sp.Imprvmt Dst.	0.00	0.00	0.00	22,687.86	22,687.86	0.00	\$22,687.86
728 Joint Ecnmic Dvlp Dstrc I	9,953.86	0.00	0.00	(1,774.27)	8,179.59	0.00	\$8,179.59
729 Phillipsburg Tax Collectn	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
730 Benninghoffen Trust Fund	75,421.97	482.54	421.97	0.00	75,482.54	0.00	\$75,482.54
731 Joint Ecnmic Dvlp Dist II	71,820.74	0.00	0.00	(56,954.32)	14,866.42	0.00	\$14,866.42
732 Village of New Paris Tax Collect	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
733 Joint Ecnmic Dvlp Dist III	1,024.20	0.00	0.00	(519.32)	504.88	0.00	\$504.88
740 Fire Damage Dep Escrow Fu	146,504.40	0.00	0.00	26,124.53	172,628.93	0.00	\$172,628.93
745 Police Prop.Rm Forfeiture	246,575.13	0.00	0.00	9,683.86	256,258.99	0.00	\$256,258.99
752 Municipal Court Cash	199,716.69	0.00	0.00	0.00	199,716.69	0.00	\$199,716.69
760 Treasury Investment Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
775 Sinking Fund	3,870.30	4,462,043.92	4,462,043.92	0.00	3,870.30	0.00	\$3,870.30
Total - Trust and Agency	\$3,329,191.36	\$4,462,526.46	\$4,464,040.89	(\$608,899.44)	\$2,718,777.49	\$0.00	\$2,718,777.49
TOTAL	\$126,078,504.83	\$121,968,376.78	\$96,225,901.95	(\$1,472,842.34)	\$150,348,137.32	\$53,547,048.22	\$96,801,089.10

City Council Meeting Informational Report

TO: The Honorable Mayor and Members of the City Council
FROM: Dave Jones, Finance Director
RE: APRIL, 2020 MONTHLY INVESTMENT REPORT TO COUNCIL

Dear Mayor and Members of Council:

This report is provided for your information and requires no City Council action.

Choose Strategic Goal(s)

- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- E** Engage 50,000 participants annually in special events, arts and recreation activities
- O** General Operations/ Government Business





UNITED AMERICAN CAPITAL

Investment Review



Prepared for

City of Hamilton

as of April 30, 2020



A Meeder
Investment
Management
Company

City of Hamilton
Portfolio Management
Investment Status Report - Investments
April 30, 2020

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency - Coupon (NC)												
3133EGJD8	16-0078	FFCB	500,000.00	1.140	06/29/2020	06/29/2016	59	1.200	500,844.28		498,838.00	498,838.00
3134G9QB6	16-0060	FHLMC	500,000.00	1.500	11/25/2020	05/25/2016	208	1.500	503,471.84		500,000.00	500,000.00
3133ECJF2	17-0026	FFCB	800,000.00	1.770	03/18/2021	12/28/2017	321	2.098	810,118.57	Received	791,864.00	500,000.00
3133ECKF0	17-0022	FFCB	1,024,000.00	1.750	04/01/2021	11/07/2017	335	1.864	1,037,243.61	Received	1,020,160.00	1,020,160.00
3133EHNX7	17-0013	FFCB	525,000.00	1.650	06/21/2021	06/21/2017	416	1.720	533,017.06		523,582.50	523,582.50
3130A8QS5	16-0088	FHLB	1,000,000.00	1.125	07/14/2021	07/15/2016	439	1.269	1,010,584.59	Received	993,050.00	993,050.00
3133EHWM1	18-0005	FFCB	100,000.00	1.700	09/01/2021	06/21/2018	488	2.789	101,891.13	Received	96,692.00	96,692.00
3133ELTZ7	20-0034	FFCB	250,000.00	0.625	03/18/2022	03/18/2020	686	0.730	251,453.02		249,480.00	249,480.00
3133EHSS3	17-0018	FFCB	600,000.00	1.875	09/26/2022	09/27/2017	878	1.928	621,379.51	Received	598,494.00	598,494.00
3133EKD60	19-0053	FFCB	500,000.00	1.560	02/21/2023	08/21/2019	1,026	1.586	515,960.46		499,560.00	499,560.00
3133ELUF9	20-0038	FFCB	500,000.00	0.790	03/15/2023	03/23/2020	1,048	0.900	505,280.56		498,385.00	498,385.00
31422BXH8	20-0041	FAMCA	1,000,000.00	0.850	03/20/2023	03/27/2020	1,053	0.850	1,001,717.04		1,000,000.00	1,000,000.00
3133EKVB9	19-0039	FFCB	500,000.00	1.860	10/17/2023	07/17/2019	1,264	1.961	523,306.70		497,956.02	497,956.02
3130AB3H7	19-0017	FHLB	500,000.00	2.375	03/08/2024	04/15/2019	1,407	2.467	535,339.79	Received	498,655.00	498,655.00
3130AGWK7	19-0056	FHLB	500,000.00	1.500	08/15/2024	08/20/2019	1,567	1.519	522,215.43	Received	499,545.00	499,545.00
3133EK3B0	19-0078	FFCB	500,000.00	1.500	10/16/2024	10/16/2019	1,629	1.515	518,801.35		499,640.00	499,640.00
Federal Agency - Coupon (NC) Totals			9,299,000.00				771	1.564	9,492,624.94	0.00	9,265,901.52	9,265,901.52
Negotiatble CDs												
05581W2M6	19-0069	BMO	247,000.00	1.950	09/30/2021	09/30/2019	517	1.953	251,781.18		247,000.00	247,000.00
87164DRW2	20-0051	SNV	248,000.00	1.100	01/18/2022	04/17/2020	627	1.129	249,943.08		247,876.00	247,876.00
15201QCD7	20-0031	CTRSTE	248,000.00	1.000	03/21/2022	03/20/2020	689	1.000	249,500.90		248,000.00	248,000.00
12556LBU9	20-0032	CIT	248,000.00	1.050	03/28/2022	03/26/2020	696	1.050	249,737.49		248,000.00	248,000.00
17312Q3T4	19-0011	C	246,000.00	2.650	04/04/2022	04/04/2019	703	2.653	255,276.91	Received	246,000.00	246,000.00
084601XB4	20-0048	BHLB	248,000.00	1.250	04/21/2022	04/08/2020	720	1.305	250,705.93		247,727.20	247,727.20
57116AUD8	20-0057	MRLN	249,000.00	1.150	04/25/2022	04/24/2020	724	1.155	251,222.82		248,751.00	248,751.00
89214PCQ0	20-0060	TOWN	248,000.00	1.150	04/29/2022	04/29/2020	728	1.150	250,221.34		248,000.00	248,000.00
33847E2J5	19-0032	FBC	246,000.00	2.500	06/13/2022	06/12/2019	773	2.510	255,246.65		245,938.50	245,938.50
02007GKL6	19-0033	ALLY	246,000.00	2.250	06/27/2022	06/28/2019	787	2.252	254,077.66	Received	246,000.00	246,000.00
51210SSG3	20-0052	LAKESD	249,000.00	1.150	10/14/2022	04/14/2020	896	1.191	251,448.42		248,751.00	248,751.00
20786ADA0	20-0055	NORJER	249,000.00	1.200	10/21/2022	04/22/2020	903	1.262	251,761.16		248,626.50	248,626.50
05580ATH7	19-0099	BMW	247,000.00	1.800	11/29/2022	12/19/2019	942	1.852	253,562.05	243.62	246,644.32	246,887.94
949495AA3	19-0096	WFC	249,000.00	1.800	12/13/2022	12/13/2019	956	1.862	255,699.84		248,564.25	248,564.25
33646CMD3	20-0053	SRCE	248,000.00	1.150	02/17/2023	04/17/2020	1,022	1.222	250,547.46		247,504.00	247,504.00
81768PAF3	20-0012	SFBS	249,000.00	1.600	02/21/2023	02/21/2020	1,026	1.670	254,660.27		248,502.00	248,502.00
31944ABM2	20-0033	FCBKSC	248,000.00	1.100	03/20/2023	03/20/2020	1,053	1.100	248,255.44		248,000.00	248,000.00
02589AB50	20-0040	AXP	248,000.00	1.450	03/31/2023	03/31/2020	1,064	1.570	252,710.02		247,132.00	247,132.00

City of Hamilton
Portfolio Management
Investment Status Report - Investments
April 30, 2020

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Negotiatble CDs												
87165FZA5	20-0045	SYF	248,000.00	1.450	04/03/2023	04/03/2020	1,067	1.570	252,717.46		247,132.00	247,132.00
61760AYA1	19-0012	MS	246,000.00	2.750	04/04/2023	04/05/2019	1,068	2.752	259,944.51	Received	246,000.00	246,000.00
949763YY6	19-0014	WELLS	249,000.00	2.750	04/10/2023	04/10/2019	1,074	2.778	263,165.86		248,751.00	248,751.00
12738RGA6	20-0049	CADE	248,000.00	1.300	04/17/2023	04/15/2020	1,081	1.385	251,660.73		247,380.00	247,380.00
20033AW36	19-0022	COME	249,000.00	2.650	05/15/2023	05/15/2019	1,109	2.678	262,837.68		248,751.00	248,751.00
06652CGX3	19-0035	BNKWST	249,000.00	2.050	06/27/2023	06/28/2019	1,152	2.180	258,704.03	Received	247,772.43	247,772.43
58404DET4	19-0045	MEDBNK	249,000.00	2.100	07/24/2023	07/22/2019	1,179	2.181	259,328.77		248,253.00	248,253.00
59013KBQ8	19-0047	MERICK	249,000.00	2.150	07/24/2023	07/23/2019	1,179	2.232	259,725.92		248,253.00	248,253.00
75472RAD3	19-0052	RJF	247,000.00	1.950	08/23/2023	08/23/2019	1,209	2.004	256,285.22		246,506.00	246,506.00
15118RRF6	19-0055	CII	249,000.00	1.800	08/30/2023	08/30/2019	1,216	1.861	257,194.34		248,422.32	248,422.32
51210SSA6	20-0042	LAKESD	249,000.00	1.350	09/29/2023	03/30/2020	1,246	1.425	253,614.22		248,377.50	248,377.50
29278TML1	19-0085	CMS	247,000.00	2.000	10/31/2023	10/31/2019	1,278	2.080	255,961.65		246,259.00	246,259.00
06426KBL1	19-0046	SONHBT	249,000.00	2.100	11/27/2023	07/26/2019	1,305	2.144	260,404.70		248,190.75	248,190.75
538036HC1	19-0095	LIVOAK	249,000.00	1.800	12/11/2023	12/11/2019	1,319	1.879	257,866.89		248,253.00	248,253.00
38148P5B9	19-0003	GOLD	246,000.00	3.100	02/13/2024	02/13/2019	1,383	3.178	267,087.61		245,139.00	245,139.00
07815AAY3	20-0021	STBFAR	249,000.00	1.650	02/27/2024	02/27/2020	1,397	1.729	250,058.75		248,253.00	248,253.00
06251AW48	19-0016	BKHAP	246,000.00	2.900	03/25/2024	04/12/2019	1,424	2.903	265,851.71	Received	246,000.00	246,000.00
05465DAK4	20-0023	BOFI	249,000.00	1.650	03/26/2024	03/26/2020	1,425	1.697	257,135.58		248,564.25	248,564.25
90348JJQ4	19-0010	UBS	249,000.00	2.900	04/03/2024	04/03/2019	1,433	2.903	269,198.38		249,000.00	249,000.00
7954502H7	19-0015	SLMA	245,000.00	2.800	04/17/2024	04/17/2019	1,447	2.900	264,119.80		243,897.50	243,897.50
14042RLP4	19-0024	CAP1NA	246,000.00	2.650	05/22/2024	05/22/2019	1,482	2.761	264,025.90		244,770.00	244,770.00
14042TAP2	19-0025	CAP1US	246,000.00	2.650	05/22/2024	05/22/2019	1,482	2.761	264,025.90		244,770.00	244,770.00
61690UGC8	19-0026	MSBKNA	246,000.00	2.600	05/23/2024	05/24/2019	1,483	2.743	263,541.77	Received	244,401.00	244,401.00
27002YEN2	19-0028	EAGLE	249,000.00	2.500	05/24/2024	05/24/2019	1,484	2.588	265,796.54		248,004.00	248,004.00
856285QG9	19-0031	INDIA	246,000.00	2.850	06/19/2024	06/19/2019	1,510	2.907	246,777.85		245,385.00	245,385.00
33767GAM0	19-0084	FIRSTB	249,000.00	1.850	10/25/2024	10/29/2019	1,638	1.910	259,427.12	Received	248,315.25	248,315.25
48128LVJ5	19-0101	JPMC	247,000.00	2.130	12/30/2024	12/30/2019	1,704	2.212	247,701.23		246,073.75	246,073.75
064236BK7	20-0028	BNKMOR	249,000.00	1.250	03/27/2025	03/27/2020	1,791	1.313	250,773.13		248,253.00	248,253.00
Negotiatble CDs Totals			11,400,000.00				1,139	1.988	11,781,291.87	243.62	11,376,143.52	11,376,387.14
Commercial Paper - Discount												
4497W0FH6	19-0100	INGFDG	1,500,000.00	1.890	06/17/2020	12/20/2019	47	1.935	1,485,825.00		1,485,825.00	1,485,825.00
63873JFV7	19-0104	NATIX	575,000.00	1.900	06/29/2020	12/31/2019	59	1.945	569,507.15		569,507.15	569,507.15
62479LGT6	20-0007	MUFGBK	1,000,000.00	1.680	07/27/2020	01/30/2020	87	1.718	991,646.66		991,646.66	991,646.66
2254EAH55	20-0016	CSFBNY	650,000.00	1.620	08/05/2020	02/24/2020	96	1.655	645,232.25		645,232.25	645,232.25
89233GKN5	20-0062	TOY	2,000,000.00	1.690	10/22/2020	04/28/2020	174	1.728	1,983,381.66		1,983,381.66	1,983,381.66
Commercial Paper - Discount Totals			5,725,000.00				105	1.794	5,675,592.72	0.00	5,675,592.72	5,675,592.72

City of Hamilton
Portfolio Management
Investment Status Report - Investments
April 30, 2020

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency - Coupon (Callable)												
3135G0N66	16-0099	FNMA	1,000,000.00	1.400	08/24/2020	08/24/2016	115	1.406	1,000,605.91		999,750.00	999,750.00
3136G35C5	16-0101	FNMA	1,000,000.00	1.400	08/28/2020	08/30/2016	119	1.400	1,000,905.48		1,000,000.00	1,000,000.00
3136G32C8	17-0025	FNMA	325,000.00	1.300	08/24/2021	12/28/2017	480	2.216	329,630.26	Received	314,600.00	314,600.00
3130A9Z46	17-0016	FHLB	400,000.00	1.600	11/26/2021	09/05/2017	574	1.808	400,293.92	Received	396,620.00	396,620.00
3134GVHU5	20-0043	FHLMC	1,000,000.00	1.150	03/30/2022	03/30/2020	698	1.150	1,001,163.64		1,000,000.00	1,000,000.00
3133ELX0	20-0014	FFCB	750,000.00	1.630	08/05/2022	02/21/2020	826	1.655	750,084.11	543.33	749,550.00	750,093.33
3133ELTX2	20-0036	FFCB	500,000.00	0.930	09/19/2022	03/19/2020	871	0.960	500,089.67		499,625.00	499,625.00
3134GVJP4	20-0047	FHLMC	500,000.00	1.125	10/07/2022	04/08/2020	889	1.125	500,046.70		500,000.00	500,000.00
3133ELWR1	20-0056	FFCB	1,000,000.00	0.875	10/20/2022	04/20/2020	902	0.875	999,454.18		1,000,000.00	1,000,000.00
3135G0X81	20-0011	FNMA	1,000,000.00	1.700	01/30/2023	02/12/2020	1,004	1.700	1,002,126.72	566.67	1,000,000.00	1,000,566.67
3130AJA33	20-0015	FHLB	500,000.00	1.800	02/28/2023	02/28/2020	1,033	1.800	500,287.20		500,000.00	500,000.00
3134GVDZ8	20-0020	FHLMC	500,000.00	1.725	02/28/2023	02/28/2020	1,033	1.725	500,478.94		500,000.00	500,000.00
3130AJBC2	20-0025	FHLB	500,000.00	1.600	03/03/2023	03/06/2020	1,036	1.600	500,412.21	66.67	500,000.00	500,066.67
3133ELRT3	20-0029	FFCB	1,000,000.00	1.330	03/09/2023	03/09/2020	1,042	1.330	1,000,580.78		1,000,000.00	1,000,000.00
3133ELRZ9	20-0027	FFCB	525,000.00	1.240	03/10/2023	03/10/2020	1,043	1.240	527,260.96		525,000.00	525,000.00
3130AJDC0	20-0035	FHLB	495,000.00	1.040	03/30/2023	03/30/2020	1,063	1.042	495,775.90		494,975.25	494,975.25
3134GVJN9	20-0046	FHLMC	500,000.00	1.200	04/06/2023	04/08/2020	1,070	1.200	500,375.76		500,000.00	500,000.00
3134GVJW9	20-0050	FHLMC	500,000.00	1.100	04/13/2023	04/13/2020	1,077	1.100	500,072.43		500,000.00	500,000.00
3134GVKH0	20-0054	FHLMC	500,000.00	0.950	04/20/2023	04/20/2020	1,084	0.950	500,364.36		500,000.00	500,000.00
3134GTC68	19-0038	FHLMC	500,000.00	2.220	07/17/2023	07/17/2019	1,172	2.220	501,625.92		500,000.00	500,000.00
3134GAGK4	19-0043	FHLMC	682,000.00	1.840	08/28/2023	07/17/2019	1,214	2.120	682,620.63	Received	674,498.00	674,498.00
3134GUJG6	19-0079	FHLMC	250,000.00	1.700	10/23/2023	10/23/2019	1,270	1.747	251,455.81		249,550.00	249,550.00
3134GVLR7	20-0058	FHLMC	500,000.00	0.800	10/27/2023	04/27/2020	1,274	0.800	499,613.68		500,000.00	500,000.00
3136G4UC5	20-0008	FNMA	500,000.00	1.700	10/30/2023	01/30/2020	1,277	1.700	502,903.40		500,000.00	500,000.00
3134GU6Q8	20-0010	FHLMC	500,000.00	1.750	11/07/2023	02/07/2020	1,285	1.760	501,611.82		499,825.00	499,825.00
3133ELBG8	19-0092	FFCB	500,000.00	1.790	11/27/2023	11/27/2019	1,305	1.790	503,721.20		500,000.00	500,000.00
3133ELMJ0	20-0009	FFCB	500,000.00	1.690	02/12/2024	02/12/2020	1,382	1.690	503,937.49		500,000.00	500,000.00
3133ELNR1	20-0019	FFCB	500,000.00	1.770	02/20/2024	02/27/2020	1,390	1.770	500,064.45	172.08	500,000.00	500,172.08
3133ELSL9	20-0030	FFCB	1,000,000.00	1.050	03/12/2024	03/12/2020	1,411	1.050	1,002,977.09		1,000,000.00	1,000,000.00
3133ELST2	20-0039	FFCB	1,000,000.00	1.210	03/12/2024	03/27/2020	1,411	1.249	999,737.66	504.17	998,500.00	999,004.17
3133ELUM4	20-0037	FFCB	500,000.00	1.200	03/25/2024	03/25/2020	1,424	1.239	499,603.87		499,250.00	499,250.00
3134GUEN6	19-0072	FHLMC	500,000.00	1.875	03/28/2024	09/30/2019	1,427	1.875	505,183.69		500,000.00	500,000.00
3133ELXC3	20-0061	FFCB	500,000.00	0.800	04/22/2024	04/23/2020	1,452	0.800	500,044.63	11.11	500,000.00	500,011.11
3133ELXF6	20-0059	FFCB	500,000.00	0.980	04/24/2024	04/24/2020	1,454	0.980	500,041.32		500,000.00	500,000.00
3134GTNX7	19-0027	FHLMC	500,000.00	2.700	05/28/2024	05/28/2019	1,488	2.700	500,825.23		500,000.00	500,000.00
3134GVDY1	20-0018	FHLMC	500,000.00	1.700	05/28/2024	02/28/2020	1,488	1.703	500,334.89		499,950.00	499,950.00
3134GTXX6	19-0034	FHLMC	700,000.00	2.100	06/26/2024	06/28/2019	1,517	2.100	701,577.75		700,000.00	700,000.00

City of Hamilton
Portfolio Management
Investment Status Report - Investments
April 30, 2020

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency - Coupon (Callable)												
3134GTXS7	19-0036	FHLMC	1,250,000.00	2.220	06/26/2024	06/28/2019	1,517	2.220	1,253,154.98	Received	1,250,000.00	1,250,000.00
3133EKTT3	19-0037	FFCB	600,000.00	2.230	07/08/2024	07/08/2019	1,529	2.230	601,691.51		600,000.00	600,000.00
3130AGQE8	19-0040	FHLB	500,000.00	2.270	07/22/2024	07/22/2019	1,543	2.291	501,741.54		499,500.00	499,500.00
3134GTV59	19-0060	FHLMC	250,000.00	2.150	08/05/2024	08/23/2019	1,557	2.096	250,910.34	Received	250,625.00	250,625.00
3133EKZN9	19-0059	FFCB	500,000.00	2.060	08/13/2024	08/23/2019	1,565	2.060	501,522.05	Received	500,000.00	500,000.00
3133EKC61	19-0051	FFCB	500,000.00	2.100	08/20/2024	08/20/2019	1,572	2.100	501,099.89		500,000.00	500,000.00
3133EKN93	19-0086	FFCB	260,000.00	1.960	09/16/2024	10/30/2019	1,599	1.998	261,202.22	Received	259,545.00	259,545.00
3134GUWH9	19-0093	FHLMC	500,000.00	2.000	11/27/2024	11/29/2019	1,671	2.000	500,472.84	55.56	500,000.00	500,055.56
3134GUN30	19-0103	FHLMC	525,000.00	2.070	12/30/2024	12/30/2019	1,704	2.070	526,182.62		525,000.00	525,000.00
3130AHXJ7	20-0002	FHLB	500,000.00	1.920	01/21/2025	01/24/2020	1,726	1.920	504,442.73	80.00	500,000.00	500,080.00
3134GU4M9	20-0005	FHLMC	500,000.00	2.000	01/21/2025	01/27/2020	1,726	2.000	501,272.28	166.67	500,000.00	500,166.67
3134GU5A4	20-0003	FHLMC	500,000.00	1.850	01/29/2025	01/29/2020	1,734	1.871	504,570.64		499,500.00	499,500.00
3130AJ4M8	20-0022	FHLB	785,000.00	1.750	02/12/2025	02/26/2020	1,748	1.750	790,077.18	534.24	785,000.00	785,534.24
3135G0Y23	20-0017	FNMA	500,000.00	1.900	02/18/2025	02/26/2020	1,754	1.900	501,499.82	211.11	500,000.00	500,211.11
3133ELQF4	20-0024	FFCB	600,000.00	1.750	03/03/2025	03/03/2020	1,767	1.750	600,393.05		600,000.00	600,000.00
3133ELRN6	20-0026	FFCB	500,000.00	1.500	03/05/2025	03/06/2020	1,769	1.500	500,865.04	20.83	500,000.00	500,020.83
3134GVHY7	20-0044	FHLMC	1,000,000.00	1.500	03/26/2025	03/31/2020	1,790	1.500	1,000,369.47		1,000,000.00	1,000,000.00
Federal Agency - Coupon (Callable) Totals			32,397,000.00				1,241	1.608	32,469,357.86	2,932.44	32,370,863.25	32,373,795.69
Treasury Securities - Coupon												
91282VF4	17-0004	USTN	1,270,000.00	1.375	05/31/2020	01/27/2017	30	1.628	1,271,327.15	Received	1,259,582.02	1,259,582.02
91282NT3	18-0026	USTN	500,000.00	2.625	08/15/2020	10/03/2018	106	2.788	503,750.00	Received	498,515.63	498,515.63
91282L65	17-0003	USTN	1,000,000.00	1.375	09/30/2020	01/26/2017	152	1.718	1,005,391.00	Received	987,812.50	987,812.50
91282Q37	17-0007	USTN	600,000.00	1.250	03/31/2021	03/31/2017	334	1.801	606,046.80		587,296.88	587,296.88
91282R77	17-0021	USTN	650,000.00	1.375	05/31/2021	10/17/2017	395	1.764	658,480.55	Received	641,164.06	641,164.06
91282S76	17-0009	USTN	860,000.00	1.125	07/31/2021	04/20/2017	456	1.641	870,346.66	Received	841,725.00	841,725.00
91282T67	17-0010	USTN	550,000.00	1.250	10/31/2021	04/28/2017	548	1.791	558,787.35	Received	537,173.83	537,173.83
91282H86	17-0019	USTN	475,000.00	1.500	01/31/2022	09/27/2017	640	1.798	485,743.08	Received	469,099.61	469,099.61
91282YK0	19-0090	USTN	750,000.00	1.375	10/15/2022	11/14/2019	897	1.649	771,093.75	Received	744,169.92	744,169.92
91282YH7	19-0098	USTN	1,000,000.00	1.500	09/30/2024	12/17/2019	1,613	1.705	1,051,172.00	Received	990,625.00	990,625.00
Treasury Securities - Coupon Totals			7,655,000.00				521	1.777	7,782,138.34	0.00	7,557,164.45	7,557,164.45
Investment Totals			66,476,000.00				978	1.702	67,201,005.73	3,176.06	66,245,665.46	66,248,841.52

**City of Hamilton
Purchases Report
Sorted by Purchase Date - Fund
April 1, 2020 - April 30, 2020**

CUSIP	Investment #	Fund	Sec. Type	Issuer	Original Par Value	Purchase Date	Payment Periods	Principal Purchased	Accrued Interest at Purchase	Rate at Purchase	Maturity Date	YTM	Ending Book Value
87165FZA5	20-0045	OP	NC2	SYF	248,000.00	04/03/2020	10/03 - 04/03	247,132.00		1.450	04/03/2023	1.570	247,132.00
084601XB4	20-0048	OP	NC2	BHLB	248,000.00	04/08/2020	10/08 - 04/08	247,727.20		1.250	04/21/2022	1.305	247,727.20
3134GVJN9	20-0046	OP	FAC	FHLMC	500,000.00	04/08/2020	10/06 - 04/06	500,000.00		1.200	04/06/2023	1.200	500,000.00
3134GVJP4	20-0047	OP	FAC	FHLMC	500,000.00	04/08/2020	10/07 - 04/07	500,000.00		1.125	10/07/2022	1.125	500,000.00
3134GVJW9	20-0050	OP	FAC	FHLMC	500,000.00	04/13/2020	10/13 - 04/13	500,000.00		1.100	04/13/2023	1.100	500,000.00
51210SSG3	20-0052	OP	NC2	LAKESD	249,000.00	04/14/2020	05/07 - Final Pmt.	248,751.00		1.150	10/14/2022	1.191	248,751.00
12738RGA6	20-0049	OP	NC2	CADE	248,000.00	04/15/2020	10/15 - 04/15	247,380.00		1.300	04/17/2023	1.385	247,380.00
87164DRW2	20-0051	OP	NC2	SNV	248,000.00	04/17/2020	10/17 - 04/17	247,876.00		1.100	01/18/2022	1.129	247,876.00
33646CMD3	20-0053	OP	NC2	SRCE	248,000.00	04/17/2020	10/17 - 04/17	247,504.00		1.150	02/17/2023	1.222	247,504.00
3133ELWR1	20-0056	OP	FAC	FFCB	1,000,000.00	04/20/2020	10/20 - 04/20	1,000,000.00		0.875	10/20/2022	0.875	1,000,000.00
3134GVKH0	20-0054	OP	FAC	FHLMC	500,000.00	04/20/2020	10/20 - 04/20	500,000.00		0.950	04/20/2023	0.950	500,000.00
20786ADA0	20-0055	OP	NC2	NORJER	249,000.00	04/22/2020	05/22 - Monthly	248,626.50		1.200	10/21/2022	1.262	248,626.50
3133ELXC3	20-0061	OP	FAC	FFCB	500,000.00	04/23/2020	10/22 - 04/22	500,000.00	11.11	0.800	04/22/2024	0.800	500,011.11
3133ELXF6	20-0059	OP	FAC	FFCB	500,000.00	04/24/2020	10/24 - 04/24	500,000.00		0.980	04/24/2024	0.980	500,000.00
57116AUD8	20-0057	OP	NC2	MRLN	249,000.00	04/24/2020	05/24 - Monthly	248,751.00		1.150	04/25/2022	1.155	248,751.00
3134GVLR7	20-0058	OP	FAC	FHLMC	500,000.00	04/27/2020	10/27 - 04/27	500,000.00		0.800	10/27/2023	0.800	500,000.00
89233GKN5	20-0062	OP	COM	TOY	2,000,000.00	04/28/2020	10/22 - At Maturity	1,983,381.66		1.690	10/22/2020	1.728	1,983,381.66
89214PCQ0	20-0060	OP	NC2	TOWN	248,000.00	04/29/2020	10/29 - 04/29	248,000.00		1.150	04/29/2022	1.150	248,000.00
Total Purchases					8,735,000.00			8,715,129.36	11.11				8,715,140.47

**City of Hamilton
Sales/Call Report
Sorted by Redemption Date - Fund
April 1, 2020 - April 30, 2020**

CUSIP	Investment #	Fund	Issuer Sec. Type	Purchase Date	Redem. Date Matur. Date	Par Value	Rate at Redem.	Book Value at Redem.	Redemption Principal	Redemption Interest	Total Amount	Net Income
3133EGPW9	17-0024	OP	FFCB FAC	12/04/2017	04/08/2020 05/09/2022	600,000.00	1.625	584,088.00	600,000.00	4,035.42	604,035.42 Call	19,947.42
3134GUGR5	19-0075	OP	FHLMC FAC	10/09/2019	04/09/2020 01/09/2024	500,000.00	2.000	500,000.00	500,000.00	5,000.00	505,000.00 Call	5,000.00
3134GUHS2	19-0080	OP	FHLMC FAC	10/24/2019	04/16/2020 10/16/2024	550,000.00	2.050	549,838.06	550,000.00	5,637.50	555,637.50 Call	5,799.44
3133EKX76	19-0076	OP	FFCB FAC	10/17/2019	04/17/2020 04/17/2023	500,000.00	1.980	499,663.50	500,000.00	4,950.00	504,950.00 Call	5,286.50
3134GUV64	20-0001	OP	FHLMC FAC	01/17/2020	04/17/2020 01/17/2024	750,000.00	1.900	749,625.00	750,000.00	3,562.50	753,562.50 Call	3,937.50
3133ELGR9	20-0006	OP	FFCB FAC	01/27/2020	04/22/2020 07/13/2023	500,000.00	1.780	500,096.11	500,000.00	2,447.50	502,447.50 Call	2,351.39
3133ELJT2	20-0004	OP	FFCB FAC	01/24/2020	04/23/2020 04/23/2024	500,000.00	1.940	500,026.94	500,000.00	2,425.00	502,425.00 Call	2,398.06
3134GUHH6	19-0077	OP	FHLMC FAC	10/24/2019	04/24/2020 04/24/2023	500,000.00	1.500	497,700.00	500,000.00	3,750.00	503,750.00 Call	6,050.00
3134G9X77	16-0092	OP	FHLMC FAC	07/27/2016	04/27/2020 01/27/2021	800,000.00	1.470	800,000.00	800,000.00	2,940.00	802,940.00 Call	2,940.00
3136G3G82	19-0042	OP	FNMA FAC	07/17/2019	04/27/2020 07/27/2021	320,000.00	1.550	316,406.40	320,000.00	1,240.00	321,240.00 Call	4,833.60
3134GUML1	19-0081	OP	FHLMC FAC	10/30/2019	04/30/2020 10/30/2024	500,000.00	2.050	500,000.00	500,000.00	5,125.00	505,125.00 Call	5,125.00
Total Sales						6,020,000.00		5,997,444.01	6,020,000.00	41,112.92	6,061,112.92	63,668.91

**City of Hamilton
Maturity Report
Sorted by Maturity Date
Receipts during April 1, 2020 - April 30, 2020**

CUSIP	Investment #	Fund	Sec. Type	Issuer	Par Value	Maturity Date	Purchase Date	Rate at Maturity	Book Value at Maturity	Interest	Maturity Proceeds	Net Income
63873JD64	19-0074	OP	COM	NATIX	1,000,000.00	04/06/2020	10/09/2019	1.940	990,300.00	9,700.00	1,000,000.00	9,700.00
62479LDH5	19-0082	OP	COM	MUFGBK	400,000.00	04/17/2020	10/25/2019	1.940	396,227.78	3,772.22	400,000.00	3,772.22
62479LDN2	19-0083	OP	COM	MUFGBK	1,000,000.00	04/22/2020	10/28/2019	1.910	990,609.16	9,390.84	1,000,000.00	9,390.84
3134G9DP9	16-0059	OP	NCB	FHLMC	775,000.00	04/27/2020	04/29/2016	1.375	774,808.58	5,328.13	780,328.13	5,519.55
Total Maturities					3,175,000.00				3,151,945.52	28,191.19	3,180,328.13	28,382.61

**City of Hamilton
Interest History
Sorted by Fund
April 1, 2020 - April 30, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	Amount Received
Bank of Old Monroe										
064236BK7	20-0028	OP	Negotiatble CDs	249,000.00	03/27/2025	1.250	04/27/2020	264.35	04/27/2020	264.35
			Subtotal	249,000.00		1.250		264.35		264.35
			Bank of Old Monroe Total	249,000.00				264.35		264.35
BanlWest Inc.										
06652CGX3	19-0035	OP	Negotiatble CDs	249,000.00	06/27/2023	2.050	04/27/2020	433.53	04/27/2020	433.53
			Subtotal	249,000.00		2.050		433.53		433.53
			BanlWest Inc. Total	249,000.00				433.53		433.53
Axos Bank										
05465DAK4	20-0023	OP	Negotiatble CDs	249,000.00	03/26/2024	1.650	04/26/2020	348.94	04/26/2020	348.94
			Subtotal	249,000.00		1.650		348.94		348.94
			Axos Bank Total	249,000.00				348.94		348.94
CITIBANK NA										
17312Q3T4	19-0011	OP	Negotiatble CDs	246,000.00	04/04/2022	2.650	04/02/2020	3,268.43	04/02/2020	3,268.43
			Subtotal	246,000.00		2.650		3,268.43		3,268.43
			CITIBANK NA Total	246,000.00				3,268.43		3,268.43
Celtic Bank										
15118RRF6	19-0055	OP	Negotiatble CDs	249,000.00	08/30/2023	1.800	04/30/2020	380.66	04/30/2020	380.66
			Subtotal	249,000.00		1.800		380.66		380.66
			Celtic Bank Total	249,000.00				380.66		380.66
Enerbank USA										
29278TML1	19-0085	OP	Negotiatble CDs	247,000.00	10/31/2023	2.000	04/30/2020	2,463.23	04/30/2020	2,463.23
			Subtotal	247,000.00		2.000		2,463.23		2,463.23
			Enerbank USA Total	247,000.00				2,463.23		2,463.23
Comenity Capital Bank										
20033AW36	19-0022	OP	Negotiatble CDs	249,000.00	05/15/2023	2.650	04/15/2020	560.42	04/15/2020	560.42

**City of Hamilton
Interest History
Sorted by Fund
April 1, 2020 - April 30, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Subtotal				249,000.00		2.650		560.42		560.42
Comenity Capital Bank Total				249,000.00				560.42		560.42
Eagle Bank										
27002YEN2	19-0028	OP	Negotiatble CDs	249,000.00	05/24/2024	2.500	04/24/2020	528.70	04/24/2020	528.70
Subtotal				249,000.00		2.500		528.70		528.70
Eagle Bank Total				249,000.00				528.70		528.70
First Capital Bank SC										
31944ABM2	20-0033	OP	Negotiatble CDs	248,000.00	03/20/2023	1.100	04/20/2020	231.69	04/20/2020	231.69
Subtotal				248,000.00		1.100		231.69		231.69
First Capital Bank SC Total				248,000.00				231.69		231.69
Federal Farm Credit Bank										
3133ECKF0	17-0022	OP	Federal Agency - Coupon (NC)	1,024,000.00	04/01/2021	1.750	04/01/2020	8,960.00	04/01/2020	8,960.00
Subtotal				1,024,000.00		1.750		8,960.00		8,960.00
3133EKVB9	19-0039		Federal Agency - Coupon (NC)	500,000.00	10/17/2023	1.860	04/17/2020	4,650.00	04/17/2020	4,650.00
Subtotal				500,000.00		1.860		4,650.00		4,650.00
3133EK3B0	19-0078		Federal Agency - Coupon (NC)	500,000.00	10/16/2024	1.500	04/16/2020	3,750.00	04/16/2020	3,750.00
Subtotal				500,000.00		1.500		3,750.00		3,750.00
3133EGPW9	17-0024		Federal Agency - Coupon (Callable)	0.00	05/09/2022	1.625	04/08/2020	4,035.42	04/08/2020	4,035.42
Subtotal				0.00		1.625		4,035.42		4,035.42
3133EKX76	19-0076		Federal Agency - Coupon (Callable)	0.00	04/17/2023	1.980	04/17/2020	4,950.00	04/17/2020	4,950.00
Subtotal				0.00		1.980		4,950.00		4,950.00
3133ELJT2	20-0004		Federal Agency - Coupon (Callable)	0.00	04/23/2024	1.940	04/23/2020	2,425.00	04/23/2020	2,425.00
Subtotal				0.00		1.940		2,398.06		2,398.06
3133ELGR9	20-0006		Federal Agency - Coupon (Callable)	0.00	07/13/2023	1.780	04/22/2020	2,447.50	04/22/2020	2,447.50
Subtotal				0.00		1.780		2,101.39		2,101.39
Federal Farm Credit Bank Total				2,024,000.00				30,844.87		30,844.87
Federal Home Loan Mortgage Crp										
3134G9DP9	16-0059	OP	Federal Agency - Coupon (NC)	0.00	04/27/2020	1.375	04/27/2020	5,328.13	04/27/2020	5,328.13

**City of Hamilton
Interest History
Sorted by Fund
April 1, 2020 - April 30, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Subtotal				0.00		1.375		5,328.13		5,328.13
3134G9X77	16-0092	OP	Federal Agency - Coupon (Callable)	0.00	01/27/2021	1.470	04/27/2020	2,940.00	04/27/2020	2,940.00
Subtotal				0.00		1.470		2,940.00		2,940.00
3134GUGR5	19-0075		Federal Agency - Coupon (Callable)	0.00	01/09/2024	2.000	04/09/2020	5,000.00	04/09/2020	5,000.00
Subtotal				0.00		2.000		5,000.00		5,000.00
3134GUHH6	19-0077		Federal Agency - Coupon (Callable)	0.00	04/24/2023	1.500	04/24/2020	3,750.00	04/24/2020	3,750.00
Subtotal				0.00		1.500		3,750.00		3,750.00
3134GUJG6	19-0079		Federal Agency - Coupon (Callable)	250,000.00	10/23/2023	1.700	04/23/2020	2,125.00	04/23/2020	2,125.00
Subtotal				250,000.00		1.700		2,125.00		2,125.00
3134GUHS2	19-0080		Federal Agency - Coupon (Callable)	0.00	10/16/2024	2.050	04/16/2020	5,637.50	04/16/2020	5,637.50
Subtotal				0.00		2.050		5,386.94		5,386.94
Federal Home Loan Mortgage Crp Total				250,000.00				33,217.57		33,217.57
Firstbank Puerto Rico										
33767GAM0	19-0084	OP	Negotiatble CDs	249,000.00	10/25/2024	1.850	04/25/2020	391.24	04/25/2020	391.24
Subtotal				249,000.00		1.850		391.24		391.24
Firstbank Puerto Rico Total				249,000.00				391.24		391.24
Federal National Mortgage Assn										
3136G3G82	19-0042	OP	Federal Agency - Coupon (Callable)	0.00	07/27/2021	1.550	04/27/2020	1,240.00	04/27/2020	1,240.00
Subtotal				0.00		1.550		1,240.00		1,240.00
3136G4UC5	20-0008		Federal Agency - Coupon (Callable)	500,000.00	10/30/2023	1.700	04/30/2020	2,125.00	04/30/2020	2,125.00
Subtotal				500,000.00		1.700		2,125.00		2,125.00
Federal National Mortgage Assn Total				500,000.00				3,365.00		3,365.00
Lakeside Bank										
51210SSA6	20-0042	OP	Negotiatble CDs	249,000.00	09/29/2023	1.350	04/30/2020	285.50	04/30/2020	285.50
Subtotal				249,000.00		1.350		285.50		285.50

City of Hamilton
Interest History
Sorted by Fund
April 1, 2020 - April 30, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Lakeside Bank Total				249,000.00				285.50		285.50
Live oak Banking Co.										
538036HC1	19-0095	OP	Negotiatble CDs	249,000.00	12/11/2023	1.800	04/01/2020	380.66	04/01/2020	380.66
Subtotal				249,000.00		1.800		380.66		380.66
Live oak Banking Co. Total				249,000.00				380.66		380.66
Medallion Bank UTAH										
58404DET4	19-0045	OP	Negotiatble CDs	249,000.00	07/24/2023	2.100	04/22/2020	444.11	04/22/2020	444.11
Subtotal				249,000.00		2.100		444.11		444.11
Medallion Bank UTAH Total				249,000.00				444.11		444.11
Merrick Bank										
59013KBQ8	19-0047	OP	Negotiatble CDs	249,000.00	07/24/2023	2.150	04/23/2020	454.68	04/23/2020	454.68
Subtotal				249,000.00		2.150		454.68		454.68
Merrick Bank Total				249,000.00				454.68		454.68
Morgan Stanley PVT Bank										
61760AYA1	19-0012	OP	Negotiatble CDs	246,000.00	04/04/2023	2.750	04/04/2020	3,391.77	04/04/2020	3,391.77
Subtotal				246,000.00		2.750		3,391.77		3,391.77
Morgan Stanley PVT Bank Total				246,000.00				3,391.77		3,391.77
MUFG Bank LTD/NY										
62479LDH5	19-0082	OP	Commercial Paper - Discount	0.00	04/17/2020	1.940	04/17/2020	3,772.22	04/17/2020	3,772.22
Subtotal				0.00		1.940		3,772.22		3,772.22
62479LDN2	19-0083		Commercial Paper - Discount	0.00	04/22/2020	1.910	04/22/2020	9,390.84	04/22/2020	9,390.84
Subtotal				0.00		1.910		9,390.84		9,390.84
MUFG Bank LTD/NY Total				0.00				13,163.06		13,163.06
Natixis NY Branch										
63873JD64	19-0074	OP	Commercial Paper - Discount	0.00	04/06/2020	1.940	04/06/2020	9,700.00	04/06/2020	9,700.00
Subtotal				0.00		1.940		9,700.00		9,700.00
Natixis NY Branch Total				0.00				9,700.00		9,700.00

City of Hamilton
Interest History
Sorted by Fund
April 1, 2020 - April 30, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
ServiFirst Bank										
81768PAF3	20-0012	OP	Negotiatble CDs	249,000.00	02/21/2023	1.600	04/21/2020	338.37	04/21/2020	338.37
			Subtotal	249,000.00		1.600		338.37		338.37
			ServiFirst Bank Total	249,000.00				338.37		338.37
Student Loan Marketing Assn.										
7954502H7	19-0015	OP	Negotiatble CDs	245,000.00	04/17/2024	2.800	04/17/2020	3,439.40	04/17/2020	3,439.40
			Subtotal	245,000.00		2.800		3,439.40		3,439.40
			Student Loan Marketing Assn. Total	245,000.00				3,439.40		3,439.40
Bank of New England NH										
06426KBL1	19-0046	OP	Negotiatble CDs	249,000.00	11/27/2023	2.100	04/26/2020	444.11	04/26/2020	444.11
			Subtotal	249,000.00		2.100		444.11		444.11
			Bank of New England NH Total	249,000.00				444.11		444.11
Bell Bank Corp.										
07815AAY3	20-0021	OP	Negotiatble CDs	249,000.00	02/27/2024	1.650	04/27/2020	348.94	04/27/2020	348.94
			Subtotal	249,000.00		1.650		348.94		348.94
			Bell Bank Corp. Total	249,000.00				348.94		348.94
UBS Bank USA										
90348JJQ4	19-0010	OP	Negotiatble CDs	249,000.00	04/03/2024	2.900	04/03/2020	613.29	04/03/2020	613.29
			Subtotal	249,000.00		2.900		613.29		613.29
			UBS Bank USA Total	249,000.00				613.29		613.29
U.S. Treasury Note										
912828T67	17-0010	OP	Treasury Securities - Coupon	550,000.00	10/31/2021	1.250	04/30/2020	3,437.50	04/30/2020	3,437.50
			Subtotal	550,000.00		1.250		3,437.50		3,437.50
912828YK0	19-0090		Treasury Securities - Coupon	750,000.00	10/15/2022	1.375	04/15/2020	5,156.25	04/15/2020	5,156.25
							04/15/2020	-845.29	04/15/2020	-845.29
			Subtotal	750,000.00		1.375		4,310.96		4,310.96
			U.S. Treasury Note Total	1,300,000.00				7,748.46		7,748.46
Wells Fargo Bank NA										
949763YY6	19-0014	OP	Negotiatble CDs	249,000.00	04/10/2023	2.750	04/10/2020	581.57	04/10/2020	581.57

City of Hamilton
Interest History
Sorted by Fund
April 1, 2020 - April 30, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Subtotal				249,000.00		2.750		581.57		581.57
Wells Fargo Bank NA Total				249,000.00				581.57		581.57
Wells Fargo Nat'l. Bank West										
949495AA3	19-0096	OP	Negotiatble CDs	249,000.00	12/13/2022	1.800	04/13/2020	380.66	04/13/2020	380.66
Subtotal				249,000.00		1.800		380.66		380.66
Wells Fargo Nat'l. Bank West Total				249,000.00				380.66		380.66
Total				9,539,000.00				118,013.21		118,013.21

City of Hamilton
Period Realized Gains and Losses
Sorted By Maturity/Sale/Call Date
Sales/Calls/Maturities: April 1, 2020 - April 30, 2020

Investment #	Inv. Type	Purchase Date	Par Value	Sale Date	Days Active		Maturity/Sale	Realized	Total	Period	Period
Issuer			Current Rate	Maturity Date	Term	Book Value	Proceeds	Gain/Loss	Earnings	Net Earnings	Yield 365
19-0074 Natixis NY Branch	COM	10/09/2019	1,000,000.00 1.940	04/06/2020 04/06/2020	5 180	990,300.00	1,000,000.00	0.00	269.44	269.44	1.986
17-0024 Federal Farm Credit Bank	FAC	12/04/2017	600,000.00 1.625	04/08/2020 05/09/2022	7 1,617	584,088.00	600,000.00	15,912.00	189.58	16,101.58	143.742
19-0075 Federal Home Loan Mortgage Crp	FAC	10/09/2019	500,000.00 2.000	04/09/2020 01/09/2024	8 1,553	500,000.00	500,000.00	0.00	222.22	222.22	2.028
19-0080 Federal Home Loan Mortgage Crp	FAC	10/24/2019	550,000.00 2.050	04/16/2020 10/16/2024	15 1,819	549,838.06	550,250.56	412.50	469.79	882.29	3.905
19-0076 Federal Farm Credit Bank	FAC	10/17/2019	500,000.00 1.980	04/17/2020 04/17/2023	16 1,278	499,663.50	500,000.00	336.50	440.00	776.50	3.545
20-0001 Federal Home Loan Mortgage Crp	FAC	01/17/2020	750,000.00 1.900	04/17/2020 01/17/2024	16 1,461	749,625.00	750,000.00	375.00	633.33	1,008.33	3.069
19-0082 MUFGBank LTD/NY	COM	10/25/2019	400,000.00 1.940	04/17/2020 04/17/2020	16 175	396,227.78	400,000.00	0.00	344.89	344.89	1.986
20-0006 Federal Farm Credit Bank	FAC	01/27/2020	500,000.00 1.780	04/22/2020 07/13/2023	21 1,263	500,096.11	500,346.11	250.00	519.17	769.17	2.673
19-0083 MUFGBank LTD/NY	COM	10/28/2019	1,000,000.00 1.910	04/22/2020 04/22/2020	21 177	990,609.16	1,000,000.00	0.00	1,114.17	1,114.17	1.955
20-0004 Federal Farm Credit Bank	FAC	01/24/2020	500,000.00 1.940	04/23/2020 04/23/2024	22 1,551	500,026.94	500,026.94	0.00	592.78	592.78	1.967
19-0077 Federal Home Loan Mortgage Crp	FAC	10/24/2019	500,000.00 1.500	04/24/2020 04/24/2023	23 1,278	497,700.00	500,000.00	2,300.00	479.17	2,779.17	8.862
16-0059 Federal Home Loan Mortgage Crp	NCB	04/29/2016	775,000.00 1.375	04/27/2020 04/27/2020	26 1,459	774,808.58	775,000.00	191.42	769.62	961.04	1.741
16-0092 Federal Home Loan Mortgage Crp	FAC	07/27/2016	800,000.00 1.470	04/27/2020 01/27/2021	26 1,645	800,000.00	800,000.00	0.00	849.33	849.33	1.490
19-0042 Federal National Mortgage Assn	FAC	07/17/2019	320,000.00 1.550	04/27/2020 07/27/2021	26 741	316,406.40	320,000.00	3,593.60	358.22	3,951.82	17.534
19-0081 Federal Home Loan Mortgage Crp	FAC	10/30/2019	500,000.00 2.050	04/30/2020 10/30/2024	29 1,827	500,000.00	500,000.00	0.00	825.69	825.69	2.078
Total Realized Gains/Losses						9,149,389.53	9,195,623.61	23,371.02	8,077.40	31,448.42	12.213

GREENUP PROCEEDS FUND

**City of Hamilton-Greenup Proc
Portfolio Management
Investment Status Report - Investments
April 30, 2020**

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency - Coupon (NC)												
3133EGJD8	16-0079	FFCB	1,000,000.00	1.140	06/29/2020	06/29/2016	59	1.200	1,001,688.56		997,676.00	997,676.00
Federal Agency - Coupon (NC) Totals			1,000,000.00				59	1.200	1,001,688.56	0.00	997,676.00	997,676.00
Investment Totals			1,000,000.00				59	1.200	1,001,688.56	0.00	997,676.00	997,676.00

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to Filing an application to the Council of the City of Hamilton, Ohio for the expansion of Hamilton's Designated Outdoor Refreshment Area (DORA) and the amendment of the regulations associated with the DORA. (City of Hamilton, Applicant).

<input checked="" type="checkbox"/>	1 st Reading Date: 6-10-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 6-24-2020
<input type="checkbox"/>	Resolution Date:
<input checked="" type="checkbox"/>	Public Hearing Date: 6-10-2020

Dear Mayor and Members of Council:

The Department of Economic Development and the Department of Neighborhoods are hereby submitting an application to City Council this day of Friday, May 22, 2020, that proposes to expand Hamilton's Designated Outdoor Refreshment Area (DORA) boundaries and amend the regulations associated with the DORA. After that date, the application will be on file in the Office of the Clerk of the City of Hamilton, and be available for inspection by the public during regular business hours with a public hearing regarding the application being held Wednesday, June 10, 2020. If City Council approves the application, the City will submit this DORA application to the State of Ohio for approval.

The City of Hamilton City Council established a DORA in February 2018. A DORA is an area where the open carry restrictions do not apply at particular hours, and adults are permitted to possess and consume alcohol in public, with certain restrictions.

Proposed DORA Boundary Expansion

Because of the DORA's positive impact on downtown Hamilton, City staff are proposing to expand the DORA boundaries to encourage additional positive development within the expansion areas.

Generally, the expansion includes:

- The 100 to 300 blocks of South B Street
- the 500 to 1000 blocks of High Street
- Black Street Bridge and 555 North Third Street.

The Black Street Bridge and 555 N Third Street are recommended to be suspended DORA areas similar to North B Street and the Spook Nook Sports Champion Mill areas. These suspended DORA areas would be activated when restaurant and retail businesses develop.



Amended Regulations: Updated DORA Application

In order to amend and expand the DORA, the City must submit an updated DORA application to the State of Ohio. City staff is also recommending a number of amendments to the regulations associated with the DORA that would be included in the DORA application. These include:

- Change the word “cup” to “container.” This change will allow businesses to utilize a wider variety of DORA containers as long as the containers abide by the regulations set forth by the Ohio Revised Code. For example, one small business has inquired about DORA containers that could carry scoops of alcohol-infused ice cream. Language is also proposed that allows the cost of these special containers to the businesses to be more flexible based on the cost to purchase special containers instead of the standard \$0.90.
- Change the regulations that require the name of the business on the cup to allowing a single standardized DORA cup. This allows City staff to buy DORA cups in greater quantities to achieve additional cost savings as well as simplify cup ordering and inventory management.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
City Manager

Mallory Greenham
Department of Economic
Development

Jacob Stone
Department of Neighborhoods

Choose Strategic Goal(s)

- I** *Generate 125mm in new private investment*
- J** *Increase gross wages paid by Hamilton Employers by \$100mm*
- P** *Exceed total county growth rate median home sale prices*
- R** *Generate \$40mm in investment for recreational amenities*
- E** *Engage 50,000 participants annually in special events, arts and recreation activities*
- O** *General Operations/ Government Business*

Attachment:

1. DORA Application



Application to the Council of the City of Hamilton, Ohio for the expansion of the Designated Outdoor Refreshment Area, with specific boundaries, in the Downtown Central Business District, East High Street Business District, Main Street Business Corridor, and German Village.

Submitted May 22, 2020

(Original DORA Application Adopted March 2018)

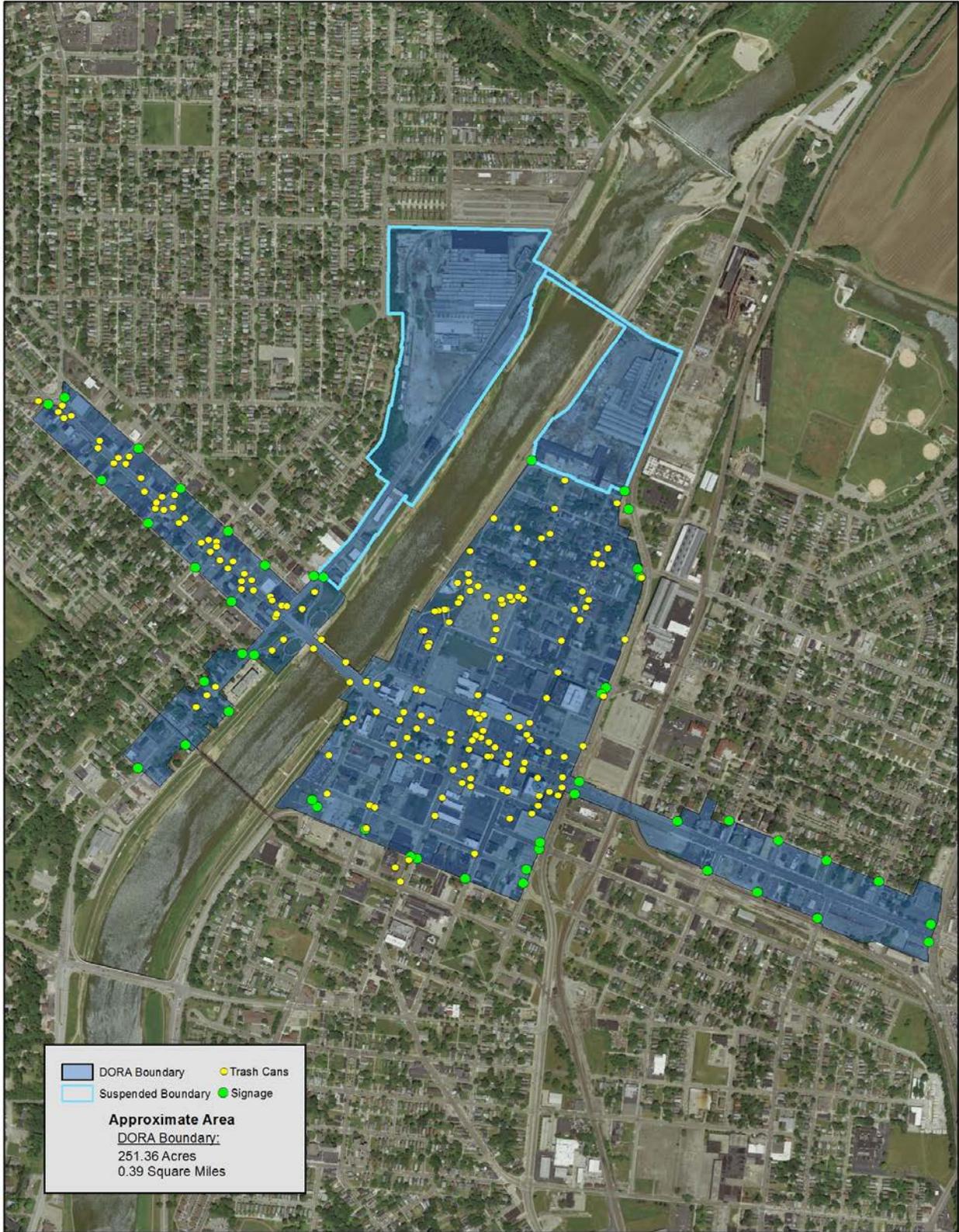
I. Introduction

The Office of the City Manager of Hamilton, Ohio, Planning Department, and the Economic Development Department respectfully submit the following application to City Council of Hamilton, Ohio to approve the expansion of the Designated Outdoor Refreshment Area (hereinafter “DORA”), pursuant to Ohio Revised Code (“ORC”) § 4301.82. The proposed application meets all the state requirements.

A DORA is an area where the open carry restrictions do not apply at particular hours, and adults are permitted to possess and consume alcohol in public, with certain restrictions. The purpose of the City’s DORA is for the economic betterment of businesses, residents, and property owners within the DORA, as well as the City of Hamilton as a whole. The expansion of the DORA will allow for additional businesses and areas to benefit, as well as assist with social distancing guidelines due to Covid-19.

Section 1 -Boundaries

In accordance with the ORC § 4301.82(B)(1)(a) and F(1)(a), the boundaries of the DORA are depicted below. The specific boundaries of the DORA, including street addresses and a map of the proposed area are further depicted in Exhibit “A” and “B” attached hereto and incorporated herein. The DORA is approximately 251.36 acres.



Section 2 - Nature and types of establishments located within the proposed DORA

In accordance with ORC § 4301.82 (B)(2), the nature and types of establishments located within the DORA are as follows:

The DORA encompasses Hamilton’s Central Business District, East High Street Business District, two historic shopping districts (Main Street and German Village), and the N & S B Street Corridor future home of the Spooky Nook Sports Complex at the Champion Mill. The Spooky Nook Sports Complex will be a mixed use development that includes a convention center, hotel, and restaurants.

Within the DORA, the majority of the buildings have retail and restaurants on their first floor. Hamilton is experiencing a resurgence of retail and restaurants in this area. The floors above have a mixture of office space, apartments, and hotel rooms. There are also institutional uses typical of a historic downtown such as the YMCA, YWCA, and park space.

Examples of the retail, dining, services, and government establishments located in the DORA:

Establishment	Address
<i>Retail</i>	
Fleurish Home	135 Main St, Hamilton, OH 45013
Pet Wants	139 Main St, Hamilton, OH 45013
Sara’s House	254 High St, Hamilton, OH 45011
<i>Dining</i>	
Basil 1791	241 High St, Hamilton, OH 45011
Neal’s Famous Barbeque	202 N 3rd St, Hamilton, OH 45011
True West	313 Main St, Hamilton, OH 45013

Establishment	Address
<i>Major Employers</i>	
First Financial Bank	300 High St, Hamilton, OH 45011
ODW Logistics	345 High St #600, Hamilton, OH 45011
STARTEK	150 High St, Hamilton, OH 45011
<i>Government</i>	
Butler County Courthouse	101 High St #3, Hamilton, OH 45011
City of Hamilton Municipal Building	345 High St, Hamilton, OH 45011
Butler County Office Building	315 High St, Hamilton, OH 45011

Residential housing within the DORA is limited, and consists primarily of urban apartments within the Downtown Central Business District. There are a limited number of single family residential units in the German Village area.

Residential housing within the DORA is limited, and consists primarily of urban apartments within the Downtown Central Business District. There are a limited number of single family residential units in the German Village area.

Section 3 - Qualified Permit Holders

In accordance with ORC § 4301.82 (B)(3), the DORA will encompass not fewer than four qualified permit holders as defined by ORC § 4301.82 (A), which are identified as follows:

Permit Holder Address Classes Permit Number

Permit Holder	Address	Classes	Permit Number
Arches Saloon	233 S B St, Hamilton, OH 45013	D1, D2, D3, D3A	4218004
Basil 1791	241 High St, Hamilton, OH 45011	D5, D6	2320591
The Casual Pint	130 Riverfront Plaza, Hamilton, OH 45011	D1, D2, D5	39402370005
The Drink	238 Hensel Pl, Hamilton, OH 45011	D1, D2, D3, D3A, D6	2311950
Fretboard Public House	103 Main St, Hamilton, OH 45013	D5J	4959206
High Street Cafe	250 High St, Hamilton, OH 45011	D2	1465575
Lounge 24/Mona Lisa	24 S Second St, Hamilton, OH 45011	D1, D2, D3, D6	6098777
Municipal Brew Works	20 High St, Hamilton, OH 45011	A1C	6233401
Neal's	202 N 3rd St, Hamilton, OH 45011	D1, D2	6325546
North Second Bottle Tap	134 N 2nd St, Hamilton, OH 45011	D1, D2	0532330
Plaza One Grille	1 Riverfront Plaza, Hamilton, OH 45011	D5A, D6	3551583
Richard's Pizza	417 Main St, Hamilton, OH 45013	D1, D2	9530418
Roll On In/ Rise N Shine	102 Main St, Hamilton, OH 45013	D5	7346635
Tano Bistro	150 Riverfront Plaza, Hamilton, OH 45011	D1, D2, D3, D6	8478575
Taqueria El Comal	747 High St, Hamilton, OH 45011	D5, D6	6398656

Towne Pub	341 S B St, Hamilton, OH 45013	D1, D2, D3, D3A	1685195
Village Inn	447 N 2nd St, Hamilton, OH 45011	D5, D6	0033820
Wingstop	1029 High St, Hamilton, OH 45011	D1	5299620

The following establishments are anticipated future qualified permit applicants within the DORA.

Permit Holder Location Expected to open Expected to serve

Permit Holder	Location	Expected to open	Expected to serve
Chick’N Cone	Riverfront Plaza, Hamilton, OH 45011	Summer 2020	Beer, wine, and spirits
The HUB	501 Main Street Hamilton, OH 45013	Spring 2021	Beer, wine, and spirits
Pinball Garage	113 N Third Street, Hamilton, OH 45011	Summer 2020	Beer, wine, and spirits
The Revival House	241 N Third Street Hamilton, OH 45011	Spring 2021	Beer, wine, and spirits
Spooky Nook Sports at the Champion Mill	B Street Hamilton, OH 45013	Winter 2021	Beer, wine, and spirits

Section 4 - Area Impact

In accordance with ORC § 4301.82 (B)(4), evidence that the uses of land within the DORA are in accord with the master zoning map of the City of Hamilton, are as follows:

The uses of land within the proposed DORA are in accord with the City’s current master zoning map. The parcels within the DORA are zoned one of the following: Form-Based Zoning Districts Downtown 1, Downtown 2, Downtown 3, Main Street 1, Main Street 2; Main Street 3, Business 3 Central Business District, Entertainment Mixed Use Planned Development, or Business Planned Development. Restaurants that serve alcohol, bars, and nightclubs (uses that would typically utilize a DORA license) are permitted uses in all of these zoning districts, but they require a special use application in the Business Planned Development area.

The City of Hamilton adopted a new master plan, Plan Hamilton, in March 2019. The DORA plays an important role in Plan Hamilton’s Economic Development policy topic of the master plan, including the following objectives:

- Invest in programming and special events that improve quality of life and attract and retain small businesses
- Invest in a public relations strategy as an economic development strategy

Since the DORA was enacted in 2018, it has acted as an economic development tool, attracting small businesses and supporting their operations. It has also brought significant positive attention to Hamilton’s downtown area. The proposed amendments to the regulations and expansion to the DORA area aim to increase the DORA’s impact.

SOURCE: Liz Hayden, Director of Planning, City of Hamilton

Section 5 - Signage

In accordance with the ORC § 4301.82 F(1)(b), the Traffic Operations Manager states there will be a minimum of 43 signs and anticipates there will be approximately 46 signs designating the boundary of the DORA. The location and spacing of the signs is shown on attached Exhibit “A”. The signs will be mounted and located at all street intersections along the boundary of the DORA. The content and style of this signage shall, in sum or substance, consist of the following:

Front Side of Street Signs:



Back Side of Street Signs:

Section 6 - Hours of Operation

In accordance with ORC § 4301.82 (F)(1)(c), the hours of operation for the DORA will be: Monday through Sunday, 12:00 p.m. (noon) to 12:00 a.m. (midnight).

The applicant requests that City Council reserve the right to temporarily suspend DORA operations for a period of up to seven (7) days in order to accommodate the permitting of special events that may occur within the boundaries of the DORA.

Section 7 - Safety Plan

In accordance with ORC § 4301.82 (B)(5) and (F)(1)(d), a Safety Plan has been developed to ensure public safety in the DORA. A copy of which is attached hereto as Exhibit "C". The Safety Plan can be executed with existing staff.

Section 8 - Sanitation Plan

In accordance with ORC § 4301.82 (B)(5), (F)(1)(e), and (F)(1)(f), a Sanitation Plan has been developed that will help maintain the appearance and public health of the area within the DORA. A copy is attached hereto as Exhibit "D". The Sanitation Plan can be executed with existing staff.

Section 9 - Official DORA Container

In accordance with ORC § 4301.82 (F)(1)(g), beer, wine, and intoxicating liquor shall only be consumed within the DORA as follows:

Beer, wine, and intoxicating liquor shall only be served and consumed within the DORA area in the official Hamilton DORA marked containers, produced and provided by the City. The containers will be distinctly marked with the Hamilton DORA logo. No other container will be permitted. Used containers must be disposed of before entering any establishment of a qualified permit holder.

The City Manager requests authority from City Council to approve the design of an official container to be used by all qualified permit holders within the DORA. The City Manager anticipates that the content and style of the containers shall, in sum or substance, consist of the following:

Front of Cup



Back of Cup

DORA BASICS

DORA = Downtown Outdoor Refreshment Area

- Hours: Noon - Midnight, 7 Days a Week
- Only alcohol bought at establishments within the district can be consumed; no outside alcohol is allowed
- Beverages from one establishment cannot be taken into another establishment or special event area which also serves alcohol
- You must stay inside of the DORA while you have this beverage

Find the map and more info at [\[website\]](#)

Hamilton DORA containers will be produced and provided by the City. Each qualified permit holder must order and purchase containers through the City in lots of 500. The price per container will be \$0.90. Any special order containers will be approved and priced by the City Manager as needed. The City Manager may withhold the sale of DORA containers to any establishment found to be in non-compliance with local, state, or federal law as advised by the Director of Public Safety.

Hamilton DORA container charges collected will only be used to fund the direct costs incurred by the City in the administration of the DORA, or to otherwise benefit the operations within of the DORA.

Section 10 - Additional Rules and Requirements

In accordance with ORC § 4301.82 (B)(5), and in conjunction with other rules, standards and requirements set forth in this application, additional rules and requirements for the purpose of ensuring public safety and health within the DORA are as follows:

A. A person may have in the person's possession an open container of beer, wine, or intoxicating liquor at an outdoor location within the DORA if the open container of beer, wine, or intoxicating liquor was purchased from a qualified permit holder to which both of the following apply:

1. The permit holder's premises is located within the DORA; and
2. The permit held by the permit holder has an outdoor refreshment area designation.

B. No person shall do any of the following:

1. Enter the premises of an establishment of a qualified permit holder within the DORA while possessing an open container of beer, wine, or intoxicating liquor acquired elsewhere, or

2. Possess an open container of beer, wine, or intoxicating liquor while being in or on a motor vehicle within the DORA, unless the possession is otherwise authorized under division (D) or (E) of ORC § 4301.62.

Section 11 – Request to Temporarily Suspend a Portion of the DORA

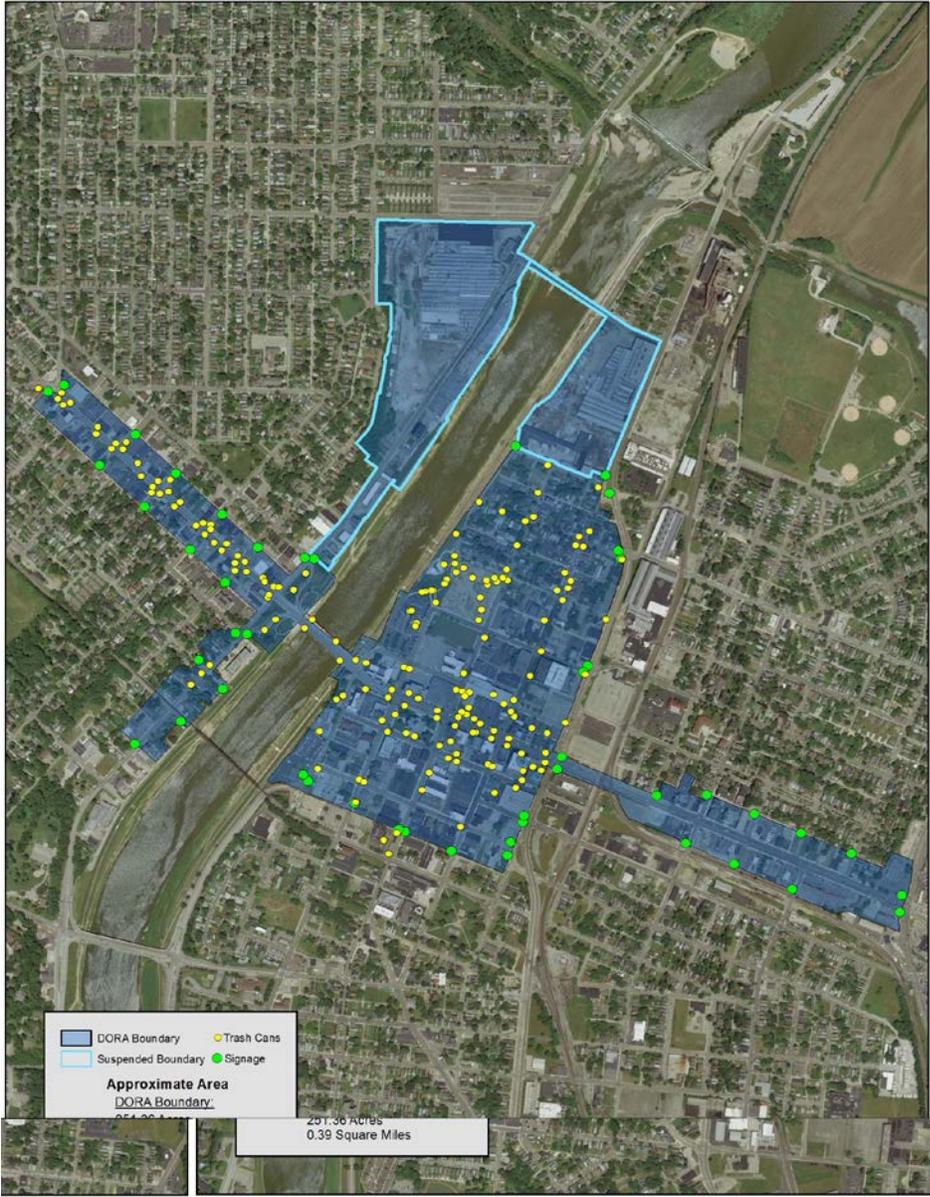
The City requests that if this application is approved and the DORA is established, City Council also approve a temporary suspension of the portion of the DORA that encompasses the future home of the Spooky Nook Sports Complex at Champion Mill pending completion of construction at that facility, as well as the Cohen Recycling site until the completion of its redevelopment. Until these areas of land are developed, it is not compatible with the DORA.

The area designated for temporary suspension of the Spooky Nook Sports Complex at Champion Mill would begin at the NW corner of Park Street and continue around the area designated for the Spooky Nook Sports Complex.

The area designated for temporary suspension of the Cohen Recycling Site would begin at the NW corner of Hensel & N Third Street and continue north to Black Street.

The areas designated for temporary DORA suspension are depicted in Exhibit “F” and Exhibit “G”.

Exhibit A. Map of the Outdoor Refreshment Area



Said description contains approximately 251.36 continuous acres, or .39 miles.

SOURCE: Area certified by Rich Engle, P.E., Director of Engineering, City of Hamilton (Exhibit “H”)

SOURCE: Sign placement and spacing approved by Scott Hoover, Traffic Operations Manager, City of Hamilton

Exhibit B. Street addresses of real property included in specific boundaries of the DORA

Street Name	Range	Even/odd
Arch St	6-118	Even
Buckeye St	116-345	Even & Odd
Cottage St	328	Even
Court St	23-331	Even & Odd
Dayton St	115-350	Even & Odd
Hensel Pl	105-238	Even & Odd
High St	1-1101	Even & Odd
Journal Sq	8-10	Even
Linden St	116-341	Even & Odd
Ludlow St	11-337	Even & Odd
Magnolia St	116-118	Even
Main	5-583	Even & Odd
Maple Ave	315-331	Odd
Market St	102-351	Even & Odd
N 10th St	2-21	Even & Odd
N 2nd St	102-447	Even & Odd
N 3rd St	6-449	Even & Odd
N 7th St	16-24	Even & Odd
N 8th St	22-24	Even
N 9th St	5	Odd
N B St	30-70	Even
N D St	11-19	Even & Odd
N E St	15-19	Even & Odd
N F St	15	Odd
N Martin Luther King Jr Blvd	109-337	Odd
Race St	100-319	Even & Odd
Riverfront Plaza	1-436	Even & Odd

S 2nd St	6-319	Even & Odd
S 3rd St	2-326	Even & Odd
S 4th St	309-323	Odd
S 7th St	25	Odd
S A St	341-345	Odd
S B St	9-345	Even & Odd
S C St	3-21	Even & Odd
S D St	6-20	Even & Odd
S E St	10-20	Even & Odd
S Front St	19-323	Even & Odd
S Martin Luther King Jr Blvd	205	Odd
S Monument Ave	1-316	Even & Odd
Stewart St	1019-1023	Odd
Village St	102-341	Even & Odd
Wilks Ln	334-336	Even

Exhibit C. City of Hamilton's DORA Safety Plan

The Safety Plan will help maintain public safety within the DORA, and designate the number of personnel needed to execute the Safety Plan. This will be accomplished in the following manner:

Current Public Safety personnel are adequate to maintain public safety within the DORA. The City of Hamilton Police Department (HPD) has multiple resources which will enable it to maintain public safety within the DORA to include the Downtown Central Business District, B Street Corridor, German Village, East High Street Business District, and Main Street Business District. HPD has flexibility when deploying resources and has years of experience following the development of the RiversEdge amphitheater which draws very large crowds throughout the year.

Staffing in the DORA would consist of:

1. Permanently assigned business district officer(s) will be patrolling the DORA as it is within their assigned area. These officer(s) have the ability to flex their hours on a daily basis depending on events within their assigned area of responsibility.
2. To help supplement the business district officers on a regular basis during the later evening hours, a number of businesses within the downtown CORE partner with the Police Department and pay for an extra duty officer. Again, this officer's primary responsibility is the downtown core business district and main street business district and the DORA would be located within this district.
3. HPD has a neighborhood policing unit that is composed of both uniformed and plain clothes officers that addresses quality of life issues within the City. The DORA will encompass two separate police districts, each with a neighborhood policing section officer assigned. These officers also flex their hours on a daily basis and are force multipliers during special events.
4. In addition to the above resources, HPD has permanently assigned district patrol officers to these areas 24 hours a day, 7 days a week.

Beginning with the commencement of the revised DORA, continuing for a period of six (6) months, the Director of Public Safety of the City of Hamilton, and the Chief of Police of the City of Hamilton shall actively monitor and review the Safety Plan herein for the purpose of determining whether updates, modifications, or supplementation may be advisable or required, and in said event, such changes shall be presented to Council for consideration and implementation. The Director of Public Safety of the City of Hamilton, and the Chief of Police of the City of Hamilton shall meet and review the Safety Plan as needed for any special events within the DORA or as other circumstances may require.

The Director of Public Safety and the Chief of Police of the City of Hamilton have determined that the Safety Plan described herein is sufficient to maintain public safety within the DORA. This Safety Plan can be executed with the existing personnel of the City of Hamilton.

SOURCE: Scott Scrimizzi, Executive Director of Public Safety, City of Hamilton Craig Bucheit, Chief of Police, City of Hamilton

Exhibit D. City of Hamilton's DORA Sanitation Plan

The Sanitation Plan that will help maintain the appearance and public health of the DORA, and the number of personnel needed to execute the Sanitation plan is as follows:

There are more than one hundred and sixty four (164) trash receptacles located in the proposed outdoor refreshment area, and locations are identified in the map on Exhibit "A".

The trash receptacles will be serviced by the City on a regular schedule. Additional collections will be done on an as needed basis and will be serviced by the City's refuse collection contractor. The Director of Public Works will monitor the receptacles and coordinate additional collections with the Director of Resident services, if needed.

Trash receptacles may be moved and additional trash receptacles may be added within the DORA at the discretion of the Director of Public Works. Upon approval of the Director of Public Works, additional receptacles may be added by the city or any qualified permit holder, and the servicing of such receptacles shall remain the responsibility of the installing entity.

Each qualified permit holder located within the DORA shall be responsible for the collection of litter near or around the premises occupied by the permit holder.

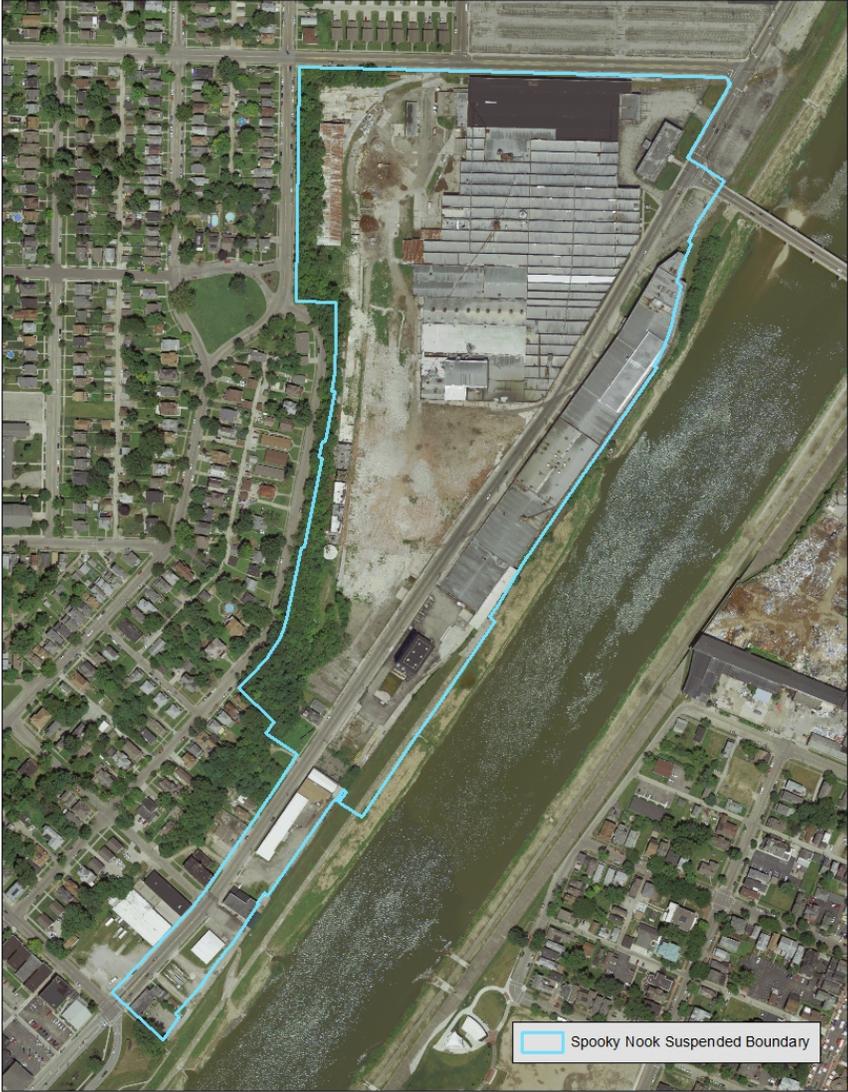
Director of Public Works, with input from Superintendent of Streets, Director of Resident Services and the Director of Planning, shall evaluate the need and frequency of street sweeping and servicing trash receptacles, and, if needed or advisable, implement changes or modifications to the sanitation plan from the commencement of the DORA until the dissolution of the DORA.

Director of Public Works, and Superintendent of Streets have determined that the Sanitation Plan described herein is sufficient to help maintain the appearance and public health within the DORA. This Sanitation Plan can be executed with the existing personnel of the City of Hamilton.

SOURCE: Director of Public Works, Jim Williams, City of Hamilton

Superintendent of Streets, Craig Koger, City of Hamilton
Adam Helms, Director of Resident Services, City of Hamilton
Liz Hayden, Director of Planning, City of Hamilton

Exhibit “F” Portion of DORA Temporarily Suspended at Spooky Nook at Champion Mill



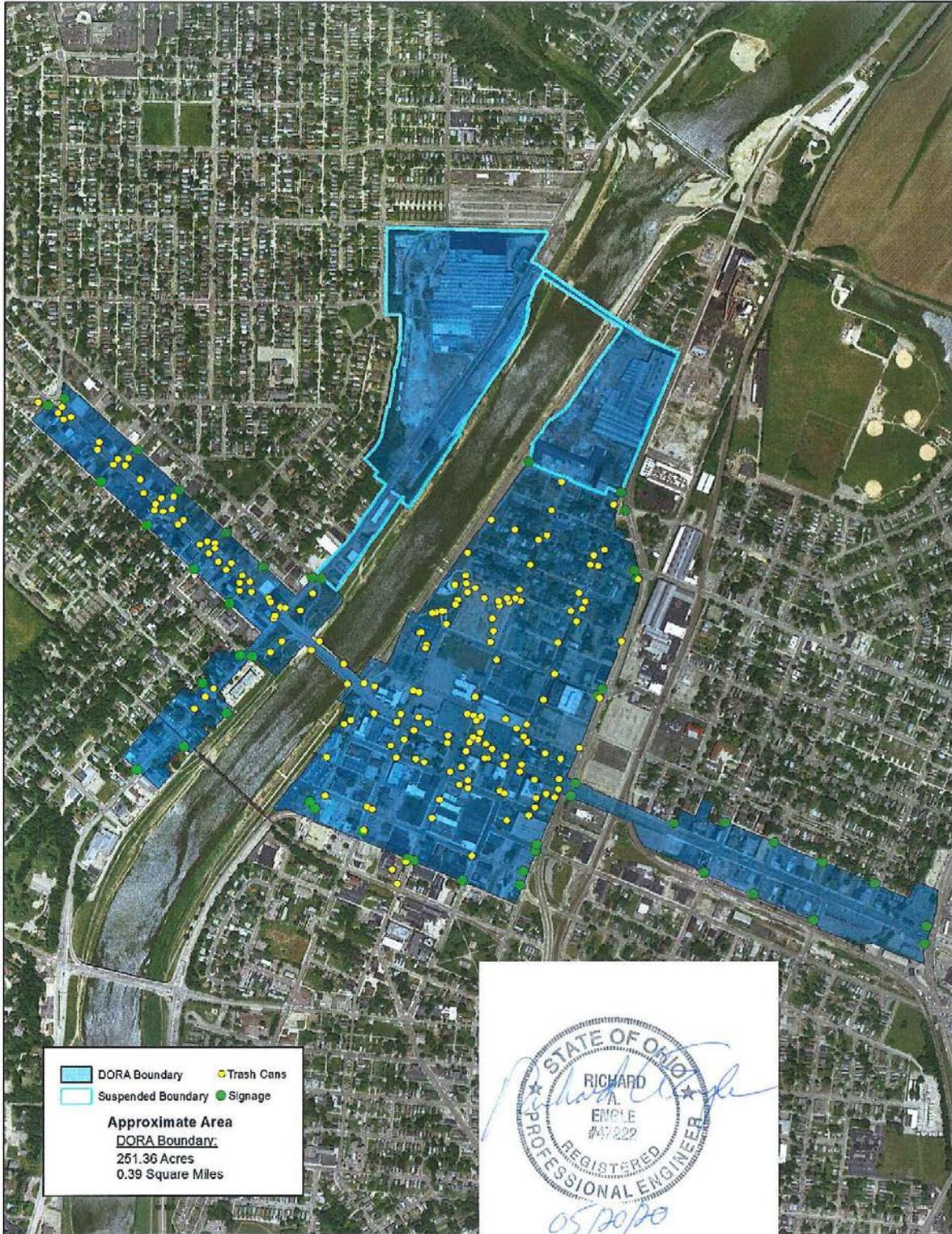
Street Name	Range	Even/odd
N B St	6100-611	Even & Odd

Exhibit “G” Portion of DORA Temporarily Suspended at Cohen Recycling



Street Name	Range	Even/odd
Black St	105	Odd
Hensel Pl	134-232	Even
N 3rd St	507-555	Odd

Exhibit "H" Certification of Acreage



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to the Disposition of Land Bank property at 123 & 127 Pershing Avenue, Hamilton, Ohio 45011.

<input checked="" type="checkbox"/>	1 st Reading Date: 6-10-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 6-24-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton owns Parcel Numbers P6421010000031, P6421010000032, and P6421010000033, located at 123 & 127 Pershing Avenue, which total approximately 0.24 acres of vacant land. This property was acquired and demolished through the Butler County Land Reutilization Corporation (Land Bank). The City does not have a need for these parcels and wishes to dispose of the property in accordance with Hamilton Codified Ordinance 175.10 – Disposition of Property in an Urban Renewal Area, and consistent with previously adopted Land Bank policies and procedures (R2012-10-49). Through the City’s Side Lot Program, the property owner of 101 Pershing Avenue, located immediately adjacent to the vacant lots, is eligible to acquire the property for one-hundred and 00/100 –Dollars (\$100.00). This will eliminate the ongoing expense to the City of maintaining the parcels.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

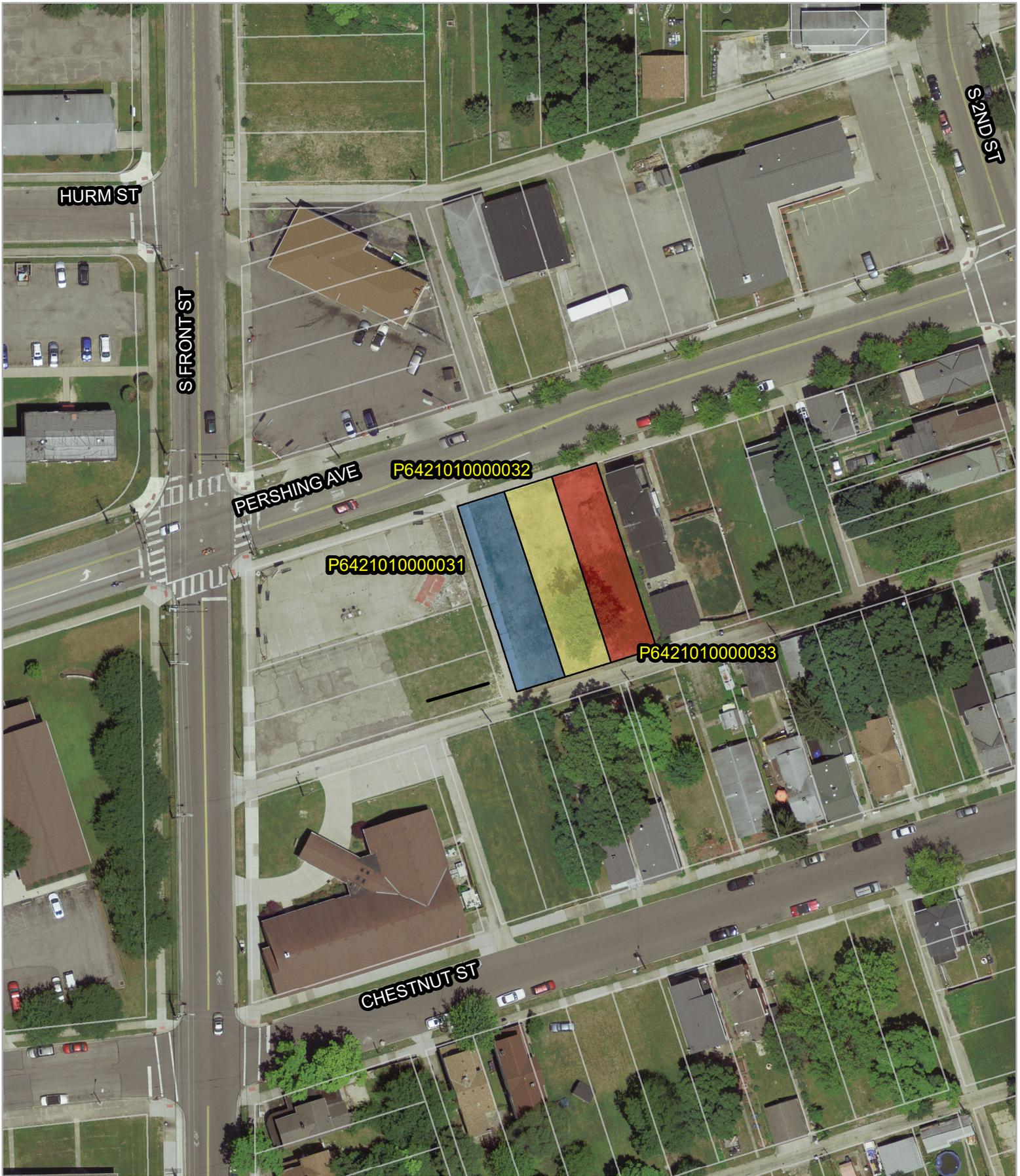
Lauren Nelson
Business Development Specialist

Choose Strategic Goal(s)	
<input checked="" type="checkbox"/>	I Generate 125mm in new private investment
<input type="checkbox"/>	J Increase gross wages paid by Hamilton Employers by \$100mm
<input checked="" type="checkbox"/>	P Exceed total county growth rate median home sale prices
<input type="checkbox"/>	R Generate \$40mm in investment for recreational amenities
<input type="checkbox"/>	E Engage 50,000 participants annually in special events, arts and recreation activities
<input checked="" type="checkbox"/>	O General Operations/ Government Business

Attachment:

1. Map of 123 & 127 Pershing Avenue





- 123 Pershing Ave
- P642101000032
- 127 Pershing Ave

Exhibit #1



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to the Disposition of Land Bank property at 412 Hudson, Hamilton, Ohio 45011.

<input checked="" type="checkbox"/>	1 st Reading Date: 6-10-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 6-24-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton owns Parcel Number P6431051000005, located at 412 Hudson Avenue, which is approximately 0.10 acres of vacant land. This property was acquired and demolished through the Butler County Land Reutilization Corporation (Land Bank). The City does not have a need for this parcel and wishes to dispose of the property in accordance with Hamilton Codified Ordinance 175.10 – Disposition of Property in an Urban Renewal Area, and consistent with previously adopted Land Bank policies and procedures (R2012-10-49). Through the City’s Side Lot Program, the homeowner occupant at 410 Mill Road, located immediately adjacent to the vacant lot, is eligible to acquire the property for One Hundred and 00/100 Dollars (\$100.00). This will eliminate the ongoing expense to the City of maintaining the parcel.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

 Joshua A. Smith
 City Manager

Caucus Report Prepared By:

 Lauren Nelson
 Business Development Specialist

Choose Strategic Goal(s)	
<input checked="" type="checkbox"/>	I Generate 125mm in new private investment
<input type="checkbox"/>	J Increase gross wages paid by Hamilton Employers by \$100mm
<input checked="" type="checkbox"/>	P Exceed total county growth rate median home sale prices
<input type="checkbox"/>	R Generate \$40mm in investment for recreational amenities
<input type="checkbox"/>	E Engage 50,000 participants annually in special events, arts and recreation activities
<input checked="" type="checkbox"/>	O General Operations/ Government Business

Attachment:

1. Map of 412 Hudson Avenue





412 Hudson Ave

Exhibit #1



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to the Disposition of Land Bank property at 610 South Fourth Street, Hamilton, Ohio 45011.

- 1st Reading Date: 6-10-2020
- 2nd Reading Date: 6-24-2020
- Resolution Date:
- Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton owns Parcel Number P6441037000057, located at 610 S Fourth Street, which is approximately 0.07 acres of vacant land. This property was acquired and demolished through the Butler County Land Reutilization Corporation (Land Bank). The City does not have a need for this parcel and wishes to dispose of the property in accordance with Hamilton Codified Ordinance 175.10 – Disposition of Property in an Urban Renewal Area, and consistent with previously adopted Land Bank policies and procedures (R2012-10-49). Through the City’s Side Lot Program, the homeowner occupant at 602 S Fourth Street, located immediately adjacent to the vacant lot, is eligible to acquire the property for One Hundred and 00/100 Dollars (\$100.00). This will eliminate the ongoing expense to the City of maintaining the parcel.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

Lauren Nelson
Business Development Specialist

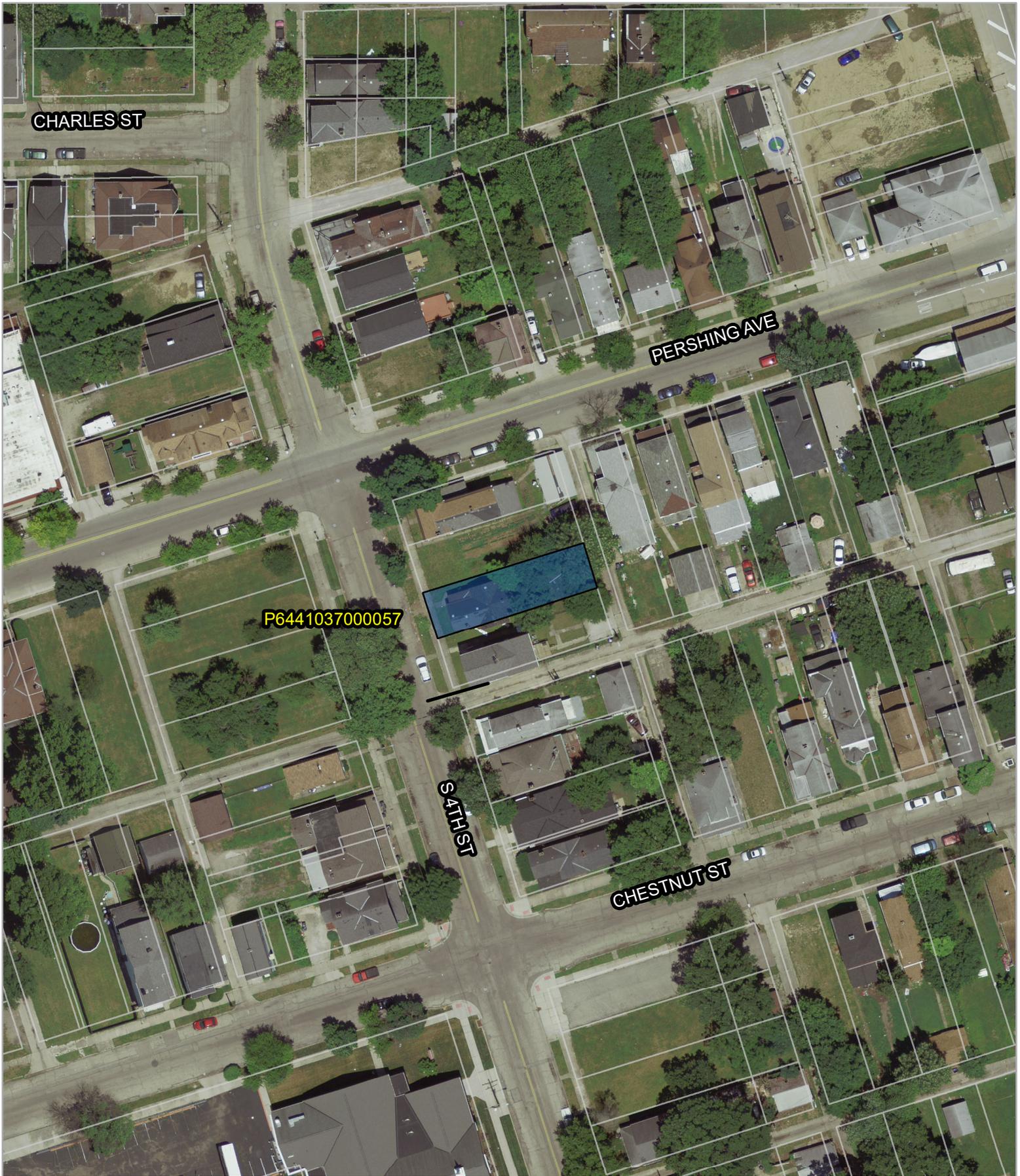
Choose Strategic Goal(s)

- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- E** Engage 50,000 participants annually in special events, arts and recreation activities
- O** General Operations/ Government Business

Attachment:

1. Map of 610 South Fourth Street





P6441037000057

Exhibit #1

 610 S 4th St

City of Hamilton
BUTLER COUNTY OHIO 



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to the Disposition of Land Bank property at 904 N E Street, Hamilton, Ohio 45013.

<input checked="" type="checkbox"/>	1 st Reading Date: 6-10-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 6-24-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton owns Parcel Number P6411039000012, located at 904 N E Street, which is approximately 0.09 acres of vacant land. This property was acquired and demolished through the Butler County Land Reutilization Corporation (Land Bank). The City does not have a need for this parcel and wishes to dispose of the property in accordance with Hamilton Codified Ordinance 175.10 – Disposition of Property in an Urban Renewal Area, and consistent with previously adopted Land Bank policies and procedures (R2012-10-49). Through the City’s Side Lot Program, the homeowner occupant at 906 N E Street, located immediately adjacent to the vacant lot, is eligible to acquire the property for One Hundred and 00/100 Dollars (\$100.00). This will eliminate the ongoing expense to the City of maintaining the parcel.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

 Joshua A. Smith
 City Manager

Caucus Report Prepared By:

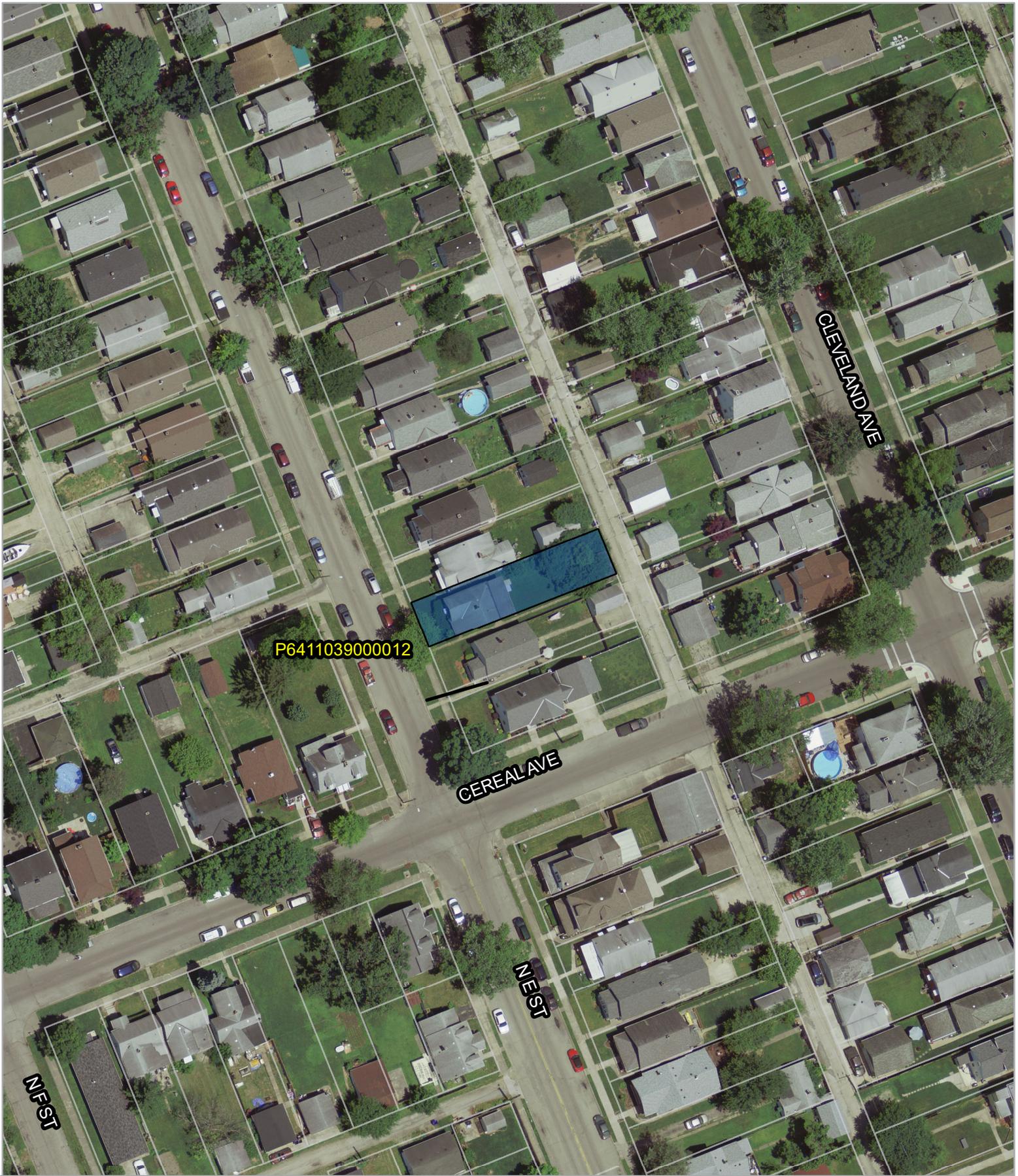
 Lauren Nelson
 Business Development Specialist

Choose Strategic Goal(s)	
<input checked="" type="checkbox"/>	I Generate 125mm in new private investment
<input type="checkbox"/>	J Increase gross wages paid by Hamilton Employers by \$100mm
<input checked="" type="checkbox"/>	P Exceed total county growth rate median home sale prices
<input type="checkbox"/>	R Generate \$40mm in investment for recreational amenities
<input type="checkbox"/>	E Engage 50,000 participants annually in special events, arts and recreation activities
<input checked="" type="checkbox"/>	O General Operations/ Government Business

Attachment:

1. Map of 904 North E Street





P641103900012

CLEVELAND AVE

CEREAL AVE

NEST

NEST



904 N E St

Exhibit #1

City of Hamilton
BUTLER COUNTY OHIO

Date: 5/20/2020

The information contained in this map is a public resource for general information and is provided for use only as a graphical representation. The City of Hamilton makes no warranty to the content, accuracy, or completeness of the information contained herein and assumes no liability for any errors. Any reliance on this information is the exclusive risk of the user.

1 inch = 100 feet

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to the Disposition of Land Bank property at 2141 Benninghofen Avenue, Hamilton, Ohio 45015.

<input checked="" type="checkbox"/>	1 st Reading Date: 6-10-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 6-24-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton owns Parcel Number P6461032000024, located at 2141 Benninghofen Avenue, which is approximately 0.13 acres of vacant land. This property was acquired through the Butler County Land Reutilization Corporation (Land Bank). The City does not have a need for this parcel and wishes to dispose of the property in accordance with Hamilton Codified Ordinance 175.10 – Disposition of Property in an Urban Renewal Area, and consistent with previously adopted Land Bank policies and procedures (R2012-10-49). Through the City’s Side Lot Program, the homeowner occupant at 2147 Benninghofen Avenue, located immediately adjacent to the vacant lot, is eligible to acquire the property for One Hundred and 00/100 Dollars (\$100.00). This will eliminate the ongoing expense to the City of maintaining the parcel.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Joshua A. Smith
 City Manager

Caucus Report Prepared By:

Lauren Nelson
 Business Development Specialist

Choose Strategic Goal(s)	
<input checked="" type="checkbox"/>	I Generate 125mm in new private investment
<input type="checkbox"/>	J Increase gross wages paid by Hamilton Employers by \$100mm
<input checked="" type="checkbox"/>	P Exceed total county growth rate median home sale prices
<input type="checkbox"/>	R Generate \$40mm in investment for recreational amenities
<input type="checkbox"/>	E Engage 50,000 participants annually in special events, arts and recreation activities
<input checked="" type="checkbox"/>	O General Operations/ Government Business

Attachment:

1. Map of 2141 Benninghofen Avenue





P646103200024

LOGAN AVE

WOODLAWN AVE

BENNINGHOFFEN AVE

BELLE AVE



2141 Benninghofen Ave

Exhibit #1

City of Hamilton
BUTLER COUNTY OHIO

Date: 5/20/2020

The information contained in this map is a public resource for general information and is provided for use only as a graphical representation. The City of Hamilton makes no warranty to the content, accuracy, or completeness of the information contained herein and assumes no liability for any errors. Any reliance on this information is the exclusive risk of the user.

1 inch = 100 feet

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Request for a Final Plat approval for Hickory Woods, Block "D" Subdivision, located at 1 East Persimmon Drive, situated in the First Ward, South Side, Hamilton, Ohio (David P. Long of Alum Cliff Industries, LLC., Applicant)

<input checked="" type="checkbox"/>	1 st Reading Date: 6-10-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 6-24-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The submitted application pertains to a Final Plat of Hickory Woods, Block D, Subdivision. The Final Plat is the last step in the subdivision process for the acceptance of streets as right-of-way and the subdividing of vacant, unplatted land as buildable lots. City Council takes final action on Final Plat requests following a recommendation of approval from the Planning Commission.

The proposed plat is for the subdivision of nineteen (19) new buildable lots on the remaining unplatted, vacant land within the Hickory Woods Subdivision. Hickory Woods is a Planned Development community originally approved in the early 1990's. If approved, the development would be the final phase of development within the subdivision.

Background Information:

Submitted Request (Final Plat)

The plat proposes the subdivision and creation of the site into nineteen (19) new buildable lots, with one (1) non buildable lot. The applicant is proposing to construct nineteen (19) single-family homes with attached garages on each of the newly created buildable lots.

The proposal and final plat includes the extension of West Persimmon Drive, an existing private street, which will terminate into East Persimmon Drive. The plat also proposes a 2.1 acre conservation easement along the eastern perimeter of Hickory Woods, Block D, to allow for conservation of existing trees, flora, and fauna.

(Continued)



Buildable Lots and Home Characteristics (Exhibit B)

The submitted Final Plat indicates the following:

1. Subdivision of the site in question into nineteen (19) buildable lots.
2. The Lot Characteristics of each new buildable lot are as follows:
 - a. Lots #1-12 and Lots #15-21
 - b. Lot Size: 7,446 square feet minimum
 - c. Lot Width: 60 feet minimum
 - d. Setbacks:
 - 1) 15 feet front yard setback
 - 2) 10 feet rear yard setback
 - 3) 5 feet side yard setback
 - e. Proposed landscaping: one (1) tree planted per single-family residential lot, located in the front yard. 2.5" caliper tree, per HOA requirements and city specifications.

Non-Buildable Lots

The submitted Final Plat indicate the following:

1. Provision of one (1) non-buildable lots.
2. One (1) non-buildable lot, identified as Lot 32310, will be conveyed and combined with an adjacent parcel owned by the HOA. This parcel is currently an open space parcel occupied by a retention pond.

Conservation and Landscaping

The submitted Final Plat indicates the following:

1. Natural conservation of the existing trees located in the rear of all proposed lots and provision of a conservation easement of 2.1 Acres to protect the existing wooded areas, along the rear of lots 1-12. This is the easternmost part of the subject area.
2. Provision of one (1) tree in the front yard area of each lot.

Off-Street Parking, Access Controls, & Easements

The submitted Final Plat indicates the following:

1. Extension of East Persimmon Drive, a private street, 633.29 feet of street length in manner that will connect East Persimmon Drive to West Persimmon Drive as a "loop."
2. Vehicular access to the proposed 19 lots is from the extension of East Persimmon Drive, and the resulting loop of West Persimmon & East Persimmon Drive.
3. The extension of Persimmon Drive is 22 feet wide and contains a 30 feet wide ingress/egress easement.
4. The proposed utility easement includes two (2) 10 feet wide easements that run along the course of the proposed East Persimmon Drive on opposite sides of the proposed drive.



Statutes:

Per the City Subdivision Regulations, Ordinance No. 6038, the Planning Commission can recommend that City Council approve or deny the request for the platting of subdivisions and subdivision lots within the City of Hamilton.

Chapter 1191 of the Subdivision Regulations outlines the procedure for plat approval.

Interdepartmental Review

The Hickory Woods, Block D, Final Plat has been through the City's Interdepartmental Review Committee. The proposed final plat has been reviewed and approved through the City's Interdepartmental Review process.

As of the writing of this report, there were no objections to the Final Plat.

Planning Commission Recommendation:

This report was written before the May 21, 2020 Planning Commission Meeting. Planning Staff has recommended approval of the Conditional Use Certificate with the following recommendation with conditions of approval as noted in 'Exhibit F – Recommended Conditions' (attachment):

Planning Staff recommends that Planning Commission provide a recommendation to City Council to approve the Final Plat for Hickory Woods Subdivision, Block D, as proposed with the following additional conditions:

Conditions of Approval:

1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments, and future review requirements of the City of Hamilton Interdepartmental Review.
2. Landscaping, site improvements, and all exterior finishes and other improvements be installed and maintained in good repair and replaced as necessary to remain in compliance with the approved Final Development Plan and Final Plat.
3. Existing trees shall remain and a conservation easement shall be established and maintained as indicated on the submitted site plan.
4. All proposed landscaping items shall be reviewed and approved by the City of Hamilton Municipal Arborist.
5. All proposed landscaping item sizes to conform to the minimum size requirements found in Section 1111.10 of the City of Hamilton Zoning Ordinance. (Deciduous trees minimum of 2 ½ inches caliper, evergreen trees minimum of six (6') feet in height, shrubs/bushes minimum of 12 inches). All tree species proposed shall be reviewed and approved by the City of Hamilton Municipal Arborist.
6. The building materials for siding of the front façade shall be at least 50% masonry and/or brick.



7. That all new single-family homes have a minimum size of 1,450 square feet.
8. That all new single-family homes have an attached garage with a minimum size of 400 square feet.
9. That no more than 40 inches of concrete foundation shall be exposed, unless in conjunction with a walk-out basement.

In the event of any changes to the conditions of approval from the Planning Commission, the Staff Report to City Council will be revised to reflect as such.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
City Manager

Ed Wilson, AICP
Associate Planner II

Choose Strategic Goal(s)

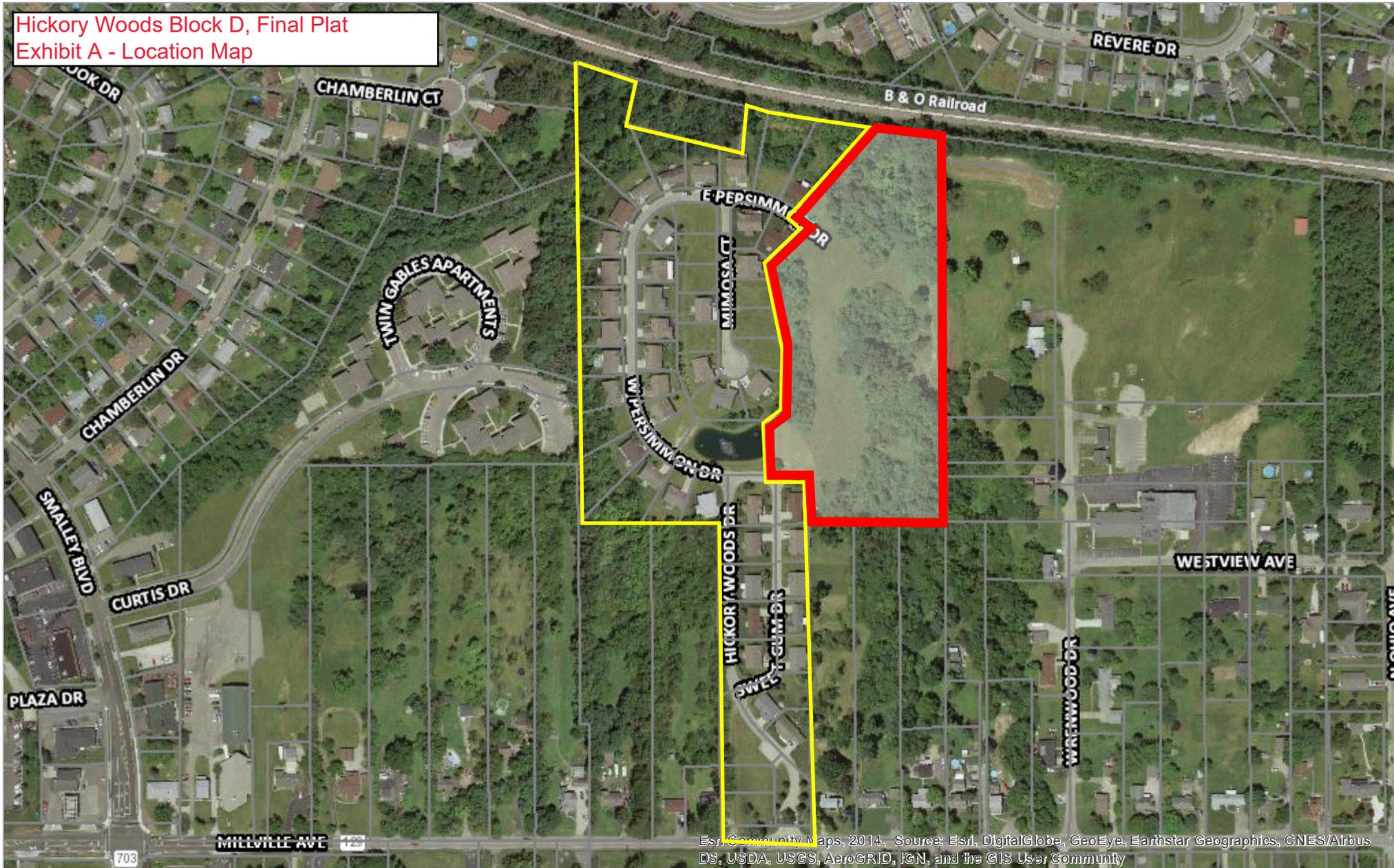
- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- E** Engage 50,000 participants annually in special events, arts and recreation activities
- O** General Operations/ Government Business

Attachments:

- 1) Exhibit A - Location Map
- 2) Exhibit B - Final Plat for Hickory Woods, Block D, Subdivision
- 3) Exhibit C - Photos of Site and Hickory Woods Subdivision for reference
- 4) Exhibit D - Approved Amended Plan & Preliminary Plat for Hickory Woods, Block D from March 2019.
- 5) Exhibit E - Planning Commission Staff Report, May 21, 2020
- 6) Exhibit F - Recommended Conditions of Approval



Hickory Woods Block D, Final Plat
Exhibit A - Location Map



Esri, Community Maps, 2014. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and The GIS User Community



- Proposed: Hickory Woods Block D (red)
- Existing Hickory Woods (yellow)

Hickory Woods, Block D



DEDICATION

THAT THE UNDERSIGNED, BEING THE OWNERS OF 6.3727 ACRES OF LAND, BEING ALL OF PT LOT 25218 IN THE FIRST WARD, CITY OF HAMILTON, BUTLER COUNTY, OHIO AS DESCRIBED IN DEED BOOK 9253, PG. 552 DO RESPECTIVELY HEREBY ASSENT TO AND ADOPT THIS PLAT OF SUBDIVISION, THE SAME TO BE KNOWN AS HICKORY WOODS BLOCK "D"

THE STREETS IN SAID SUBDIVISION SHALL BE CONSTRUCTED BY THEIR SUBDIVIDER IN ACCORDANCE WITH THE SPECIFICATIONS SHOWN ON THE APPROVED PLANS, WITH THE DRAINAGE STRUCTURES INSTALLED IN ACCORDANCE WITH THE PLANS APPROVED AND ON FILE IN THE OFFICE OF THE CITY ENGINEER. STREET SIGNS AND MONUMENTS SHALL BE PLACED BY THE SUBDIVIDER AS REQUIRED BY THE CITY. BASE COURSE AND STREET PAVEMENT SHALL MEET CITY SPECIFICATIONS AND ALL STREETS SHALL BE SURFACED WITH A 3" THICK COURSE OF COMPACTED ASPHALTIC CONCRETE PAVEMENT 5" THICK COURSE OF BITUMINOUS AGGREGATE BASE. ALL STREETS AND STORM DRAINAGE SYSTEM INCLUDING THE DETENTION BASIN SHALL BE PRIVATE AND MAINTAINED BY THE HOME OWNERS ASSOCIATION OF THE HICKORY WOODS SUBDIVISION.

FOR VALUABLE CONSIDERATION, WE THE UNDERSIGNED DO HEREBY PERMANENTLY GRANT TO THE CITY OF HAMILTON, FOR THE BENEFIT OF ALL PUBLIC UTILITY PROVIDERS AND SUCCESSORS AND ASSIGNS, FOREVER, NON-EXCLUSIVE EASEMENTS AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS "UTILITY EASEMENT" FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY AND ALL NECESSARY FIXTURES FOR THE OVERHEAD OR UNDERGROUND DISTRIBUTION OF WATER, GAS, ELECTRIC, TELEPHONE, TELECOMMUNICATIONS, OR OTHER UTILITIES INCLUDING THE INSTALLATION OF NECESSARY ATTACHMENTS THERETO; AND FOR THE CONSTRUCTION AND MAINTENANCE OF SANITARY SEWER DRAINS, PIPELINES AND NECESSARY LATERAL CONNECTIONS.

SAID GRANTEEES SHALL HAVE THE RIGHT TO INGRESS AND EGRESS FROM AND ALSO THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT.

NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO 1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; 2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; 3) IMPAIR ABILITY TO MAINTAIN THE FACILITIES OR 4) CREATE A HAZARD. WE ACKNOWLEDGE HAVING FULL POWER TO CONVEY THESE EASEMENTS AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

ACKNOWLEDGMENT

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE HEREUNTO SET THEIR HAND AND SEAL ON THIS _____ DAY OF _____, 20____

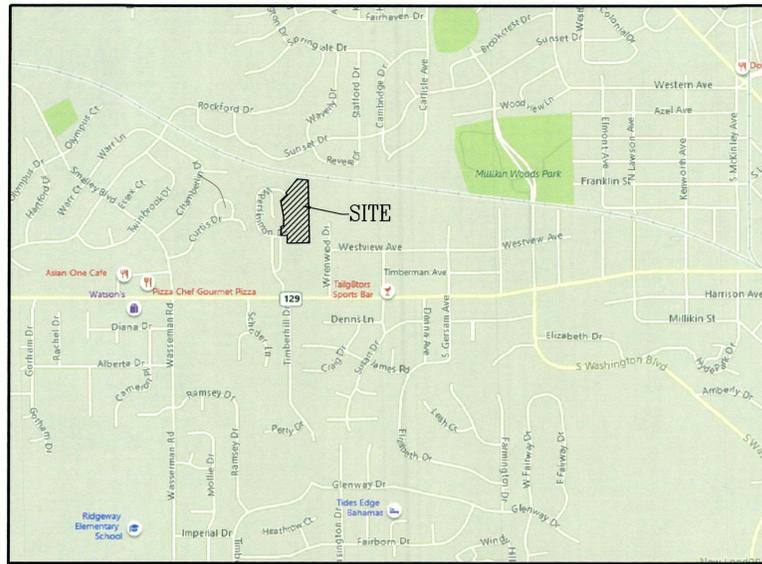
WITNESS _____ DAVID P. LONG, ALUM CLIFF INDUSTRIES

STATE OF OHIO
_____ COUNTY, SS;

BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME DAVID P. LONG, OF ALUM CLIFF INDUSTRIES WHO ACKNOWLEDGED THE SIGNING THEREOF TO BE HIS VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND YEAR AFORESAID.

NOTARY PUBLIC, BUTLER CO., OHIO MY COMMISSION EXPIRES _____

HICKORY WOODS SUBDIVISION BLOCK "D" CONGRESS LANDS WEST OF MIAMI RIVER SECTION 25, TOWN 4, RANGE 2E FIRST WARD, CITY OF HAMILTON BUTLER COUNTY, OHIO



VICINITY MAP
NOT TO SCALE

LOT CONFIGURATION NOTE

ANY LOT TRANSFERRED WILL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS THOSE SHOWN ON THE ACCOMPANYING PLAT AND ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT. ANY FUTURE SPLITTING OF ANY LOT THAT RESULTS IN ANY ADDITIONAL BUILDING SITE BEING CREATED SHALL BE BY REPLAT ONLY.

HOMEOWNERS ASSOCIATION NOTE

ALL LOTS SHOWN ON THE ACCOMPANYING PLAT SHALL BE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATIONS OF THE EASEMENTS FOR HICKORY HOMEOWNERS ASSOCIATIONS, INC. AS SET FORTH IN THE OFFICIAL RECORDS VOLUME 5206, PAGE 653, OF THE BUTLER COUNTY, OHIO RECORDS, WHICH COVENANTS AND PROVISIONS ARE HEREBY MADE A PART OF THE DEED OF SUBDIVISION AS IF FULLY REWRITTEN HEREIN

STORM SEWER NOTE

ALL PROPOSED STORM SEWER FACILITIES ARE TO BE PRIVATELY OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

DEED REFERENCE

SITUATED IN THE FIRST WARD, CITY OF HAMILTON, BUTLER COUNTY, OHIO, CONTAINING 6.3728 ACRES, BEING PART OF LOT 25218 AND ALL OF A 6.3727 ACRE TRACT AS CONVEYED TO ALUM CLIFF INDUSTRIES AS DESCRIBED IN OFFICIAL RECORD BOOK 7640, PAGE 235, BUTLER COUNTY, OHIO DEED RECORDS.

OWNER/DEVELOPER

ALUM CLIFF INDUSTRIES
510 OXFORD STATE ROAD #A
MIDDLETOWN, OHIO 45044
(513) 422-7876

A CURRENT TITLE EXAMINATION/REPORT IS NECESSARY TO DETERMINE ANY ADDITIONAL EASEMENTS, RESTRICTIONS, COVENANTS, CONDITIONS OR ENCUMBRANCES WHICH MAY AFFECT THE LANDS HEREIN PLATTED.

Hickory Woods Block D, Final Plat
Exhibit B - Final Plat Drawing

CITY COUNCIL

APPROVAL OF THE CITY COUNCIL OF THE CITY OF HAMILTON, OHIO BY ORDINANCE No. _____

PASSED AT THE REGULAR MEETING OF _____

CLERK OF COUNCIL _____

MAYOR _____

PLATTING COMMISSIONER

THIS PLAT WAS APPROVED BY THE PLATTING COMMISSIONER OF THE CITY OF HAMILTON, OHIO

ON THIS _____ DAY OF _____, 20____.

COMMISSIONER _____

PLANNING COMMISSION

THIS PLAT WAS ACCEPTED BY THE PLANNING COMMISSION, OF THE CITY OF HAMILTON, OHIO

ON THIS _____ DAY OF _____, 20____.

CHAIRPERSON _____

COUNTY AUDITOR

ENTERED FOR TRANSFER THIS _____ DAY OF _____, 20____.

BY: _____

AUDITOR, BUTLER COUNTY, OHIO

DEPUTY _____

COUNTY RECORDER

FILED FOR RECORD THIS _____ DAY OF _____, 20____.

AT _____ FILE NO. _____

RECORDED THIS _____ DAY OF _____, 20____.

PLAT ENVELOPE _____ PAGES _____

FILE _____ FEE _____

RECORDER, BUTLER COUNTY, OHIO

DEPUTY _____



I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A FIELD SURVEY MADE UNDER MY DIRECTION. ALL MONUMENTS INDICATED THEREIN ACTUALLY EXIST OR WILL BE PLACED AT THE COMPLETION OF CONSTRUCTION AND THAT ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH TO THE BEST OF MY ABILITY.

PAUL J. LEISRING DATE _____
OHIO PROFESSIONAL SURVEYOR NO. 7267

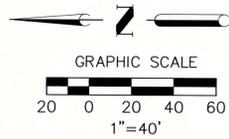
SCALE: N/A
DATE: 10-24-19
DRAWN: JLL
DESIGNED: JLL
CHECKED: _____



REVISIONS:
1.
2.
3.
4.
PROJECT: 190366 SHEET 1 OF 2
DRAWING: 190366RB

HICKORY WOODS SUBDIVISION BLOCK "D"

CONGRESS LANDS WEST OF MIAMI RIVER
SECTION 25, TOWN 4, RANGE 2E
FIRST WARD, CITY OF HAMILTON
BUTLER COUNTY, OHIO



SETBACKS

FRONT=15'
SIDE=5'
REAR=10'

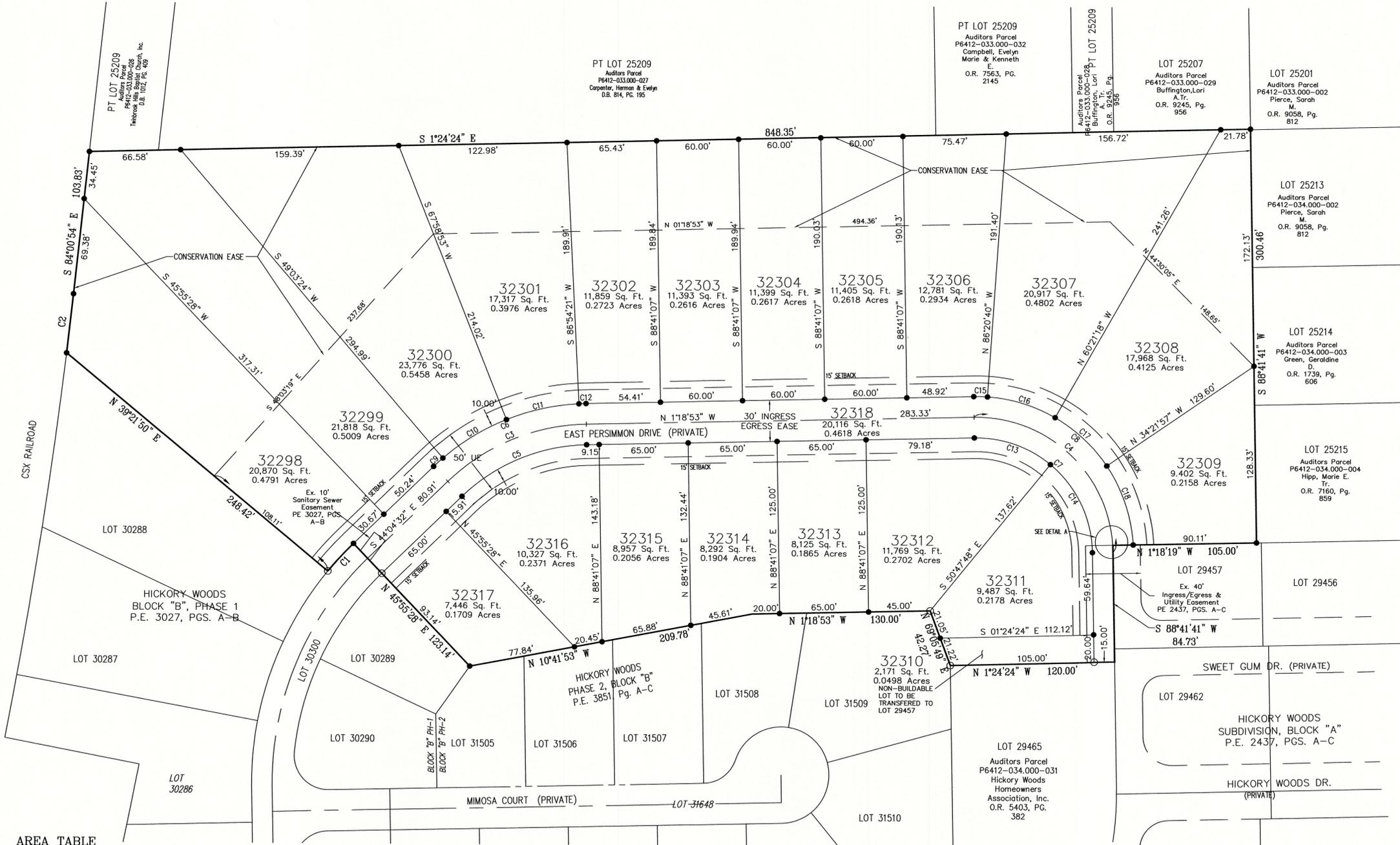
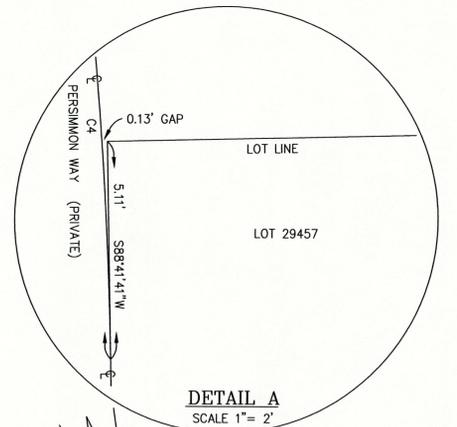
LEGEND

- ▲ -MAG NAIL SET
- + -NOTCH CUT ON CURB AT PROPERTY LINE EXTENDED REFERENCE DISTANCE NOTED
- -5/8" IRON PIN SET
- -5/8" IRON PIN FOUND OR AS NOTED
- △ -MAG NAIL FOUND
- ⚠ -RAILROAD SPIKE FOUND
- ⊙ -PIPE FOUND
- ⊗ -FENCE POST FOUND
- UE -UTILITY EASEMENT
- DE -PUBLIC DRAINAGE EASEMENT

SURVEYOR NOTES:

- 1.) OCCUPATION FITS SURVEY AS SHOWN.
- 2.) MONUMENTATION IN GOOD CONDITION.
- 3.) SOURCE DOCUMENTS AS NOTED.
- 4.) BEARINGS BASED ON BUTLER COUNTY ENGINEER'S RECORD OF LAND SURVEYS VOLUME 60, PG. 153
- 5.) DEED REFERENCE: O.R. 9253, PAGE 552.

CURVE TABLE					
CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	27.48'	240.00'	N47°21'21"W	27.47'	6°33'38"
C2	43.21'	3869.83'	S83°41'42"E	43.21'	0°38'23"
C3	111.95'	150.00'	N22°41'42"W	109.37'	42°45'39"
C4	157.10'	100.00'	N43°41'24"E	141.43'	90°00'34"
C5	100.75'	135.00'	N22°41'42"W	98.43'	42°45'39"
C6	123.14'	165.00'	N22°41'42"W	120.30'	42°45'39"
C7	133.53'	85.00'	N43°41'24"E	120.22'	90°00'34"
C8	175.55'	115.00'	N42°24'59"E	158.99'	87°27'44"
C9	9.02'	165.00'	N42°30'34"W	9.02'	3°07'56"
C10	54.50'	165.00'	N31°28'52"W	54.25'	18°55'29"
C11	54.50'	165.00'	N12°33'23"W	54.25'	18°55'29"
C12	5.12'	165.00'	N02°12'16"W	5.12'	1°46'46"
C13	60.11'	85.00'	N18°56'40"E	58.86'	40°31'05"
C14	73.42'	85.00'	N63°56'57"E	71.16'	49°29'29"
C15	9.98'	115.00'	N01°10'14"E	9.97'	4°58'13"
C16	52.16'	115.00'	N16°39'01"E	51.72'	25°59'21"
C17	52.16'	115.00'	N42°38'22"E	51.72'	25°59'21"
C18	61.24'	115.00'	N70°53'27"E	60.52'	30°30'48"





*Example of a recent residential structure
Masonry/Brick used for front facade*



*Example of first type of Hickory Woods residential structure
Vinyl sided*



***Example of first type of Hickory Woods residential structure
Vinyl sided***



***Example of a recent residential structure
Masonry/Brick used for front facade***

MAJOR CHANGE TO A RESIDENTIAL PLANNED DEVELOPMENT

HICKORY WOODS BLOCK D

SECTION 25, TOWN 4, RANGE 2E
FIRST WARD, CITY OF HAMILTON
BUTLER COUNTY, OHIO

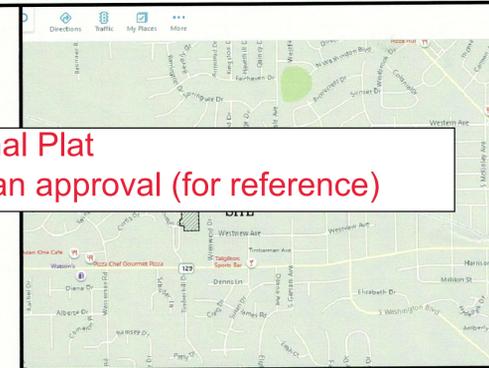
Hickory Woods Block D, Final Plat
Exhibit D - Amended PD Plan approval (for reference)

OWNER/DEVELOPER

ALUM CLIFF INDUSTRIES
510 OXFORD STATE ROAD #A
MIDDLETOWN, OHIO 45044
PH: 513-422-7876

ENGINEER/SURVEYOR

APEX ENGINEERING & SURVEYING, INC.
1068 N. UNIVERSITY BLVD.
MIDDLETOWN, OHIO 45042
PH: 513-424-5202



VICINITY MAP
NOT TO SCALE

SHEET INDEX

- PRELIMINARY PLAN 1
- PRELIMINARY LANDSCAPE PLAN 2
- PRELIMINARY STORM DRAINAGE PLAN 3

PROJECT SUMMARY

AREA: 6.3731 AC.
OPEN SPACE: 0.00 AC.
TOTAL UNITS: 19 SINGLE FAMILY DETACHED
DENSITY: 2.98 DU/AC

AREA OF MAJOR CHANGE TO RPD SUMMARY
AREA: 6.3731 AC.
TOTAL UNITS: 19 SINGLE FAMILY DETACHED
DENSITY:
GROSS: 2.98 DU/AC
NET: 3.21 DU/AC

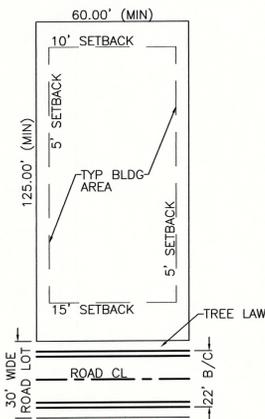
*NET DENSITY=GROSS DENSITY - PRIVATE ROAD AREA

LOT CHARACTERISTICS

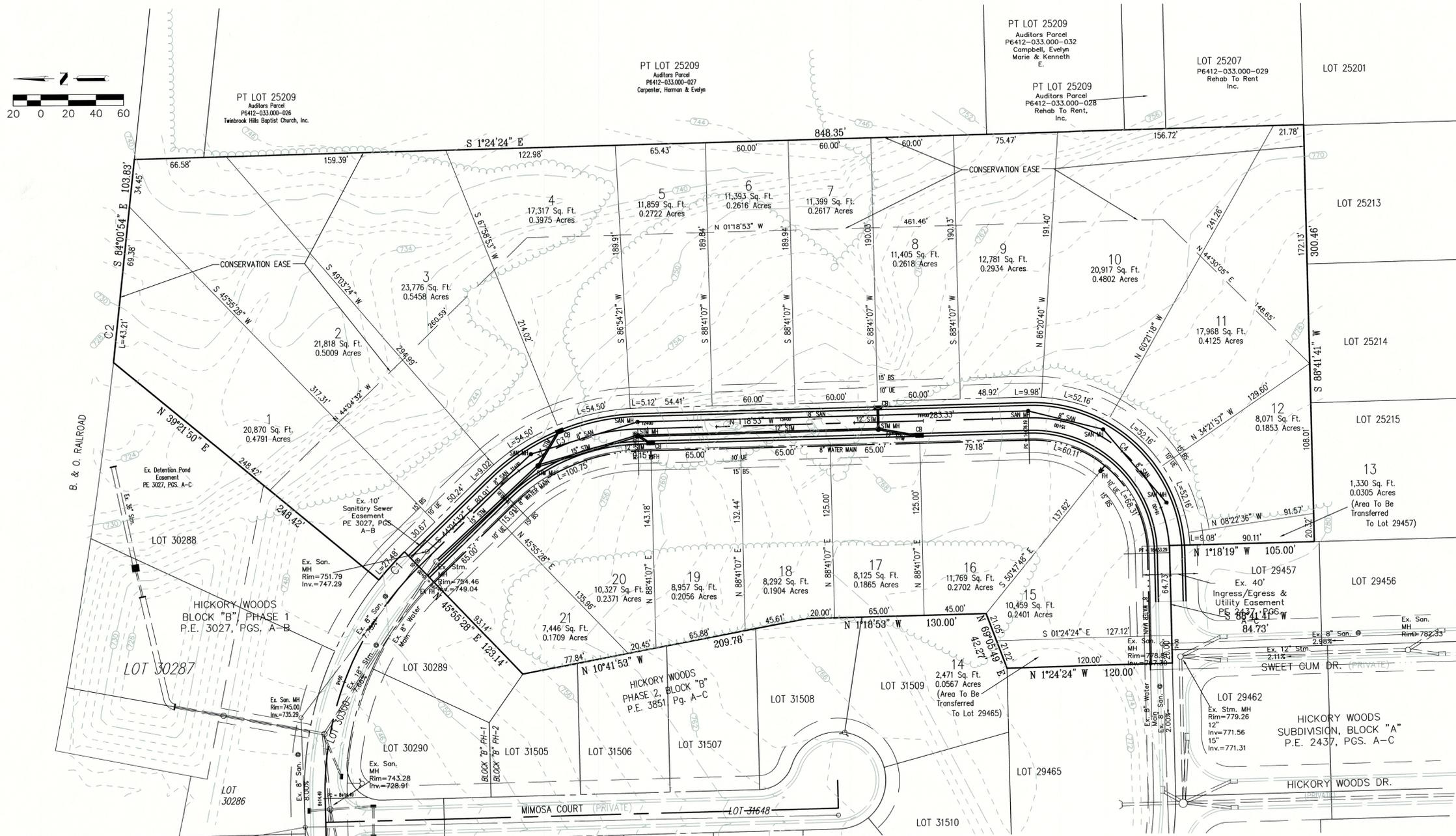
1. 60' MINIMUM WIDTH
2. 7,446 SF MINIMUM LOT AREA
3. 15' FRONT YARD SETBACK
4. 10' REAR YARD SETBACK
5. 5' SIDE YARD SETBACK

GENERAL NOTES

1. SANITARY, GAS, ELECTRIC AND WATER SERVICES TO BE CONNECTED TO THE CITY OF HAMILTON SYSTEMS
2. TELEPHONE SERVICE TO BE PROVIDED BY CINCINNATI BELL
3. CABLE SERVICE TO BE PROVIDED BY SPECTRUM
4. MINIMUM LOT WIDTH MEASURED AT THE BUILDING SETBACK LINE



TYPICAL LOT DETAIL



CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	6°33'38"	240.00'	27.48'	27.47'	N 47°21'21" W
C2	0°38'23"	3869.83'	43.21'	43.21'	S 83°41'42" E
C3	42°45'39"	150.00'	111.95'	109.37'	N 22°41'42" W
C4	90°00'34"	100.00'	157.10'	141.43'	N 43°41'24" E

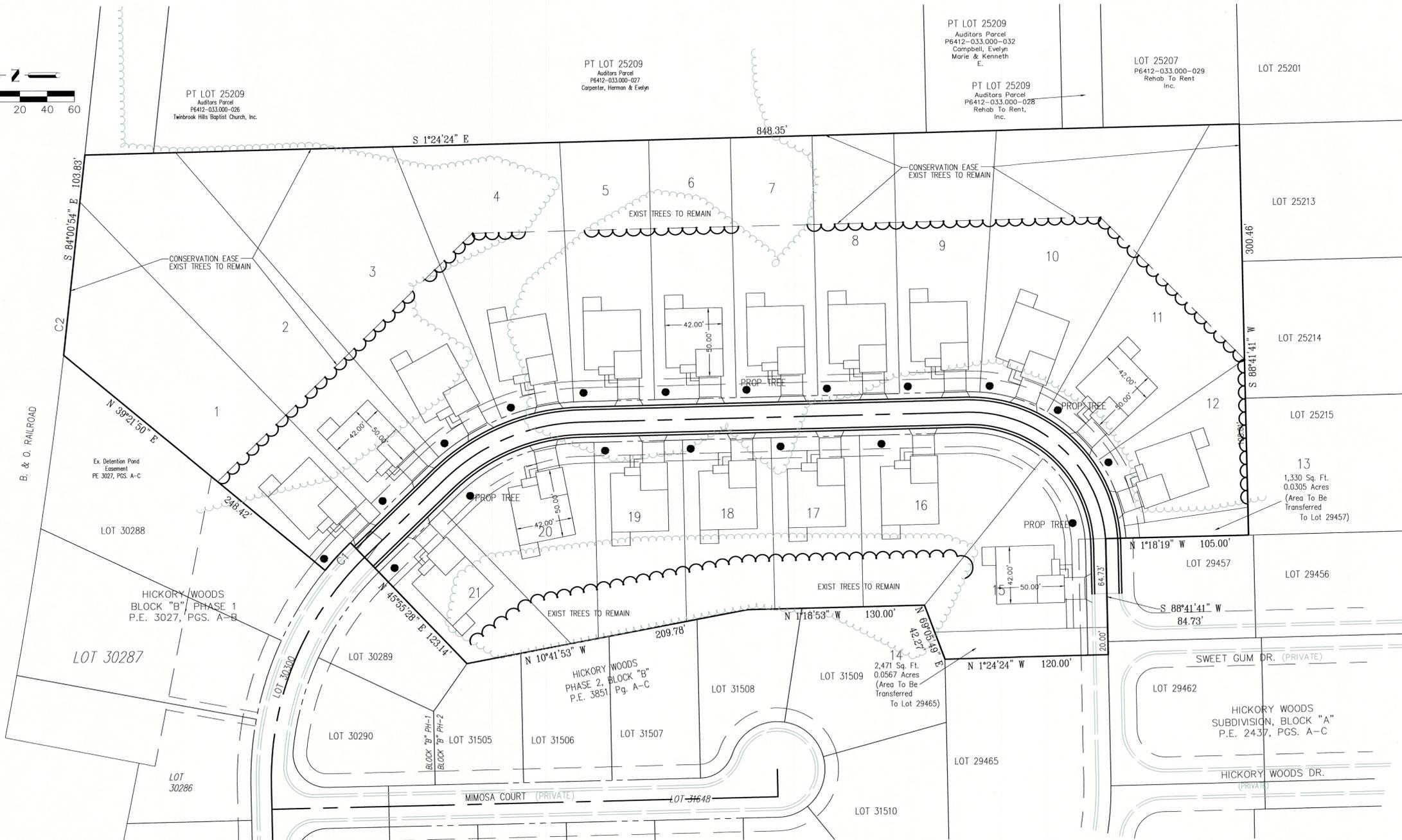
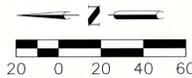
2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

SCALE: 1"=40'
DATE: 02-27-19
DRAWN: JLL
DESIGNED: JLL
CHECKED:



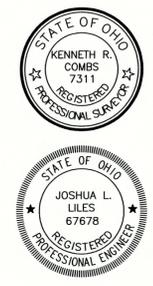
REVISIONS:
1.
2.
3.
4.

PROJECT: 190366 SHEET 1 OF 3
DRAWING: 190366BA



LANDSCAPE NOTES

1. EXISTING WOODED AREAS TO BE PROTECTED WITH ORANGE CONSTRUCTION FENCE DURING DEVELOPMENT TO BEST PRESERVE HEALTHY TREES AND LANDSCAPE AREAS.
2. 2.1 AC. OF CONSERVATION EASEMENT IS PROPOSED TO PROTECT THE WOODED AREAS ALONG THE SOUTH, EAST, AND NORTH BOUNDARIES.
3. ONE 2.5" CALIPER TREE PER LOT PER HOA REQUIREMENTS AND CITY SPECS.
4. LIGHTPOLE LOCATIONS PER CITY SPECIFICATIONS.



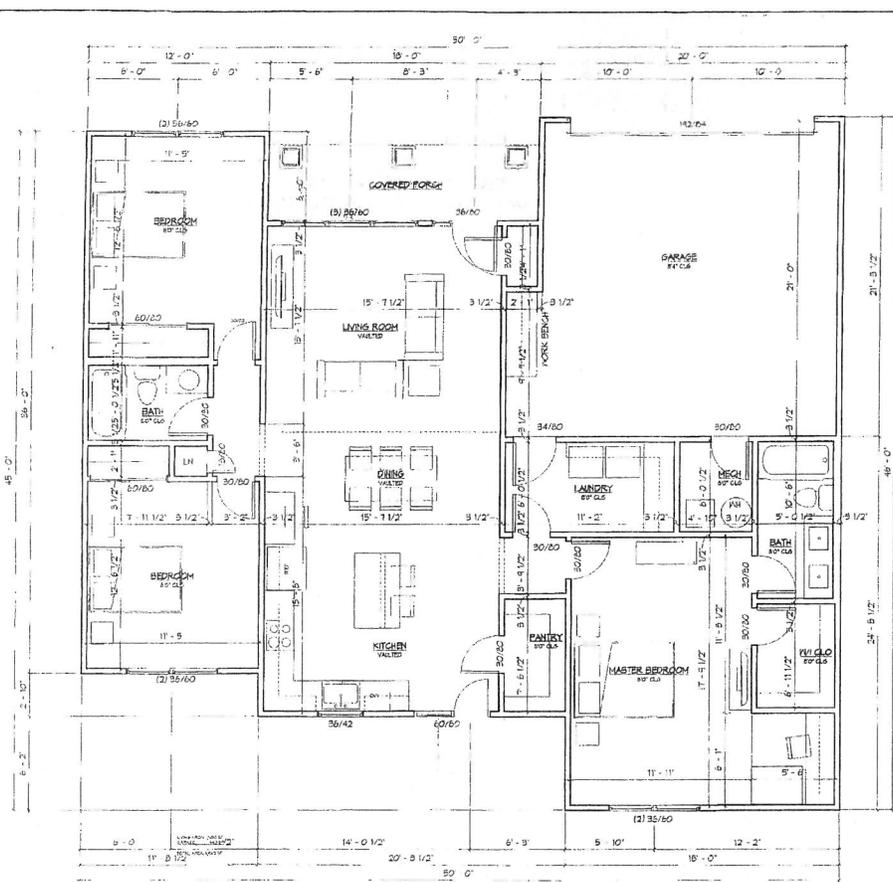
PRELIMINARY LANDSCAPE PLAN
 HICKORY WOODS BLOCK "D"
 SECTION 25, TOWN 4, RANGE 2E
 FIRST WARD, CITY OF HAMILTON
 BUTLER COUNTY, OHIO

2 WORKING DAYS
BEFORE YOU DIG
 CALL TOLL FREE 800-362-2764
 OHIO UTILITIES PROTECTION SERVICE

SCALE: 1"=40'
 DATE: 02-27-19
 DRAWN: JLL
 DESIGNED: JLL
 CHECKED:



REVISIONS:	SHEET
1.	2 OF 3
2.	
3.	
4.	
PROJECT: 190366	DRAWING: 190366A



01 - PROPOSED FLOOR PLAN

GENERAL NOTES:

1. FLOOR LOADS
 FLOOR 40 P.S.F. LIVE LOAD 800 P.S.F. LIVE LOAD
 10 P.S.F. DEAD LOAD 10 P.S.F. ROOF LOAD
2. ATTUNE ALL SOIL BEARINGS PRECURE 2800 P.S.F.
3. EXTEND ALL FOOTINGS TO FIRM FOUNDING.
4. SECTION OF JOISTING TO BE A MINIMUM OF ONE COLUMN FINISHED GRADE.
5. UNLESS OTHERWISE NOTED, ALL SLABS ON GRADE SHALL BE 4000 P.S.F. ALL-TOP REINFORCED WITH 1/2" DIA. BARS @ 18" ON CENTER. ALL REINFORCING SHALL BE PLACED ON A 6" MIN. POLYURETHANE FOAM BACKER. INTERIOR SLAB SHALL BE PLACED ON A 6" MIN. POLYURETHANE FOAM BACKER AND EXTERIOR CONCRETE ON MAINWALL WALLS OCCURRING IN EXTERIOR OR UNGRADED INTERIOR AREAS.
6. UNLESS OTHERWISE NOTED, FRAMING LUMBER SHALL BE NO. 2 GRADE OR BETTER. GROUND SURFACE & FLOOR JOIST SHALL HAVE AN ALLOWABLE DESIGN STRESS OF 1200 P.S.F.
7. UNLESS OTHERWISE NOTED, PROVIDE:
 A. DOUBLE POKER JOISTS AND BRIDGES AT ALL FLOOR OPENINGS.
 B. CROSS BRACING PER AISC RECOMMENDATION FOR FLOOR LOADS.
 C. FLOOR DISTRIBUTION 3/4" TENSILE & COMPRESSION ALUMINUM.
 D. COMBING TILE FLOOR.
 FLOOR TO BE 3/4" DIA. SUB FLOOR WITH CONCRETE BOARD OVERLAY.
 E. ALL FINISHED INTERIOR WALLS & CEILING ARE TO BE COVERED WITH Gypsum BOARD WITH TONGUE AND GROOVE JOINTING. TYP. JOINT & CORNER Gypsum BOARD WALLS & CEILING TO BE COVERED WITH 5/8" FINISHED Gypsum BOARD.
 HANDLARK CO-ORDINATE LAMP SILING EXTERIOR WALLS.
8. VOOR HEADERS - NON-FINISHED WALLS
 4" - 2x4 - 15' CEILING WITH 1/2" PLYWOOD BETWEEN
 6" - 2x6 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
 8" - 2x8 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
 10" - 2x10 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
 12" - 2x12 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
9. VOOR HEADERS - FINISHED WALLS - ALL SPACINGS
 4" - 2x4 - 15' CEILING WITH 1/2" PLYWOOD BETWEEN
 6" - 2x6 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
 8" - 2x8 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
 10" - 2x10 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
 12" - 2x12 - 5' CEILING WITH 1/2" PLYWOOD BETWEEN
10. WINDOW SILL HEIGHT SHALL BE AS NOTED ON DRAWINGS.
11. EXIST SWITCHES TO BE PERMANENTLY WIRED AND INTERCONNECTED SWITCH BOXES.
12. FINISHED FLOOR SHALL BE A MINIMUM OF 3/4" ABOVE ADJACENT FINISH GRADE.

[Handwritten signature]

CERTIFICATION

De cese

PROFESSIONAL SEAL

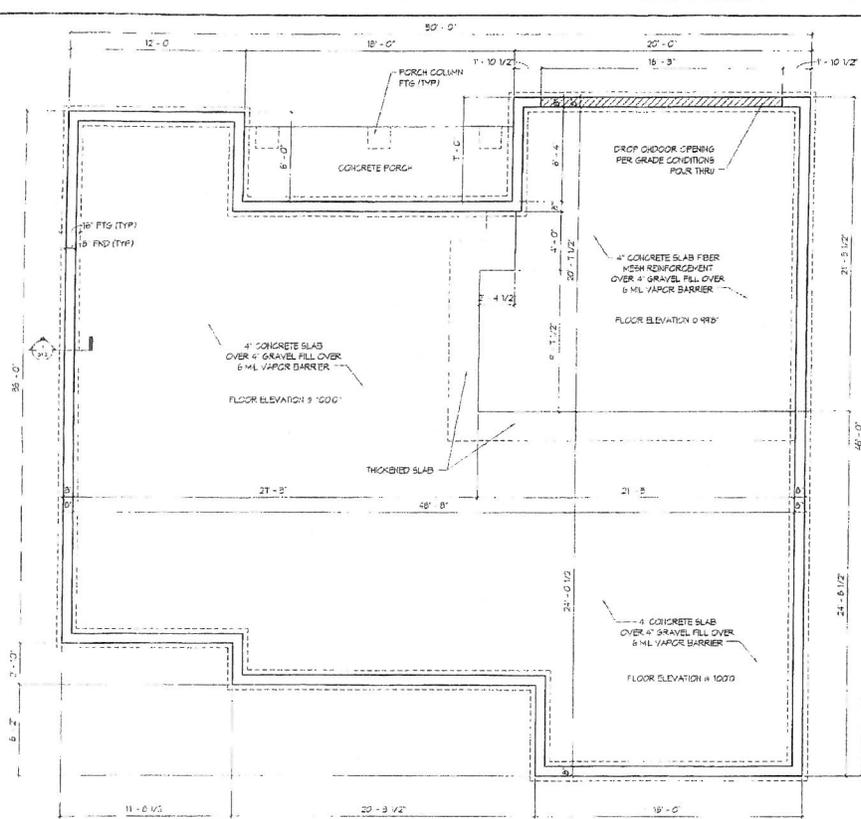
DEWESE RESIDENCE

APPROVED APPROVED

DATE: 11/11/11

BY: [Signature]

A1.0



1. SOIL CONDITIONS TO BE MINIMUM OF 2500 P.S.F. VERIFY ALL UNSTABLE SOIL CONDITIONS AND COMPACT AS REQUIRED.
2. SLOPE GRADE AWAY FROM BUILDING TO PROVIDE POSITIVE DRAINAGE.
3. USE 3500 P.S.I. @ 28 DAYS CONCRETE IN SLABS AND MINIMUM OF 3500 IN FOOTERS.
4. ALL JOLE PLATES SHALL BE ANCHORED WITH 1/2" X 30" X 1/2" WASHERS 8'-0" ON CENTERS INTERMEDIATE TO FROM ENDS MAX.
5. ALL FOOTERS ARE 8" X 16" (UNLESS NOTED ON DRAWINGS)

01 - PROPOSED FOUNDATION PLAN

Handwritten signature and initials: [Signature] DW

CERTIFICATION

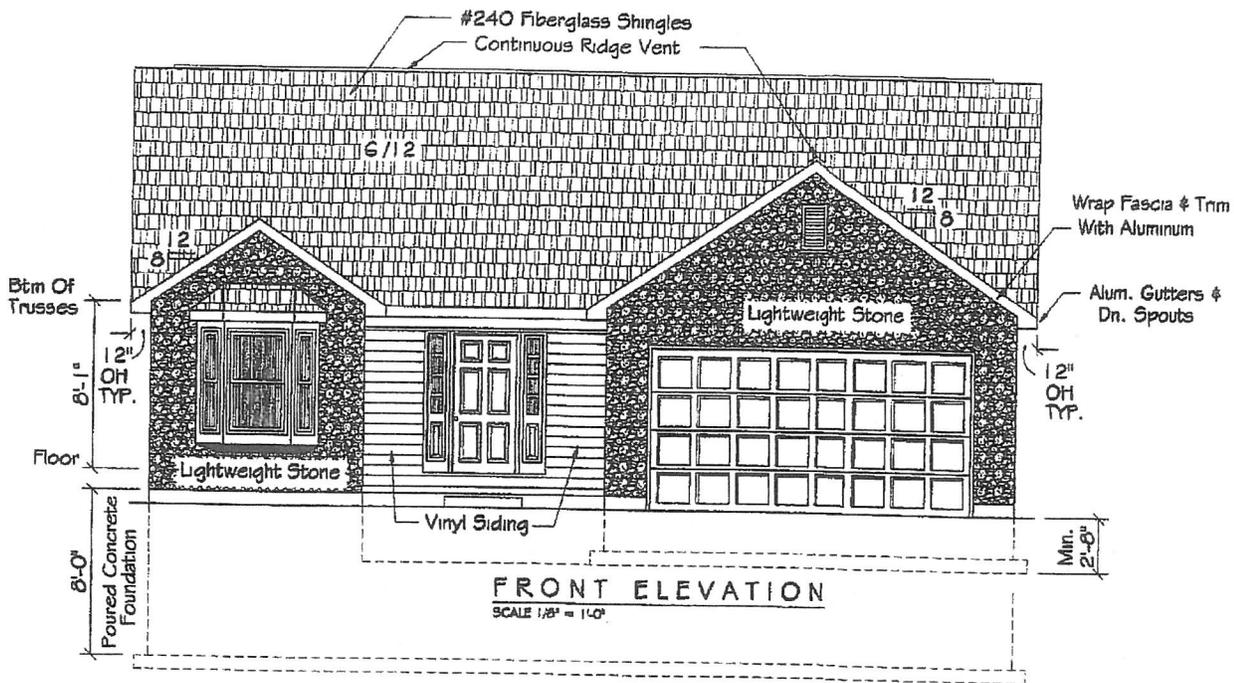
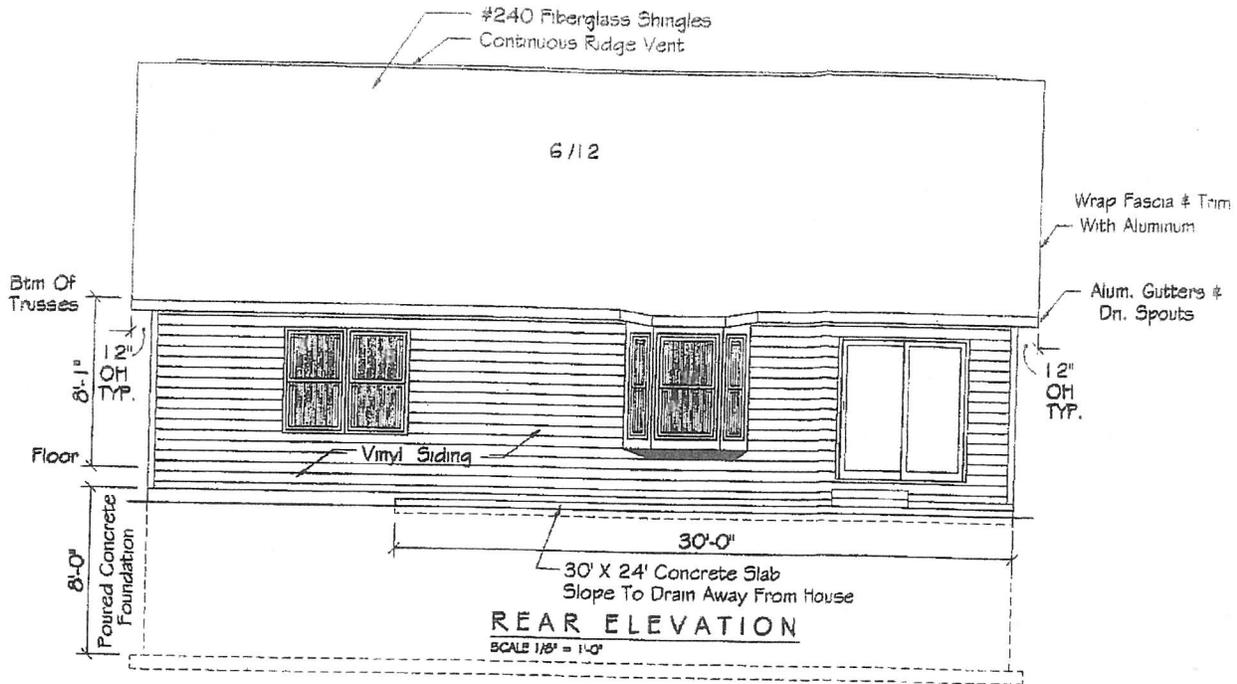
De cese

DESIGN RESIDENCE

DATE: 05-14-2011

SCALE: 1/8" = 1'-0"

1.1



ALUM CLIFF INDUSTRIES
 510 OXFORD STATE ROAD
 MIDDLETOWN, OHIO 45044

WALDEN POND
 ADDRESS : 6298 OLD MILL CT.
 HAMILTON, OHIO 45011
 FAIRFIELD TOWNSHIP, BUTLER COUNTY

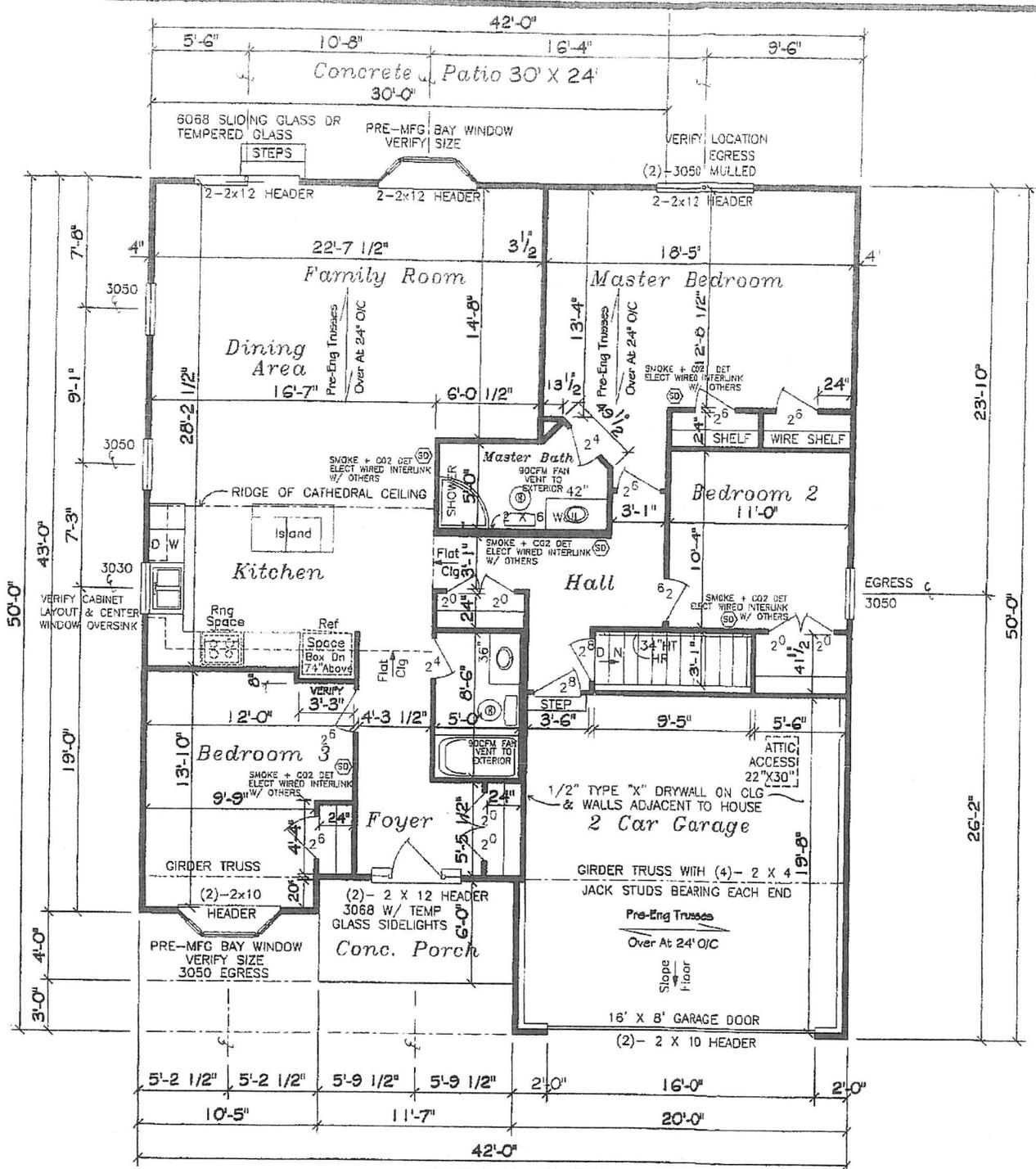
LOT #7762 WALDEN PONDS SEC B PARCEL I.D. A0300071000160

PHONE : (513)-422-7876 E-MAIL : dave.long@alumcliff.com

DATE :

DRAWN BY : PETE LINDSEY

6/29/17



FLOOR PLAN
SCALE 1/8" = 1'-0"

ALUM CLIFF INDUSTRIES
510 OXFORD STATE ROAD
MIDDLETOWN, OHIO 45044

WALDEN POND
ADDRESS : 6298 OLD MILL CT.
HAMILTON, OHIO 45011
FAIRFIELD TOWNSHIP, BUTLER COUNTY

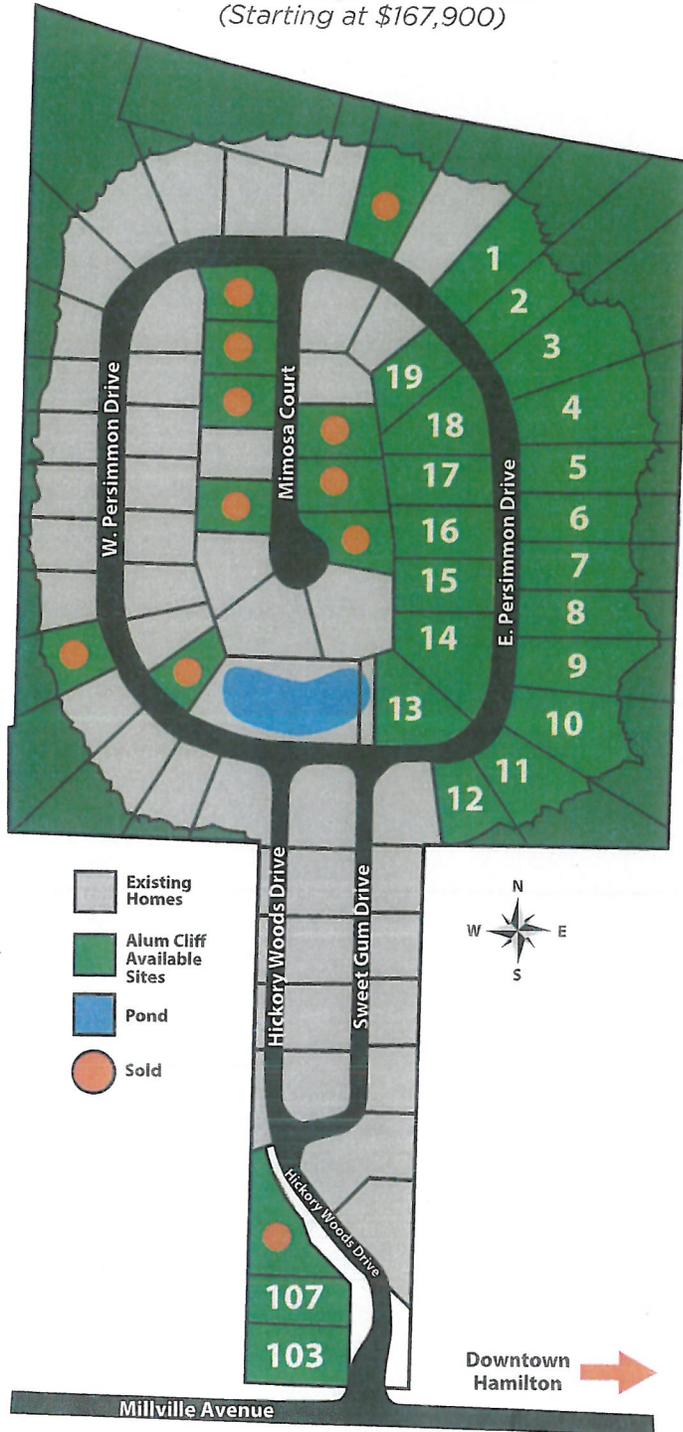
PHONE : (513)-422-7876 E-MAIL : dave.long@alumcliff.com

LOT #7762 WALDEN PONDS SEC 8 PARCEL I.D. A0300071000160
DATE : DRAWN BY : PETE UNDSEY

HAMILTON COMMUNITIES

Hickory Woods

(Starting at \$167,900)



COMMUNITIES AVAILABLE NOW

Sterling Estates

(Starting at \$205,900)

- 326 Gorham Drive
- 402 Gorham Drive
- 1602 Laura-Jean Drive

Washington Estates

(Starting at \$196,900)

- 2215 Mossy Grove
- 2242 Fern Lane
- 2207 Mossy Grove ●



GREGG RUSSELL
 513.649.0710
 greggerussell@yahoo.com
 www.paulhowerealty.com





smile knowing your home is protected for a full ten years.

coverage that gives confidence.

Defining the 2-10 Home Buyers Warranty® Structural Home Warranty.

1 YEAR WORKMANSHIP WARRANTY

The 1 year workmanship warranty provides surety coverage from the day of closing. It provides clearly defined construction standards for defects in materials and workmanship for a full year if the builder defaults on their obligation.

What is covered:*

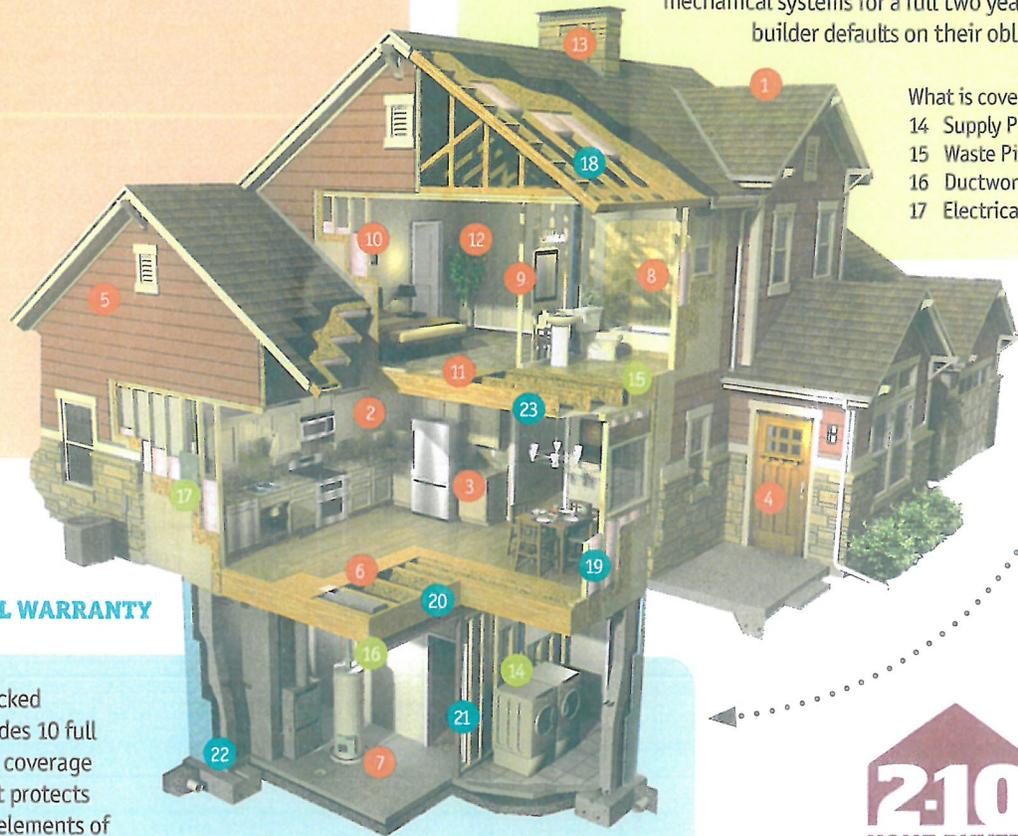
- 1 Roof Covering
- 2 Cabinets
- 3 Countertops
- 4 Door Panels
- 5 Exterior Siding
- 6 Hardwood Floor
- 7 Basement Floor
- 8 Ceramic Tile
- 9 Drywall
- 10 Interior Trim
- 11 Carpet
- 12 Paint
- 13 Fireplace

2 YEAR SYSTEMS WARRANTY

The 2 year systems warranty provides surety coverage from the day of closing. It provides clearly defined construction standards for defects in the distribution of electrical, plumbing and mechanical systems for a full two years if the builder defaults on their obligation.

What is covered:*

- 14 Supply Piping
- 15 Waste Piping
- 16 Ductwork
- 17 Electrical Wiring



10 YEAR STRUCTURAL WARRANTY

The 10 year insurance-backed structural warranty provides 10 full years of structural defect coverage from the day of closing. It protects designated load-bearing elements of the home caused by failure that affects their load-bearing function to the extent that the home becomes unsafe, unsanitary or otherwise unlivable.

What is covered:*

- | | |
|-----------------------|------------------|
| 18 Roof Framing | 21 Columns |
| 19 Load-Bearing Walls | 22 Foundation |
| 20 Beams | 23 Floor Framing |



LONG LIVE HAPPY HOMES®

2-10.com



Planning Department
 345 High Street, 3rd floor
 Hamilton, Ohio 45011

For the Planning Commission Meeting of May 21, 2020

To: Planning Commission
From: Ed Wilson, AICP, Associate Planner II
Date: May 11, 2020

Subject: **AGENDA ITEM #2 – New Business (Non-Public Hearing)**
Final Plat for Hickory Woods, Block D Subdivision

APPLICANT: David P. Long of Alum Cliff Industries, LLC.
LOCATION: Hickory Woods Subdivision – 1 East Persimmon Drive,
 situated in the First Ward, South Side.
 ([Location](#) / [Google Map](#))

REQUEST: A Final Plat review for Hickory Woods, Block D Subdivision.

BASIC INFORMATION		
Applicant/Property Owner	David P. Long, Alum Cliff Industries, LLC.	
Architect/Engineer/Consultant	Apex Engineering	
Size of Property	Existing Hickory Woods - 19.7 Acres Subject Property – 6.37 Acres	
Current Zoning	RPD (Residential Planned Development) as listed in Section 1118.100 of the Hamilton Zoning Ordinance	
Size of Revision	6.37 Acres	
ADJACENT LAND USE/ZONING INFORMATION		
<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Multi-Family Residential, Single-Family Residential	RPD (Residential Planned Development) R-1 (Single-Family Residential)
South	Multi-Family Residential Single-Family Residential	RPD (Residential Planned Development) R-1 (Single-Family Residential)
East	Single-Family Residential	R-1 (Single-Family Residential)
West	Multi-Family Residential Single-Family Residential	RPD (Residential Planned Development) R-1 (Single-Family Residential)

Section A: Introduction and Background

Section A.1: Project Overview

The submitted application pertains to a Final Plat of Hickory Woods, Block D, Subdivision. The Final Plat is the last step in the subdivision process for the acceptance of streets as right-of-way and the subdividing of vacant, unplatted land as buildable lots. The Planning Commission makes a recommendation to City Council for final action on Final Plat requests. The proposed plat is for the subdivision of 19 new buildable lots on the remaining un-platted, vacant land within the Hickory Woods Subdivision. Hickory Woods is a Planned Development community originally approved in the early 1990's. If approved, the development would be the final phase of development within the subdivision.



Section A.2: Existing Site Conditions

The site in question is an undeveloped area of 6.37 acres located within the Hickory Woods Subdivision, immediately east adjacent of the Persimmon Drive portion of the development. Surrounding land uses include single-family residential housing to the west, south, and east of the subdivision; and apartment complexes to the north, west, and south of the subdivision (for a location map, please see [Exhibit A](#)).

Houses constructed earlier in the subdivision's lifetime (1990s) are completely vinyl sided. Houses that have been constructed in recent years feature masonry/brick as part of the front facades and vinyl for side and rear facades.

A detention pond is located in the center of the development at the intersection of West Persimmon Drive, Hickory Woods Drive, and Sweet Gum Drive. Recently, a final course of street pavement was completed along Mimosa Drive. There are currently two (2) terminated roads at East Persimmon Drive and West Persimmon Drive that terminate in a manner that is not compliant with what is required for Emergency Response Services.

Section A.3: History

The Hickory Woods Planned Development has been through Planning Commission review on multiple occasions, particularly for the planning and platting of new sections or blocks of the development. A general history is as follows:

1. In 1993, the City of Hamilton approved Hickory Woods as a PUD (Planned Unit Development) for 113 lots. The approved Development Plan was revised twice in 1993. The final revision featured a development plan containing 87 lots identified for the construction of single-family residential dwellings.
2. In 1994, the Final Plat was approved for Block A of the development, which platted 15 lots in the subdivision.
3. In 1998, the Final Plat was approved for Block B of the development, which platted 27 lots in the subdivision.
4. In 2005, the Final Plat was approved for Phase II of the development, which platted eleven (11) lots in the subdivision.
5. In 2018, a Zone Change and amended Development Plan adding three (3) new lots along Millville Avenue. A Final Plat for Block C has been approved creating those three (3) lots.
6. On March 21, 2019, the Planning Commission approved the amendment to the Hickory Woods Development Plan to allow the Hickory Woods, Block D.





Section B: Development Plan Review

Section B.1: Request for Final Plat

The site in question, containing an area of approximately 6.37 acres, located in the eastern, undeveloped portion of the Hickory Woods Subdivision. Planning staff determined that the applicant submitted sufficient information to proceed with the final plat.

Section B.2: Submitted Request (Final Plat)

The plat proposes the subdivision and creation of the site into nineteen (19) new buildable lots, with one (1) non buildable lot. The applicant is proposing to construct nineteen (19) single-family homes with attached garages on each of the newly created buildable lots.

The proposal and final plat includes the extension of West Persimmon Drive, an existing private street, which will terminate into East Persimmon Drive. If approved, the development would be the final phase of development within the Hickory Woods Subdivision. The specifics of the development proposal are discussed in greater detail in the section below.

Section B.2.1 Buildable Lots and Home Characteristics ([Exhibit B](#))

The submitted Final Plat indicates the following:

1. Subdivision of the site in question into nineteen (19) buildable lots.
2. The Lot Characteristics of each new buildable lot are as follows:
 - a. Lots #1-12 and Lots #15-21
 - b. Lot Size: 7,446 square feet minimum
 - c. Lot Width: 60 feet minimum
 - d. Setbacks:
 - 1) 15 feet front yard setback
 - 2) 10 feet rear yard setback
 - 3) 5 feet side yard setback
 - e. Proposed landscaping: one (1) tree planted per single-family residential lot, located in the front yard. 2.5" caliper tree, per HOA requirements and city specifications.





3. Per the approved amended plan and preliminary plat, the Architectural Characteristics of the nineteen (19) Single-Family Homes:
 - a. The proposed homes will be consistent in architecture to the existing homes in the subdivision (see [Exhibit C](#) for pictures).
 - 1) The original homes constructed in the 1990's contain all vinyl facades.
 - 2) The 10-12 homes constructed in recent years contains at least 50% percent brick / stone on the front façade with the remaining exteriors of the structure being vinyl.
 - b. The materials for the proposed homes will be consistent with the home constructed in recent years.
 - c. Proposed homes will be one-story ranch housing.
 - d. The minimum size of each home will be 1,450 square feet of living space
 - e. Each home will feature an attached garage containing an area of 400 square feet.
 - f. Typical dimensions will be approximately 42 feet wide by 50 feet deep
 - g. Front façade materials will contain a minimum of 50% lightweight stone / brick.
 - h. Side and rear materials will be vinyl.

Section B.2.2 Non-Buildable Lots

The submitted Final Plat indicate the following:

1. Provision of one (1) non-buildable lots.
2. One (1) non-buildable lot, identified as Lot 32310, will be conveyed and combined with an adjacent parcel owned by the HOA. This parcel is currently an open space parcel occupied by a retention pond.

The preliminary plat featured one (1) non-buildable lot, to be conveyed and combined with an adjacent parcel owned by an individual property owner in the subdivision. The final plat combined this lot with what was known as Lot 12 (Lot 32309).





Section B.2.3 Conservation and Landscaping

The submitted Final Plat indicates the following:

1. Natural conservation of the existing trees located in the rear of all proposed lots
2. Provision of a conservation easement of 2.1 Acres to protect the existing wooded areas, along the rear of lots 1-12. This is the easternmost part of the subject area.
3. Provision of one (1) tree in the front yard area of each lot.

Section B.2.4 Off-Street Parking, Access Controls, & Easements

The submitted Final Plat indicates the following:

1. Extension of East Persimmon Drive, a private street, 633.29 feet of street length in manner that will connect East Persimmon Drive to West Persimmon Drive as a “loop.”
2. Vehicular access to the proposed 19 lots is from the extension of East Persimmon Drive, and the resulting loop of West Persimmon & East Persimmon Drive.
3. The extension of Persimmon Drive is 22 feet wide and contains a 30 feet wide ingress/egress easement.
4. The proposed utility easement includes two (2) 10 feet wide easements that run along the course of the proposed East Persimmon Drive on opposite sides of the proposed drive.

The Planning Commission reviewed and approved the Preliminary Plat for this subdivision on March 19, 2019. The Planning Department finds the proposed Final Plat to be consistent with the approved Preliminary Plat of the subdivision that was approved by the Planning Commission (see [Exhibit D](#) for the Approved Plan for reference).





Section C: Statutes:

Platting of Lots

Per the City Subdivision Regulations, Ordinance No. 6038, the Planning Commission can recommend that City Council approve or deny the request for the platting of subdivisions and subdivision lots within the City of Hamilton.

Chapter 1191 of the Subdivision Regulations outlines the procedure for plat approval.

Section D: Interdepartmental Review

The Hickory Woods, Block D, Final Plat has been through the city's Interdepartmental Review Committee. The proposed final plat has been reviewed and approved through the City's Interdepartmental Review process.

There were no objections to the Final Plat.

Section E: Recommendation

The Planning Commission can recommend approval or denial of the proposed Final Plat for Hickory Woods, Block D. If the Planning Commission approves a motion for approval, said recommendation is forwarded to City Council, which will take final action to approve or deny the Final Plat. If the Planning Commission approves a motion for denial, the application is considered denied and does not move forward to the City Council.

If the Planning Commission chooses to recommend approval of the Final Plat, the Planning Department recommends that the following motion:

- 1) That the Planning Commission take action and recommend that City Council approve the Final Plat for Hickory Woods, Block D, subdivision, with the recommended conditions of approval.

If the Planning Commission chooses to recommend approval, the Planning Department recommends that the Planning Commission include the following conditions of approval. Please note that these conditions of approval reflect the conditions found in the previously approved Hickory Woods, Block D, Amended Plan (See [Exhibit E](#)):





Conditions of Approval:

1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments, and future review requirements of the City of Hamilton Interdepartmental Review.
2. Landscaping, site improvements, and all exterior finishes and other improvements be installed and maintained in good repair and replaced as necessary to remain in compliance with the approved Final Development Plan and Final Plat.
3. Existing trees shall remain and a conservation easement shall be established and maintained as indicated on the submitted site plan.
4. All proposed landscaping items shall be reviewed and approved by the City of Hamilton Municipal Arborist.
5. All proposed landscaping item sizes to conform to the minimum size requirements found in Section 1111.10 of the Hamilton Zoning Ordinance. (Deciduous trees minimum of 2 ½ inches caliper, evergreen trees minimum of six (6') feet in height, shrubs/bushes minimum of 12 inches). All tree species proposed shall be reviewed and approved by the City of Hamilton Municipal Arborist.
6. The building materials for siding of the front façade shall be at least 50% masonry and/or brick.
7. That all new single-family homes have a minimum size of 1,450 square feet.
8. That all new single-family homes have an attached garage with a minimum size of 400 square feet.
9. That no more than 40 inches of concrete foundation shall be exposed, unless in conjunction with a walk-out basement.





Section F: Staff Basis / Comments

Staff finds the final plat to be consistent with the intent and purpose of the Planned Development and Subdivision Regulations in the following ways:

1. The proposed development encourages imaginative, superior, design and function in developments through the creative use of land featuring a hilly topography, which prohibit it from being developed at a higher density or different configuration.
2. The proposed development provides an alternative procedure for the development of land to allow for more efficient and economical development of property than customarily permitted by conventional zoning and subdivision regulations.
3. The Hickory Woods, Block D subdivision has been through substantial planning and review procedures to facilitate a higher quality design and development. The applicant has met with staff several times to incorporate comments and input from all city departments to produce a plan that will be compliant with respect to city requirements.
4. The proposed plan and plat encourages the conservation of natural amenities of the landscape through the establishment of a conservation easement, and retention of existing trees in the development area, at the south, east, and northern boundaries. In doing so, the applicant is able to preserve a majority of the flora and fauna that currently existing on the site.
5. The proposed development properly integrates with the overall character and unique form of the Hickory Woods subdivision and is compatible with the existing development on the site in question.
6. The submitted plans connect East Persimmon Drive with West Persimmon Drive creating a “loop” which brings both streets into compliance with codes pertaining to access for Emergency Response Vehicles.





APPLICATION INFORMATION	
Applicant/Property Owner	David P. Long, Alum Cliff Industries, LLC.
Property Location	1 East Persimmon Drive
Size of Property	Existing Hickory Woods - 19.7 Acres Subject Property - 6.37 Acres
Current Zoning	RPD (Residential Planned Development) as listed in Section 1118.100 of the Hamilton Zoning Ordinance
Proposed Request:	Final Plat for Hickory Woods, Block D - to allow nineteen (19) single-family residential lots
Petition Date	05/01/2020

Conditions of Approval:

1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments, and future review requirements of the City of Hamilton Interdepartmental Review.
2. Landscaping, site improvements, and all exterior finishes and other improvements be installed and maintained in good repair and replaced as necessary to remain in compliance with the approved Final Development Plan and Final Plat.
3. Existing trees shall remain and a conservation easement shall be established and maintained as indicated on the submitted site plan.
4. All proposed landscaping items shall be reviewed and approved by the City of Hamilton Municipal Arborist.
5. All proposed landscaping item sizes to conform to the minimum size requirements found in Section 1111.10 of the Hamilton Zoning Ordinance. (Deciduous trees minimum of 2 ½ inches caliper, evergreen trees minimum of six (6') feet in height, shrubs/bushes minimum of 12 inches). All tree species proposed shall be reviewed and approved by the City of Hamilton Municipal Arborist.
6. The building materials for siding of the front façade shall be at least 50% masonry and/or brick.
7. That all new single-family homes have a minimum size of 1,450 square feet.
8. That all new single-family homes have an attached garage with a minimum size of 400 square feet.
9. That no more than 40 inches of concrete foundation shall be exposed, unless in conjunction with a walk-out basement.

Report continued on the next page



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: A recommendation relative to adding the position classification of Systems Engineer within the Department of Infrastructure.

1st Reading Date: 6-10-20
 2nd Reading Date: 6-24-20
 Resolution Date:
 Public Hearing Date:

Dear Mayor and Members of Council:

The Department of Infrastructure is recommending adding the position classification of Systems Engineer to accurately reflect the responsibilities of the position.

In June of 2017, the City combined Public Works and Utilities into the Department of Infrastructure. Since then, Staff has continuously focused on evaluating processes and procedures to increase the quality of services (i.e., reduce outages and improve system reliability) and provide safe working conditions for our employees and community. This evaluation process has resulted in the elimination of positions to better streamline work and communication throughout the organization.

In April of 2020, the Manager of Transmission and Distribution Operations position was eliminated. The employee currently in the Assistant Manager of Transmission & Distribution Operations position (who previously reported to the Manager of Transmission and Distribution Operations) will be reclassified to the proposed Systems Engineer position. The proposed Systems Engineer position will better reflect the duties and responsibilities required of this position. The position of Systems Engineer will be used to manage capital projects, from inception to completion, in the City electric system. This will include, and not be limited to, design, budgeting, and construction management. This position will report directly to the Director of Utility Operations. As a result, Staff is recommending the following adjustments to reflect the change in responsibilities:

Current Position	Proposed Position	Current Range	Proposed Range	Budget Impact
Manager of Transmission & Distribution Operations	N/A	59	Eliminated	(\$140,000)
Assistant Manager of Transmission & Distribution Operations	Systems Engineer	58	58	\$5,800
Total Budget Impact				(\$134,200)



It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
City Manager

Jim R. Logan
Executive Director of Infrastructure

Choose Strategic Goal(s)

- I** *Generate 125mm in new private investment*
- J** *Increase gross wages paid by Hamilton Employers by \$100mm*
- P** *Exceed total county growth rate median home sale prices*
- R** *Generate \$40mm in investment for recreational amenities*
- E** *Engage 50,000 participants annually in special events, arts and recreation activities*
- O** *General Operations/ Government Business*



City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Ed Wilson, AICP Associate Planner II

Agenda Item:

1. Proposed vacation of a portion of Short Street Alley located at 1157 Central Avenue. (City of Hamilton, Applicant)
2. Final Plat & Dedication Plat for 1157 Central Avenue including the dedication of a new portion of Short Street Alley. Property and alley situated in the Second Ward, City of Hamilton, Ohio. (Jason Wittenkind, per Hamilton Convenience, LLC., Applicant).

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input checked="" type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
<p>Ordinance or Resolution Ordinance</p>	<input checked="" type="checkbox"/> 1 st Reading Date: 5-13-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 5-27-2020 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> Public Hearing Date:	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other): 4-22-2020 Caucus Report City Council Meeting Planning Commission: 4-16-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: \$500.00 Expenditure: \$500.00 Source Funds:	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does City Council wish to vacate a portion of Short Street Alley and accept a Final Plat & Dedication Plat for a new portion of Short Street Alley located at 1157 Central Avenue, situated in the Second Ward of the City of Hamilton, Ohio?

Policy Alternative(s)

Council may choose not to adopt such legislation to vacate the portion of Short Street Alley or accept the Final Plat for 1157 Central Avenue may choose to adopt legislation for only one (1) of the requests.



Staff Recommendation

Planning Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission and adopts the necessary legislation to grant to 1.) vacate a portion of Short Street Alley and 2.) accept the Final Plat / Dedication Plat for 1157 Central Avenue, dedicating a new portion of Short Street Alley.

This recommendation is based on the Planning Commission's recommendation that City Council approve both requests from its April 16, 2020 meeting.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Chapter 1191, Procedures for Plat Approval, of the Charter of the City of Hamilton.
- Section 167.07, Vacation of Streets, Alleys, and Rights-of-Way, of the Charter of the City of Hamilton

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to working with the applicant and the preparation of the documentation for the proposed vacation of a portion of Short Street Alley, and proposed Final Plat for 1157 Central Avenue, including proposed rededication of a new portion of Short Street Alley, estimated at approximately \$500.00.

Background Information

1157 Central Avenue is currently vacant and undeveloped lot. It had previously been a mixture of residential and commercial properties. The current owner has purchased these lots over several years to consolidate them for a future project on the site. In November 2019, the City granted a Conditional Use certificate allowing the construction of two (2) buildings on the site, both with drive-thru windows, and a gas canopy with four (4) gasoline dispensers.

Current Application:

The current application for review includes two (2) specific requests pertaining to 1157 Central Avenue.

1. The City of Hamilton has submitted a petition to vacate a portion of Short Street Alley, located at 1157 Central Avenue. If approved, the portion of alley would be abandoned and transfer to the owner of the adjacent property. Hamilton Convenience, LLC is the owner of all property surrounding the subject portion of alley.
2. Jason Wittenkind, per Hamilton Convenience, LLC submitted a Final Plat & Dedication Plat for 1157 Central Avenue, to consolidate ten (10) parcels located on the subject property, and to dedicate a new portion of alley as right-of-way, which would connect the remaining Short Street Alley to Central Avenue.

Further information on the requests has been included in the information below and can be found in Planning's Staff Report to the Planning Commission (see Exhibit G).

1) Petition for an Alley Vacation

The City of Hamilton submitted a petition proposing vacation (abandonment) of the public right-of-way for a portion of Short Street Alley, from the rear of 444 Knightsbridge Drive to Central Avenue. The alley provides a right-of-way connection from Lane Street to Central Avenue and connects to Central Avenue Alley which is located to the rear of 1103 through 1125 Central Avenue. The portion of Short Street Alley in question is an improved, paved alley, that contains no existing utilities. The City of Hamilton proposes the alley vacation to facilitate the development proposal for 1157 Central Avenue, and due to the Hamilton Convenience, LLC dedicating a new portion of Short Street Alley as part of their proposal, maintaining alleyway connection.



An alley vacation is a process in which an alley is reviewed for transference from public use to private property. Approval of an alley vacation means that the vacated portion of street will no longer be public right-of-way and the public could not use the alley for public access such as driving, parking, or walking.

If any right-of-way vacation is approved, the land currently designated as right-of-way would be split down the centerline and each half (1/2) would be transferred to the adjacent property owners of record. Please note, Hamilton Convenience, LLC (applicant) is the owner of record for all properties abutting the alley in question, they would receive the entirety of the vacated portion of Short Street Alley.

Specific information pertaining to the proposed alley for vacation is as follows:

- Subject portion of Short Street Alley
 - Length: 209.34 feet
 - Width: Twelve (12') feet
 - 2,512 Square Feet of right-of-way

Alley Vacation Request may proceed to Ordinance

The City may proceed with an Ordinance to Vacate the portion of Short Street Alley:

- City of Hamilton is the applicant of the requested vacation, i.e. a City-initiated vacation/abandonment.
- There is only one property owner abutting the portion of alley in question, Hamilton Convenience, LLC. This owner has no objection to the proposed alley vacation. This property owner is also reliant upon the alley vacation to proceed with a proposed redevelopment project.
- The recommended conditions of approval (see Exhibit G), include waiving the general vacation procedure, as there is no need for an appraisal or assessment of value for City-initiated right-of-way vacations.

2) Request for Final Plat, Rededication Plat

Jason Wittenkind, per Hamilton Convenience, LLC submitted a Final Plat & Dedication Plat for 1157 Central Avenue, to consolidate ten (10) parcels located on the subject property, and to dedicate a new portion of alley as right-of-way, which would connect the remaining Short Street Alley to Central Avenue.

The applicant submitted the Final Plat to proceed with the development of a proposed gas station and convenience store. The gas station and convenience store with drive-thru were reviewed and granted conditional use approval in November 2019.

- Final Plat proposal:
 - Consolidate properties at 1157 Central Avenue:
 - Ten (10) individual properties, one (1) vacated alley, and one (1) alley proposed for vacation,
 - Combines the properties into a contiguous 1.2 acre site.

The plat also proposes the rededication (reorientation) of Short Street Alley to maintain contiguous alleyway access for properties within the immediate area.



- Rededicated (moved) portion of Short Street Alley (Part of City Lot #26270)
 - Length: 198 feet & Width: Sixteen (16') feet
 - Begins at the intersection of Short Street Alley and Central Avenue Alley,
 - Northeast-Southwest alley that connects to an existing concrete apron allowing access ingress and egress from Central Avenue
 - Alley will be setback four (4') feet from the eastern property line of 1125 Central Ave.

Interdepartmental Review

The City's Interdepartmental Review Committee evaluated the proposed vacation of a portion of Short Street Alley. There were no objections to the proposal.

The City's Interdepartmental Review Committee evaluated the Final Plat for 1157 Central Avenue including the rededication of Short Street Alley. This includes reviews from the Department of Engineering, Emergency Services, and Traffic. There were no objections to the proposal.

Planning Commission Recommendations

The Planning Commission recommended to City Council the following recommendations:

1. That the Planning Commission recommends that City Council adopt the necessary legislation to vacate the portion of Short Street Alley, situated in the Second Ward, as displayed on the street vacation exhibit, with the recommended conditions of approval:
2. That the Planning Commission recommends that City Council approve the Final Plat for 1157 Central Avenue, with the following recommended conditions of approval.

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City's Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

Planning Staff Basis / Comments

Planning Staff provided the following basis / comments for recommending approval of both the alley vacation and final plat:

1. The proposed Final Plat for 1157 Central Avenue adheres to the amended Final Planned Development as approved by the Planning Commission.
2. The portion of alley in question contains no utilities and thus does not require an easement to maintain utilities.



3. No connectivity will be lost as a result of the proposed vacation. All remaining residences will continue to have alley access via the remaining Short Street Alley and existing Central Avenue Alley. The proposed rededication of Short Street Alley would maintain an alleyway connection to Central Avenue.
4. The proposed vacation will not adversely impact the public health, safety, or welfare. No vehicular access to any privately owned property will be closed as a result of the proposed vacation.
5. The proposed project has been through substantial planning and review procedures to facilitate a higher quality design and development. The applicant has met with staff multiple times to include input from all City departments to produce a plat and proposal compliant with respect to city requirements.

Attached Information

1. Exhibit A - Location Maps
2. Exhibit B - Vacation, Exhibit Map (Short Street Alley & Final Plat)
3. Exhibit C - Final Plat for 1157 Central Avenue
4. Exhibit D - Petition to Vacate a portion of Short Street Alley
5. Exhibit E - Public Hearing Notice Letter
6. Exhibit F - Planning Commission Staff Report
7. Exhibit G - Recommended Conditions of Approval

Copies Provided to:

N/A



1157 Central Avenue (Short Street Alley & Final Plat)
Exhibit A - Location Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri Community Maps, 2014

Site Address Points



Owner Parcels

Short Street Alley





Site Address Points



Owner Parcels

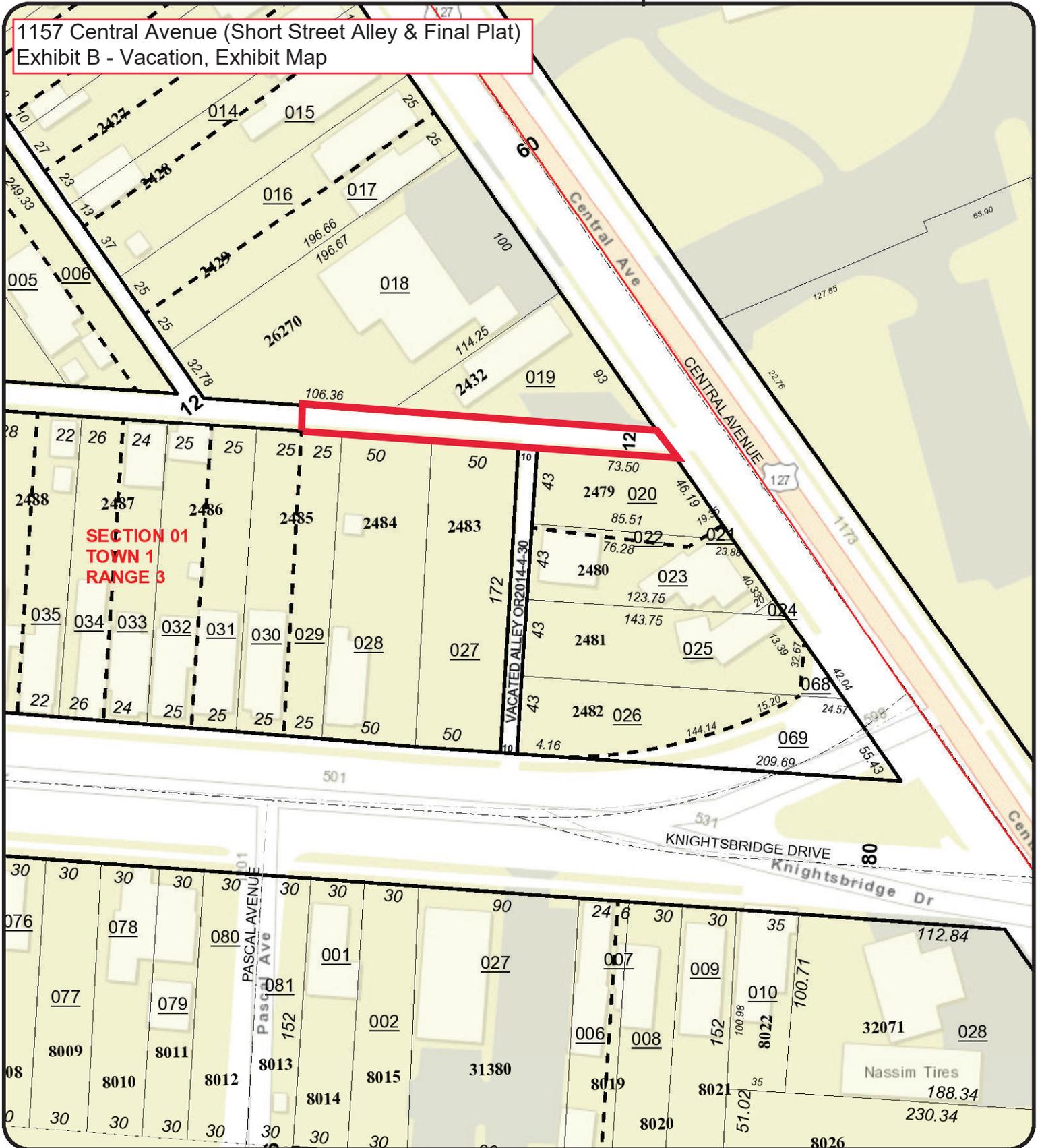
Short Street Alley

City of Hamilton
BUTLER COUNTY OHIO



BCEO GIS Tax Map

1157 Central Avenue (Short Street Alley & Final Plat)
Exhibit B - Vacation, Exhibit Map



 Portion of Short Street Alley,
proposed for vacation/abandonment



In using this map provided by the Butler County Engineer's Office, you accept the data as is, without warranty of any kind, either expressed or implied. The Butler County Engineer's Office shall not be held liable for any claim for any loss or damage as a result of reliance on the information contained in this website

April 9, 20

1157 Central Avenue (Short Street Alley & Final Plat)
Exhibit C - Final Plat and Dedication Plat

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, BEING THE OWNER OF LOT 26270 AS RECORDED IN OFFICIAL RECORD VOLUME 9362, PAGE 446 AND BEING SITUATED IN THE SECOND WARD OF THE CITY OF HAMILTON, BUTLER COUNTY, OHIO AND DESCRIBED AND RECORDED AS NOTED IN THE OFFICIAL RECORDS OF BUTLER COUNTY, OHIO, DOES HEREBY ASSENT TO AND ADOPT THIS "DEDICATION PLAT", AND DOES HEREBY DEDICATE TO THE PUBLIC, FOREVER, IN ACCORDANCE WITH THE LAWS IN SUCH CASES MADE AND PROVIDED THE BUFFER AREA AND 16 FOOT ALLEY, TOGETHER THE "DEDICATION AREA" AS SHOWN HEREON, AND DECLARE THE SAME TO BE UNENCUMBERED.

IN WITNESS THEREOF, HAMILTON CONVENIENCE LLC, HAVE HEREUNTO SET ITS HAND BY: Jason Wittekind, ITS Vice President, THIS 13th DAY OF March, A.D., 2020.

HAMILTON CONVENIENCE LLC,
an Ohio limited liability company

BY: Jason R. W. Hekin
Name: Jason R. W. Hekin
Title: Vice President

STATE OF OHIO, BUTLER COUNTY S.S.

BE IT REMEMBERED THAT ON THIS 13th DAY OF March, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME Jason Wittekind FOR HAMILTON CONVENIENCE LLC, ITS Vice President, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID HAMILTON CONVENIENCE LLC AS INDIVIDUALS FOR THE USES AND PURPOSES HEREIN MENTIONED.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THIS 13th DAY OF March, 2020.

Sarah Mendenhall
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES _____

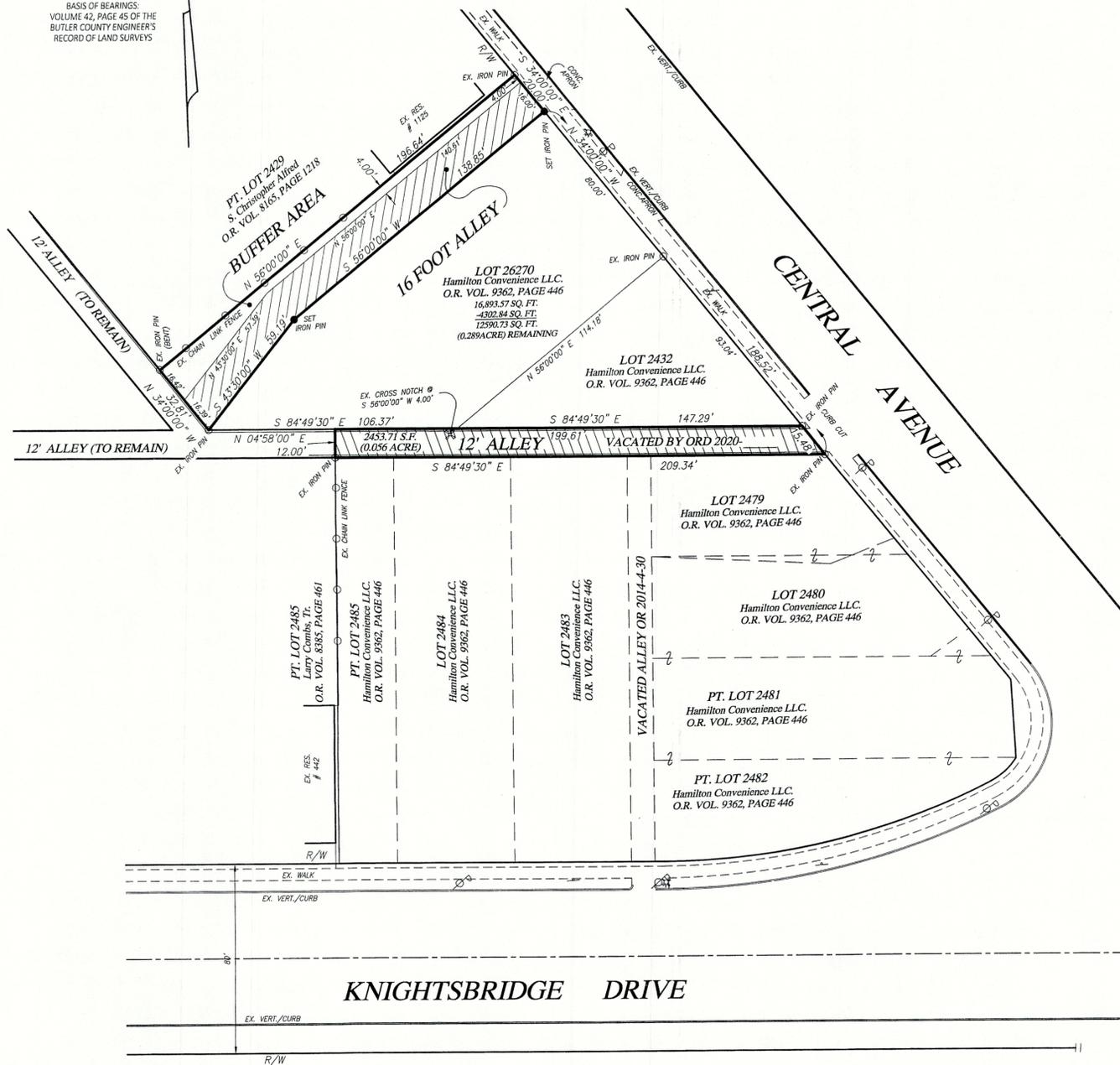


Sarah Mendenhall
Notary Public, State of Ohio
My Commission Expires 06-16-2020

DEDICATION OF PART OF LOT 26270 & VACATION OF PART OF AN EXISTING 12' WIDE ALLEY SECOND WARD CITY OF HAMILTON BUTLER COUNTY, OHIO

BUFFER AREA AND 16 FOOT ALLEY TOGETHER IS THE
"DEDICATION AREA" CONSISTING OF 4302.84 SQUARE FEET

BASIS OF BEARINGS:
VOLUME 42, PAGE 45 OF THE
BUTLER COUNTY ENGINEER'S
RECORD OF LAND SURVEYS



CLOSURE-12' ALLEY (TO BE VACATED)

BEARING	DISTANCE	NORTHING	EASTING
N 04° 58' 00.0" E	12.0000'	5000.0000	5000.0000
S 84° 49' 30.0" E	199.6100'	5011.9549	5001.0389
S 34° 00' 00.0" E	15.4800'	4981.1170	5208.4916
N 84° 49' 30.0" W	209.3400'	4999.9991	5000.0049

CLOSURE-DEDICATION AREA

BEARING	DISTANCE	NORTHING	EASTING
N 34° 00' 00.0" W	32.8100'	5027.2007	4981.6529
N 56° 00' 00.0" E	196.6400'	5137.1604	5144.6748
S 34° 00' 00.0" E	20.0000'	5120.5797	5155.8587
S 56° 00' 00.0" W	138.8500'	5042.9357	5040.7489
S 43° 30' 00.0" W	59.1900'	5000.0008	5000.0031

NOTES:

OCCUPATION IN GENERAL FITS SURVEY.
IRON PINS SET ARE 5/8" DIA. REBAR 30" LONG WITH CAPS.
ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS STATED OTHERWISE.

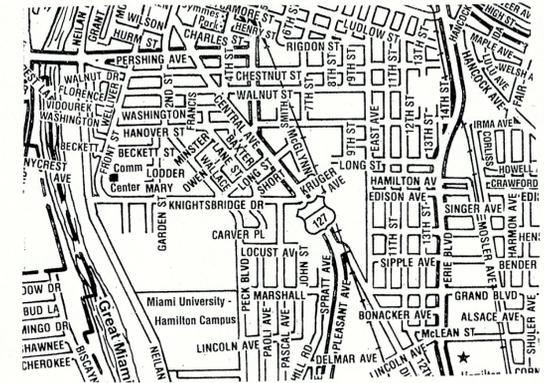
PERTINENT DOCUMENTS AND SOURCES OF DATA USED:

PLAT OF "SOUTH ADDITION TO THE CITY OF HAMILTON", PLAT ENVELOPE 14, PAGE D
PLAT OF "PETER SCHWAB'S ADDITION", PLAT ENVELOPE 15, PAGE A
VOLUME 42, PAGE 45 OF THE BUTLER COUNTY ENGINEER'S RECORD OF LAND SURVEYS
O.R. VOL. 9362, PAGE 446
O.R. VOL. 8165, PAGE 1218
O.R. VOL. 8385, PAGE 461

NOTE: The professional surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership, title evidence, or any facts that an accurate and current title search may disclose.

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING "DEDICATION PLAT" IS THE CORRECT RETURN OF A SURVEY MADE UNDER MY DIRECTION AND THAT THE CITY OF HAMILTON SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.

John M. Duffy
JOHN M. DUFFY
PROFESSIONAL SURVEYOR #7757
IN THE STATE OF OHIO



VICINITY MAP

CITY COUNCIL

APPROVED BY THE CITY COUNCIL OF THE CITY OF HAMILTON, OHIO BY ORDINANCE NO. _____, PASSED AT THE _____ MEETING OF A.D. 2020.

CLERK OF COUNCIL _____ MAYOR _____

PLATTING COMMISSIONER

APPROVED BY THE PLATTING COMMISSION OF THE CITY OF HAMILTON, OHIO THIS _____ DAY OF _____ A.D. 2020.

COMMISSIONER _____

PLANNING COMMISSION

APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF HAMILTON, OHIO THIS _____ DAY OF _____ A.D. 2020.

CHAIRPERSON _____

COUNTY AUDITOR

ENTERED FOR TRANSFER _____ A.D., 2020

TRANSFERRED _____ A.D., 2020 BY: _____

AUDITOR, BUTLER COUNTY, OHIO _____

DEPUTY _____

COUNTY RECORDER

FILED FOR RECORD _____ AT _____ A.D., 2020

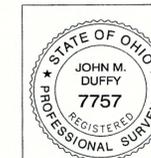
RECORDED _____ A.D., 2020

OFFICIAL RECORD _____ PAGE _____

RECORDER, BUTLER COUNTY, OHIO _____

DEPUTY _____

FILE _____ FEE _____



REVISIONS
2/18/2020

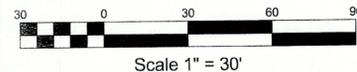
DEDICATION/VACATION PLAT

JOHN J. DUFFY & ASSOCIATES, INC.
ENGINEERS-SURVEYORS

4838-E DUFF DRIVE CINCINNATI, OHIO 45246
(513) 874-1811 Email: jjduffy@fuse.net

SCALE	DATE	JOB NO.	DRWN.
1"=30'	1/21/2020	19-13	R.A.M.

RECEIVED March 16 2020





Caucus Report
January 15, 2020

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Petition: request to vacate a portion of Short Street Alley, situated in the Second Ward, City of Hamilton, Ohio. (City of Hamilton, Applicant)

<input type="checkbox"/> 1 st Reading Date:
<input type="checkbox"/> 2 nd Reading Date:
<input type="checkbox"/> Resolution Date:
<input type="checkbox"/> Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton Planning Department is submitting a petition to vacate a portion of Short Street Alley. The portion in question is best described by the attached map. The vacation is in association with the redevelopment of 1157 Central Avenue into a gas station, which is currently a vacant lot.

As part of this project, the City has requested that the alley be moved from its current location to the northernmost portion of the development site. This will allow traffic to continue to utilize the alley and also will move the alley further away from the Central Avenue/Knightsbridge Drive intersection, which improves traffic safety in the area. Because it is an active alley, Short Street Alley will be vacated in conjunction with a rededication of Short Street Alley in the new location.

The portion of alley measures approximately 270 feet in length and 10 feet in width. This is an improved right-of-way containing overhead utilities.

It is the recommendation of this office that Council receives this petition and recommends that it be forwarded to the City Planning Commission for review, public hearing and recommendation.

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

Liz Hayden
Planning Director



Choose Strategic Goal(s)

- I** *Generate 125mm in new private investment*
- J** *Increase gross wages paid by Hamilton Employers by \$100mm*
- P** *Exceed total county growth rate median home sale prices*
- R** *Generate \$40mm in investment for recreational amenities*
- E** *Engage 50,000 participants annually in special events, arts and recreation activities*
- O** *General Operations/ Government Business*

Attachments:

1. Exhibit A - Exhibit Map of Short Street Alley





Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

March 31, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, April 16, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online meeting, at: <https://zoom.us/j/28118213>

The agenda for this hearing includes the following information:

LOCATION: Short Street Alley, portion between Central Avenue Alley and Central Avenue
APPLICANT: City of Hamilton
REQUEST: To vacate (abandon) and rededicate a portion of Short Street Alley located between Central Avenue Alley and Central Avenue, abutting 1133, 1141, & 1157 Central Avenue, and 440, 442, 450, & 460 Knightsbridge Drive, situated in the Second Ward, City of Hamilton, Ohio.

Please see the attached map found on the reverse side of this letter for the highlighted area of alleyway proposed for vacation. The request is to accommodate the redevelopment of 1157 Central Avenue into a gas station with drive-thru, which received Conditional Use approval in November 2019.

The public hearing pertains to a proposed alley vacation and rededication. This proposal would move the portion of Short Street alley to the northern most part of the development site allowing continued use of the alley while improving traffic safety (Please refer to the map located on the back).

You are a property owner within 200 feet of the subject property and as such are required by statute to be notified of this public hearing.

An application for this project as well as the Commission Bylaws are on file in our office and available for your review. These materials, in addition to future updates and reports completed by staff during the review process, can be found online at: <https://www.hamilton-oh.gov/planningcommission>

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (312) 626-6799 and when prompted dial the Meeting ID: **281 118 213**

Or use this website link to access the online meeting: <https://zoom.us/j/28118213>

If you have any questions or comments concerning this matter, please forward your comments in writing for presentation at the meeting, or, please contact the Planning Department via email at planning@hamilton-oh.gov or contact **Ed Wilson, AICP** or **Liz Hayden, Planning Director** of the City of Hamilton Planning Department at **(513) 785-7350**.

Sincerely,
Edward Wilson III, AICP
Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification Map



Planning Department
 345 High Street, 3rd floor
 Hamilton, Ohio 45011

For the Planning Commission Meeting of April 16, 2020

To: Planning Commission
From: Ed Wilson, AICP, Associate Planner II
Date: April 8, 2020

Subject: **AGENDA ITEM #1 – New Business (Public Hearing)**
1. Short Street Alley (portion) – Alley Vacation
2. 1157 Central Avenue – Final Plat (rededicate portion of Short Street Alley, consolidate subject lots)

APPLICANT: City of Hamilton (Alley Vacation)
 Jason Wittenkind, per Hamilton Convenience, LLC. (Final Plat)

LOCATION: 1157 Central Avenue situated in the Second Ward

REQUEST: To vacate a portion of Short Street Alley as indicated on the Exhibit Attachment Map, and to approve the Final Plat for 1157 Central Avenue, consisting of 1.2 acres.

BASIC INFORMATION		
Applicant/Property Owner	City of Hamilton, (applicant for Alley Vacation) Jason Wittenkind, per Hamilton Convenience, LLC. (Final Plat applicant and property owner)	
Architect/Engineer/Consultant	P.D.A. Engineering, Osam Mardim	
Size of Property	Overall Property: 1.2 acres Alley to be vacated: 2,453 square feet Alley to be dedicated: 4,302 square feet	
Current Zoning	B-2 (Community Business) NIA (Neighborhood Initiative Area) Overlay	
Requests	<ol style="list-style-type: none"> 1. Vacate a portion of Short Street Alley located at 1157 Central Avenue 2. Final Plat for 1157 Central Avenue – includes rededication of Short Street Alley, and consolidation of parcels at the subject property 	
Size of Revision	1.2 acres	
ADJACENT LAND USE/ZONING INFORMATION		
<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Residential	B-2 (Community Business)
South	Residential Commercial	R-3 (One to Four Family Residential) B-2 (Community Business)
East	Industrial	I-2 (Industrial)
West	Residential	R-3 (One to Four Family Residential)





Section A: Introduction & Background:

Section A.1: Project Overview

(Alley Vacation)

The City of Hamilton is requesting vacation of a portion of Short Street Alley. The portion of alley in question is the easternmost portion of an east-west alley that connects Lane Street and Central Avenue ([Exhibit A](#)). The portion of alleyway in question is an improved right-of-way, starting from the rear of 444 Knightsbridge Drive, continuing easterly towards Central Avenue, for a length of 209.34 feet. (See [Exhibits B, C, & D](#)).

(Final Plat)

In conjunction with the above request, the applicant, Jason Wittekind, on behalf of Hamilton Convenience, LLC, property owner, submitted a request for review and approval of the Final Plat for the 1157 Central Avenue, for a proposed gas station development, and rededication of a portion of Short Street Alley (see [Exhibit D](#)). The gas station and convenience store with drive-thru were reviewed as a conditional use and approved in November 2019. The Final Plat is the last step in the subdivision process for the acceptance of streets and/or alleys as right-of-way and in this case includes the replatting or combination of multiple parcels as a vacant buildable lot. The Planning Commission makes a recommendation to City Council for final action on Final Plat requests.

Section A.2: Existing Conditions

1157 Central Avenue is located at the corner of Central Avenue and Knightsbridge drive. The property consists of ten (10) parcels, currently vacant and undeveloped properties, and includes the subject portion of Short Street Alley, a twelve (12') foot wide, paved alley. The subject area consists of approximately 1.2 acres of space, which includes the portion of vacated Central Avenue Alley between 460 Knightsbridge Drive and 1157 Central Avenue. All parcels and the entirety of the subject property is zoned B-2 (Community Business District). The subject area is also located within the NIA (Neighborhood Initiative Area) Overlay District. Please review [Exhibit A](#) for a location map and details.

The present-day application is for:

- 1) Review and approval of the vacation of a portion of Short Street Alley, and**
- 2) Review and approval of the Final Plat for 1157 Central Avenue, allowing for the combination of ten (10) properties and rededication of the Short Street Alley (198' of alleyway, 16 feet wide) along the northern perimeter of the combined lot.**





Section A.3: History
Timeline of Prior Actions and Approvals

1157 Central Avenue is currently vacant and undeveloped lot. It had previously been a mixture of residential and commercial properties. The current owner purchased these lots over several years with the intent of consolidation for a future project on the site.

Since 2013 - City staff has been in conversation with the property owner about possible redevelopment of the site in question. These conversations led to the eventual proposal of a two commercial space development which included a convenience store with drive-thrus and a gas station canopy.

In 2014 – The city reviewed and approved the vacation/abandonment of a portion of Central Avenue Alley located within the subject area, situated between 460 Knightsbridge Drive and 1157, 1165, 1169, and 1179 Central Avenue.

In 2016 - the Planning Commission previously approved the following requests for the site:

1. Request to Approve Building Placement, Building Height and Parking Location on property located within the Neighborhood Initiative Area Conservation Overlay Zoning District (NIA), and
2. Request for a Conditional Use to allow the establishment of a Drive-Thru Facility (i.e. retail/commercial establishment) to operate on property located at NW corner of Central Avenue and Knightsbridge Drive

After the approval, the property owner demolished the properties that were on site in late 2016. No development occurred after approval.

Recently in October 2019 – the Planning Commission approved a revised development request for the property as a conditional use.

1. For a Convenience Store with Gasoline Refueling Pumps (Automotive Service and Minor Repair)
2. A Conditional Use for two (2) drive-thrus.

The following items in the staff report will detail the two (2) petition requests for Planning Commission's review and consideration.





Section B: Petition Review:

Section B.1: Request for Alley Vacation

The City of Hamilton submitted a petition proposing vacation (abandonment) of the public right-of-way for a portion of Short Street Alley, from the rear of 444 Knightsbridge Drive to Central Avenue (See [Exhibit C](#)). The alley provides a right-of-way connection from Lane Street to Central Avenue and connects to Central Avenue Alley which is located to the rear of 1103 through 1125 Central Avenue. The portion of Short Street Alley in question is an improved, paved alley, that contains no existing utilities.

An alley vacation is a process in which an alley is reviewed for transference from public use to private property. Approval of an alley vacation means that the vacated portion of street will no longer be public right-of-way and the public could not use the alley for public access such as driving, parking, or walking.

If any right-of-way vacation is approved, the land currently designated as right-of-way would be split down the centerline and each half (1/2) would be transferred to the adjacent property owners of record.

Specific information pertaining to the proposed alley for vacation is as follows:

- Subject portion of Short Street Alley
 - Length: 209.34 feet & Width: Twelve (12') feet

Adjacent Property Owners:

Hamilton Convenience, LLC (applicant) is the owner of record for all properties abutting the alley in question, they would receive the entirety of the vacated portion of Short Street Alley:

- 444 Knightsbridge Drive (Parcel: P6421023000029, (Pt City Lot No. 2485)
- 450 Knightsbridge Drive (Parcel: P6421023000028, (Pt City Lot No. 2484)
- 460 Knightsbridge Drive (Parcel: P6421023000027, (Pt City Lot No. 2483)
- 1133 Central Avenue (Parcel: P6421023000018, (City Lot No. 26270 ENT)
- 1157 Central Avenue (Parcel: P6421023000019, (City Lot No. 2432 ENT)
- 1157 Central Avenue (Parcel: P6421023000020, (City Lot No. 2479 ENT)





Section B.2: Request for Final Plat

The applicant desires the recording of the final plat for 1157 Central Avenue, which includes the rededication of a portion of Short Street Alley. Planning staff has determined that the applicant has submitted sufficient information to proceed with the final plat (please see [Exhibit D](#) for the submitted Final Plat document).

- **Final Plat proposal:**
 - Consolidate properties at 1157 Central Avenue:
 - Ten (10) individual properties, one (1) vacated alley, and one (1) alley proposed for vacation,
 - Combines the properties into a contiguous 1.2 acre site.

The plat also proposes the rededication (reorientation) of Short Street Alley to maintain contiguous alleyway access for properties within the immediate area.

- **Rededicated (moved) portion of Short Street Alley**
 - Length: 198 feet & Width: 16 feet
 - Begins at the intersection of Short Street Alley and Central Avenue Alley,
 - Northeast-Southwest alley that connects to an existing concrete apron allowing access ingress and egress from Central Avenue
 - Alley will be setback four (4') feet from the eastern property line of 1125 Central Ave.

The proposed replatted, consolidated lot would exceed the minimum lot width of 50 feet required in the B-2 (Community Business) zoning district.

On October 17, 2019, the Planning Commission reviewed and approved a conditional use request for 1157 Central Avenue to allow, 1. For a Convenience Store with Gasoline Refueling Pumps (Automotive Service and Minor Repair) and, 2. A Conditional Use for two (2) drive-thrus.

The Planning Department finds the proposed final plat to be consistent with the conditional use approved by the Planning Commission. In addition, submitted final plat is consistent with the conditions of approval for the conditional use, including vacation and rededication of a portion of Short Street Alley, and consolidation the parcels within the project area.



Section B.3: Interdepartmental Review

The city's Interdepartmental Review Committee evaluated the proposed vacation of a portion of Short Street Alley. There were no objections to the proposal.

The city's Interdepartmental Review Committee evaluated the Final Plat for 1157 Central Avenue including the rededication of Short Street Alley. This includes review from the Department of Engineering and Traffic. There were no objections to the proposal.

Section C: Statutes:

Alley Vacation Process

The Planning Commission can approve or deny the request for an alley vacation and may modify or add any additional conditions to the street vacation request.

The statutes of Chapter 167.07 of the City of Hamilton's Codified Ordinances regulate vacation or abandonment of public right-of-way (alleys, streets, etc.).

- Planning Commission may vote on the street vacation, for or against.
- If the Planning Commission provides a favorable recommendation, the street vacation proposal is forwarded to City Council.
- If approved by City Council, the council adopts a resolution of intent to vacate.

Typically, right-of-way vacations proceed with appraisal of the alley and Board of Revisions of Assessments. However, with the City of Hamilton as applicant, the petition to vacate may proceed to City Council as a resolution to vacate, followed by an ordinance to vacate the right-of-way.

Platting of Lots

Per the City Subdivision Regulations, Ordinance No. 6038, the Planning Commission can recommend that City Council approve or deny the request for the platting or replatting of lots, as well as the rededication of alleys or streets as public right-of-way within the City of Hamilton.

Chapter 1191 of the Subdivision Regulations outlines the procedure for plat approval.





Section D: Notification

The Planning Department mailed Public Hearing Notices to the owners of 20 properties within 200 feet of the subject property per statute requirements. This mailing also includes one (1) owners of property abutting the alley in question. Staff posted a sign at the site, advertising the public hearing for proposed vacation of a portion of Short Street Alley.

As of the writing of this report, the Planning Department received no phone calls or inquiries pertaining to the proposal.

Section E: Staff Recommendation:

The Planning Commission can:

- 1) Provide a favorable recommendation to City Council for the Short Street Alley vacation or recommend denial of proposal.
- 2) Provide a favorable recommendation or denial of the proposed Final Plat for 1157 Central Avenue. If the Planning Commission approves a motion for approval, said recommendation is forwarded to City Council, which will take final action to approve or deny the Final Plat.

Section E.1: Recommended Motion:

If the Planning Commission chooses to recommend approval of the Alley Vacation and Final Plat, the Planning Department recommends that the following motion:

- 1) That the Planning Commission take action to recommend that City Council adopt the necessary legislation to vacate the portion of Short Street Alley, situated in the Second Ward, as displayed on the street vacation exhibit, with the recommended conditions of approval:
- 2) That the Planning Commission take action and recommend that City Council approve the Final Plat for 1157 Central Avenue, with the recommended conditions of approval:





Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

Section F: Staff Basis / Comments

1. The proposed Final Plat for 1157 Central Avenue, adheres to the amended Final Planned Development as approved by the Planning Commission.
2. The portion of alley in question contains no utilities and thus does not require an easement to maintain utilities.
3. No connectivity will be lost as a result of the proposed vacation. All remaining residences will continue to have alley access via the remaining Short Street Alley and existing Central Avenue Alley. The proposed rededication of Short Street Alley would maintain an alleyway connection to Central Avenue.
4. The proposed vacation will not adversely impact the public health, safety, or welfare. No vehicular access to any privately owned property will be closed as a result of the proposed vacation.
5. The proposed project has been through substantial planning and review procedures to facilitate a higher quality design and development. The applicant has met with staff multiple times to include input from all city departments to produce a plat and proposal compliant with respect to city requirements.





APPLICATION INFORMATION	
Applicant/Property Owner	City of Hamilton (Alley Vacation) Jason Wittenkind, per Hamilton Convenience, LLC. (Final Plat)
Property Location	1157 Central Avenue
Size of Property	1.2 acres, overall 2,453 square feet of right-of-way to be vacated
Current Zoning	N/A
Petition Date	3/13/2020

Request: To vacate a portion of Short Street Alley as indicated on the Exhibit Attachment Map, and to approve the Final Plat for 1157 Central Avenue, consisting of 1.2 acres, Second Ward, City of Hamilton, Ohio.

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

Report continued on the next page



ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF SHORT STREET ALLEY, PORTION LOCATED AT 1157 CENTRAL AVENUE, SITUATED IN THE SECOND WARD, CITY OF HAMILTON, BUTLER COUNTY, OHIO. (City of Hamilton, Applicant).

WHEREAS, the City of Hamilton requested vacation of a portion of Short Street Alley, portion located at 1157 Central Avenue, between 444 Knightsbridge Drive and Central Avenue, situated in the Second Ward, City of Hamilton, Butler County, Ohio; and

WHEREAS, said portion of Short Street Alley is 209.34 feet in length, twelve (12') feet in width, and right-of-way of approximately 2,512 square feet of right-of-way of proposed right-of-way for vacation, and its directional course is east-west, and located at 1157 Central Avenue; and

WHEREAS, said portion of Short Street Alley is located between 444 Knightsbridge Drive (Parcel #P6421023000029, Part of City Lot No. 2485), 450 Knightsbridge Drive (Parcel #P6421023000028, City Lot No. 2484 ENT), 460 Knightsbridge Drive (Parcel #P6421023000027, City Lot No. 2483 ENT & PT VAC ALLEY), 1133 Central Avenue (Parcel #P6421023000018, City Lot No. 26270 ENT), 1141 Central Avenue (Parcel #P6421023000019, City Lot No. 2432), & 1157 Central Avenue (Parcel #P6421023000020, City Lot No. 2479 LESS SE COR & PT VAC ALLEY CONS W/22); and

WHEREAS, the City of Hamilton proposes the vacation to facilitate the development proposal for 1157 Central Avenue, and due to Hamilton Convenience, LLC dedicating a new portion of alley to maintain alleyway connectivity; and

WHEREAS, the portion of Short Street Alley is an improved, paved alley, with no utilities; and

WHEREAS, the request for said vacation of a portion of Short Street Alley, was reviewed by all City of Hamilton departments through Interdepartmental Review and was approved; and

WHEREAS, the Interdepartmental Review noted that there would be no issues pertaining to Engineering, Emergency Services (Fire Department), or Traffic & Parking with the proposed Short Street Alley vacation; and

WHEREAS, the Planning Department notified all of the owners of property located within 200 feet of the area in question of a public hearing on said request to be held at the Hamilton Planning Commission meeting of April 16, 2020, and there were no objections expressed to the proposed vacation of a portion of Short Street Alley; and

WHEREAS, the Hamilton Planning Commission considered the foregoing vacation request and did recommend that the above described a portion of Short Street Alley, be vacated; and

WHEREAS, on April 16, 2020, the Planning Commission made the following motion and did recommend that City Council adopt an Ordinance to vacate a portion of Short Street Alley portion located at 1157 Central Avenue, situated in the Second Ward, City of Hamilton, Butler County, Ohio as drawn and depicted on the exhibit map, as indicated in Exhibit No.1, subject to certain conditions as documented and designated in Exhibit No. 2 attached hereto, incorporated herein by reference and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: In consideration of the clauses set forth above, Council does hereby vacate the public's interest in that portion of Short Street Alley, portion located at 1157 Central Avenue, situated in the Second Ward, City of Hamilton, Butler County, Ohio with a directional course of east-west, located between 444 Knightsbridge Drive (Parcel #P6421023000029, Part of City Lot No. 2485), 450 Knightsbridge Drive (Parcel #P6421023000028, City Lot No. 2484 ENT), 460 Knightsbridge Drive (Parcel #P6421023000027, City Lot No. 2483 ENT & PT VAC ALLEY), 1133 Central Avenue (Parcel #P6421023000018, City Lot No. 26270 ENT), 1141 Central Avenue (Parcel #P6421023000019, City Lot No. 2432), & 1157 Central Avenue (Parcel #P6421023000020, City Lot No. 2479 LESS SE COR & PT VAC ALLEY CONS W/22) as indicated in Exhibit No. 1 attached hereto, incorporated herein by reference and made a part hereof.

Ordinance No. _____ **(Cont'd)**

SECTION II: That said conditions of vacation include the conditions listed on Exhibit No.2., Short Street Alley Vacation, Conditions of Approval attached hereto, incorporated herein by reference and made a part hereof.

SECTION III: That the Director of Finance shall cause notice of the passage of this Ordinance to be published as required by law unless all of the adjoining property owners have otherwise waived such notice.

SECTION IV: That said vacation shall be subject to the rights of any public utility pursuant to Section 723.041 of the Ohio Revised Code and to the rights of any lot owner pursuant to Section 723.08 of the Ohio Revised Code.

SECTION V: This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Ordinance No. _____ (Cont'd)

EXHIBIT NO. 2

APPLICATION INFORMATION	
Applicant/Property Owner	City of Hamilton (Alley Vacation) Jason Wittenkind, per Hamilton Convenience, LLC. (Final Plat)
Property Location	1157 Central Avenue
Size of Property	1.2 acres, overall 2,453 square feet of right-of-way to be vacated
Current Zoning	N/A
Petition Date	3/13/2020

Request: To vacate a portion of Short Street Alley as indicated on the Exhibit Attachment Map, and to approve the Final Plat for 1157 Central Avenue, consisting of 1.2 acres, Second Ward, City of Hamilton, Ohio.

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE FINAL PLAT FOR 1157 CENTRAL AVENUE (DEDICATION OF PART OF LOT 26270 & VACATION OF PART OF AN EXISTING 12' WIDE ALLEY), SITUATED IN THE SECOND WARD OF THE CITY OF HAMILTON, BUTLER COUNTY, OHIO. (Hamilton Convenience LLC, Property Owner).

WHEREAS, the City of Hamilton, Ohio received a request from Jason Wittenkind, per Hamilton Convenience, LLC Applicant, to approve the Final Plat & Dedication Plat for 1157 Central Avenue, situated in the Second Ward, City of Hamilton, Ohio; and

WHEREAS, the final plat of the 1157 Central Avenue consists of approximately 1.2 acres of land, with the intent of combining ten (10) parcels, one (1) vacated alleyway, and one (1) portion of vacated alleyway; and

WHEREAS, the final plat is necessary for the construction of a gas station and convenience store with gasoline dispensary; and

WHEREAS, the final plat includes the dedication of a new portion of right-of-way, Short Street Alley (Part of Lot #26270), consisting of:

- Length: One Hundred and Ninety-Eight feet (198') & Width: Sixteen feet (16')
- Begins at the intersection of Short Street Alley and Central Avenue Alley,
- Northeast-Southwest alley that connects to an existing concrete apron allowing access ingress and egress from Central Avenue
- Alley will be setback four feet (4') from the eastern property line of 1125 Central Ave; and

WHEREAS, the final plat for 1157 Central Avenue was considered and approved by the Planning Commission on April 16, 2020; and

WHEREAS, on April 16, 2020, the Planning Commission recommended approval of the final plat for 1157 Central Avenue to City Council subject to certain conditions as documented and designated in Exhibit No. 2 attached hereto, incorporated herein by reference and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That this Council accepts the recommendation of the Planning Commission and hereby approves the final plat for 1157 Central Avenue as seen in Exhibit No. 1, subject to the conditions in Exhibit No. 2, for the following rationale:

1. The proposed Final Plat for 1157 Central Avenue, adheres to the amended Final Planned Development as approved by the Planning Commission.
2. The portion of alley in question contains no utilities and thus does not require an easement to maintain utilities.
3. No connectivity will be lost as a result of the proposed vacation. All remaining residences will continue to have alley access via the remaining Short Street Alley and existing Central Avenue Alley. The proposed rededication of Short Street Alley would maintain an alleyway connection to Central Avenue.
4. The proposed vacation will not adversely impact the public health, safety, or welfare. No vehicular access to any privately owned property will be closed as a result of the proposed vacation.

Ordinance No. _____ (Cont'd)

- 5. The proposed project has been through substantial planning and review procedures to facilitate a higher quality design and development. The applicant has met with staff multiple times to include input from all city departments to produce a plat and proposal compliant with respect to city requirements.

SECTION II: That the final plat, for 1157 Central Avenue, situated in the Second Ward, City of Hamilton, Ohio, heretofore approved by the Platting Commissioner and the Planning Commission of the City of Hamilton, Ohio, be and the same is hereby approved.

SECTION III: That all dedications, grants of land or easements and special covenants, conditions, and restrictions as shown on said plat are hereby accepted and confirmed.

SECTION IV: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Ordinance No. _____ (Cont'd)

EXHIBIT NO. 2

APPLICATION INFORMATION	
Applicant/Property Owner	City of Hamilton (Alley Vacation) Jason Wittenkind, per Hamilton Convenience, LLC. (Final Plat)
Property Location	1157 Central Avenue
Size of Property	1.2 acres, overall 2,453 square feet of right-of-way to be vacated
Current Zoning	N/A
Petition Date	3/13/2020

Request: To vacate a portion of Short Street Alley as indicated on the Exhibit Attachment Map, and to approve the Final Plat for 1157 Central Avenue, consisting of 1.2 acres, Second Ward, City of Hamilton, Ohio.

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Jim Logan, Executive Director of Infrastructure
Nate Perry, Director of Business Services

Agenda Item: An ordinance authorizing the execution of the Excess Energy Sales Schedules between the City of Hamilton and American Municipal Power, Inc. (AMP).

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 5-13-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 5-27-2020 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other): Caucus Report 4-22-2020 City Council Meeting	
Contract	<input checked="" type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: \$	
	Source Funds: Electric Fund	

Policy Issue

Does City Council wish to adopt legislation to authorize execution of the Excess Energy Sales Schedules with American Municipal Power, Inc. (AMP)?

Policy Alternative(s)

Council may choose not to adopt such legislation to authorize execution of the Excess Energy Sales Schedules with AMP.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation to authorize execution of the Excess Energy Sales Schedules with AMP.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

N/A

Background Information

City Staff recommends that Council authorize legislation to enter into an agreement to sell excess electric energy to AMP. The City currently sells excess energy to AMP through an agreement that ends in 2021. This ordinance provides the option to sell excess energy to AMP and does not require a minimum amount to sell. Potential opportunities for sales will be evaluated considering current excess energy and projected new customer growth.

Currently, the City sells excess electric energy into the market and to AMP. However, the City is bound by market fluctuations in pricing caused by extreme weather conditions, economic conditions and supply versus demand. The proposed ordinance would allow the City to authorize the execution of an Excess Energy Member Sales Schedule or Short-Term Excess Energy Market Sales Schedule with AMP with terms ending no later than December 31, 2025. The sale of the City's excess electric energy to AMP is another tool the City can use (and have used) to lessen power supply costs for our customers. Continued customer growth and decreasing our generating portfolio will lessen/eliminate the need for these sales.

Attached Information

N/A

Copies Provided to:

N/A



ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE EXECUTION OF THE EXCESS ENERGY SALES SCHEDULES WITH AMERICAN MUNICIPAL POWER, INC. ("AMP").

WHEREAS, the City of Hamilton, Ohio (the "Municipality") is a political subdivision organized and existing pursuant to the laws of the state of Ohio which owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers;

WHEREAS, the City of Hamilton, Ohio ("Municipality") and American Municipal Power, Inc. ("AMP"), collectively ("Parties"), have entered into a Master Service Agreement ("Agreement") under which certain services may be provided under schedules thereto; and

WHEREAS, subject to certain limitations, Municipality desires to sell a portion of Municipality's excess electric energy to AMP for resale;

NOW, THEREFORE, BE IT ORDAINED by the council of the City of Hamilton, Ohio:

SECTION I: That the forms of the Excess Energy Member Sales Schedule and the Short Term Excess Energy Market Sales Schedule between this Municipality and AMP, substantially in the forms attached hereto as Exhibit 1, are approved, subject to and with any and all changes provided for herein and therein.

SECTION II: That the Executive Director of Infrastructure be authorized to execute the Excess Energy Members Sales Schedule and the Short Term Excess Energy Market Sales Schedule to sell excess electric energy to AMP for resale to AMP Members or to the market, respectively, with terms ending no later than December 31, 2025.

SECTION III: That sales under the Excess Energy Member Sales Schedule or the Short Term Excess Energy Market Sales Schedule shall be limited to Municipality's Excess Energy, defined as energy from Municipality's resources except from the AMP Fremont Energy Center ("AFEC"), after exhausting Municipality's obligations to offer any surplus energy to other project participants and AMP members who are not project participants as set forth in the Power Sales Contracts or Participants Agreements, that exceeds Municipality's projected load, and that does not otherwise impact AMP's tax status or effect the tax status of any related bonds, pursuant to the terms and conditions of the Excess Energy Member Sales Schedule or the Excess Energy Market Sales Schedule, respectively.

SECTION IV: That is it found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of a quorum of the Council, and that all deliberations of this Council and of any its committees that resulted in such formal action, were held in meetings open to the public, in compliance with all legal requirements.

SECTION V: If any section, subsection, paragraph, clause or provision or any part thereof of this shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this resolution shall be unaffected by such adjudication and all the remaining provisions of this resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION VI: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Effective Date: _____

ATTEST: _____

City Clerk

Mayor

Ordinance No. _____ (Cont'd)

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Ordinance No. _____ (Cont'd)

EXHIBIT NO. 1

**CITY OF HAMILTON, OHIO
EXCESS ENERGY MEMBER SALES SCHEDULE
AMP Contract No. 2021-006349-SCHED**

**A Schedule to American Municipal Power, Inc.
and
City of Hamilton, Ohio Master Service Agreement No. C-10-2005-4369**

WHEREAS, the City of Hamilton, Ohio ("Municipality") and American Municipal Power, Inc. ("AMP"), collectively ("Parties"), have entered into a Master Service Agreement ("Agreement") under which certain services may be provided under schedules thereto; and

WHEREAS, Municipality desires to sell a portion of Municipality's excess electric energy to AMP for the resale to those of its Members ("Purchasing Members") as may be designated in Transaction Confirmations entered into pursuant to this Schedule to the Agreement.

NOW, THEREFORE, in consideration of the conditions, terms and covenants hereinafter contained, the Parties do hereby mutually agree to this Schedule under the Agreement, as follows:

**ARTICLE I
TERM**

SECTION 101- Term: Subject to the conditions contained herein, this Schedule shall be for a term beginning on January 1, 2021 and ending no later than December 31, 2025.

**ARTICLE II
CONTRACT QUANTITIES AND RATE**

SECTION 201 – Contract Quantity: Subject to the terms and conditions of the Agreement, Municipality will supply to AMP, and AMP shall schedule for delivery by Municipality, Excess Energy, defined as energy from Municipality's resources except from 2 the AMP Fremont Energy Center ("AFEC"), that exceeds Municipality's projected load, and that does not otherwise impact AMP's tax status or effect the tax status of any related bonds, pursuant to the terms and conditions of this Schedule and the Agreement in the amount of the Contract Quantity of all hourly load of Member(s) listed in Appendix B at the Delivery Point(s) for the Member(s) listed in Appendix C. The Contract Quantity for each Member will be calculated by the summation of the delivery point meters provided hereunder as set forth in Appendix B after subtracting the "carve out amounts" set forth on Appendix D and excluding Large New Load. Hourly load shall be the sum of all meter points plus any Behind the Meter Net Generation on an hourly basis. Should any hourly Contract Quantity calculation result in a number less than zero, the Contract Quantity for such hour shall be zero.

The carve out established in Appendix D shall be applied to all Contract Quantity calculations regardless of the performance of each individual piece of the carve out.

Neither a Member nor Member's retail customers shall be prohibited from participating in the PJM demand response program and/or AMP's Efficiency Smart program.

In the event that a Member acquires newly constructed or additional purchased generation or contractual resources or behind the meter generation during the term of this Schedule, energy produced or delivered from those resources shall be settled by AMP separately in the PJM energy market and shall not be used to reduce the Retail Load of Member served under this Schedule.

SECTION 202 – Large New Load: Large New Load means any new retail customer or additions to any of Member's existing retail customers with a peak demand greater than or equal to 1,000 kilowatts.

Ordinance No. _____ (Cont'd)

SECTION 203 – Rate: The Contract Quantity made available at the Delivery Point pursuant to this Schedule shall be invoiced and sold at the rates listed in Appendix E.

SECTION 204 – Contract Duration; Other Terms:

1. The duration of any purchase of Hamilton's Excess Energy by AMP for resale to Purchasing Members under this Agreement shall not exceed three (3) years and shall constitute a negotiated arm's-length arrangement that provides compensation at fair market value or is based on generally applicable and uniformly applied rates. Hamilton 3 represents that the generating resources pursuant to which such Excess Energy is attributable was not acquired for a principal purpose of providing output under such contract.

SECTION 205 – Obligations of the Parties:

1. No Performance Excuse: Nothing in the Agreement, this Schedule or any Transactions Confirmation hereto shall excuse Municipality's obligations to perform under the Power Sales Contracts that govern Hamilton's purchases from and/or ownership of AFEC, the Prairie State Energy Campus, OMEGA JV2, the Meldahl hydropower project, the Greenup hydropower project, or any other power sales schedule or project to which Municipality and AMP are or will become parties, including the requirement to pay for energy delivered thereunder. Any sales of Excess Energy under this Schedule are unrelated to and shall have no effect on the rights and duties of Municipality under the Power Sales Contracts, Participants Agreement or power sales schedules.

2. No Sales to Non-Members. The Parties understand that AMP shall not sell Municipality's Excess Energy to any counterparty that is not an AMP Member pursuant to this Schedule.

ARTICLE III
TRANSACTION CONFIRMATION PROCEDURE

SECTION 301 – Procedure for Authorization of Power Supply Sale: It is understood and anticipated that AMP and Municipality may throughout the term of this Schedule, enter into Excess Energy sales, on behalf of AMP Members. The steps that will be followed in securing such sales under this Schedule are set forth below.

1. Authorized personnel of AMP and the Municipality's Executive Director of Infrastructure (or his/her designee) shall agree to terms of an Excess Energy Sale under this Schedule from Municipality to AMP on a recorded telephone line or through E-mail.
2. Once an Excess Energy Sale is finalized, terms of the sale shall be added to Appendices B, C, D and E and become part of this Schedule.
3. Thereafter, the terms shall be memorialized in Appendix A (Transaction Confirmation) and signed by the Municipality's Executive Director of Infrastructure (or his/her designee) and returned to AMP as directed in Appendix A (Transaction 4 Confirmation).

ARTICLE IV
FIRMNESS

SECTION 401 – Firmness of Supply: Municipality is required to sell and deliver the Contract Quantity of physical energy scheduled by AMP and AMP is required to purchase and receive the Contract Quantity of physical energy under this Schedule, unless either is relieved of their respective obligations without liability by Force Majeure, but in the case of Force Majeure only to the extent that, and for the period during which, either Party's performance is prevented by Force Majeure.

If Municipality fails to deliver all or part of the Contract Quantity scheduled by AMP and such failure is not excused by force majeure, then Municipality shall pay AMP, on the date payment would otherwise be due in respect of the month in which the failure occurred or within five (5) Business Days (defined as any day except a Saturday, Sunday, or a Federal Reserve Bank holiday) of invoice receipt, an amount for such deficiency equal to the positive difference, if any, obtained by subtracting the rate for the Excess Energy

Ordinance No. _____ (Cont'd)

Sale times the Contract Quantity from the Replacement Price. The invoice for such amount shall include a written statement explaining in reasonable detail the calculation of such amount. However, Replacement Price shall mean the price at which AMP, acting in a commercially reasonable manner, purchases at the Delivery Point a replacement for any Contract Quantity not delivered by Municipality (which options may include taking energy at the Locational Marginal Price at the effective time and location), plus (i) costs reasonably incurred by AMP in purchasing such substitute product; (ii) applicable AMP service fees; and, (iii) additional transmission charges, if any, reasonably incurred by AMP to the Delivery Point, or at AMP's option, the market price at the Delivery Point for such product not delivered as determined by AMP in a commercially reasonable manner; provided, however, in no event shall such price include any penalties, ratcheted demand or similar charges, nor shall AMP be required to utilize or change its utilization of its owned or controlled assets or market positions to minimize Municipality's liability. For the purposes of this definition, AMP shall be considered to have purchased replacement product to the extent AMP shall have entered into one or more arrangements in a commercially 5 reasonable manner whereby AMP repurchases its obligation to sell and deliver the product to another party at the Delivery Point.

Municipality agrees that it will notify AMP promptly of any event which may result in failure to delivery or of any actual failure of delivery.

ARTICLE V
TRANSMISSION SERVICE AND ANCILLARY SERVICES

Municipality's obligations hereunder, in addition to supplying the Contract Quantity of energy in accordance with this Schedule, include the congestion and losses from the Municipality's source(s) to the designated Delivery Point(s). AMP shall be responsible for arranging and paying for all transmission and ancillary services from the Delivery Point(s).

ARTICLE VI
RELATED AGREEMENTS

All other terms and conditions of the Master Services Agreement between AMP and the Municipality that are not consistent with the terms and conditions of this Schedule shall be applicable as if fully restated herein.

[Remainder of the page intentionally blank – signature page follows]

Ordinance No. _____ (Cont'd)

IN WITNESS HEREOF, each of the Parties has caused this Schedule to be duly executed.

CITY OF HAMILTON, OHIO

APPROVED AS TO FORM:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

AMERICAN MUNICIPAL POWER, INC.

APPROVED AS TO FORM:

By: _____

By: _____

Jolene M. Thompson
President/CEO

Lisa G. McAlister
SVP/General Counsel for
Regulatory Affairs

Date: _____

Date: _____

Ordinance No. _____ (Cont'd)

**APPENDIX A
TRANSACTION CONFIRMATION**

AMP Contract No. _____

_____, 2020

City of Hamilton
345 High St.
Hamilton, OH 45011

This Confirmation is being provided pursuant to and in accordance with the Excess Energy Sales Schedule, a schedule to the Master Services Agreement (AMP Contract Number C-10-2005-4369) between AMP and Municipality. This constitutes part of and is subject to the terms and conditions of such Excess Energy Member Sales Schedule and all terms and conditions of the Excess Energy Member Sales Schedule in effect between the Parties shall be applicable to this Confirmation unless such term or condition is in express conflict with a term or condition of this Confirmation, in which case the term or condition of this Confirmation shall prevail.

The commercial terms of this Transaction are as follows:

Trade Date:	_____, 2020
Buyer:	American Municipal Power, Inc.
Seller:	City of Hamilton
Commodity:	Firm Physical Power with Liquidating Damages
Term:	See Appendix E
Delivery Schedule:	Remaining Requirements Load Following
Demand Rate:	\$0.00 / kW-mo
Energy Rate:	See Appendix E
Delivery Point:	See Appendix C

Please confirm that the aforementioned correctly sets forth the terms and conditions of our verbal agreement by executing and returning via facsimile to the attention of Director of Energy Marketing at (614) 540-1080.

CITY OF HAMILTON

AMERICAN MUNICIPAL POWER, INC.

By: _____
Dated: _____

By: _____
Dated: _____

AMERICAN MUNICIPAL POWER, INC. 1111 SCHROCK RD. COLUMBUS, OH 43229 (614) 540-1111

Ordinance No. _____ (Cont'd)

APPENDIX B

Member

AMP SCADA Station No.

AMP SCADA Station Name

Ordinance No. _____ (Cont'd)

APPENDIX C
DELIVERY POINTS

Member

PJM LMP Point

PJM Pnode ID

Ordinance No. _____ (Cont'd)

APPENDIX D
MEMBER CARVEOUT
AMOUNTS (MW)

	MEMBER:						PERIOD: On-Peak			
	Resource 1	Resource 2	Resource 3	Resource 4	Resource 5	Resource 6	Resource 7	Resource 8	Resource 9	
Jan										
Feb										
Mar										
Apr										
May										
Jun										
Jul										
Aug										
Sep										
Oct										
Nov										
Dec										

	MEMBER:						PERIOD: Off-Peak			
	Resource 1	Resource 2	Resource 3	Resource 4	Resource 5	Resource 6	Resource 7	Resource 8	Resource 9	
Jan										
Feb										
Mar										
Apr										
May										
Jun										
Jul										
Aug										
Sep										
Oct										
Nov										
Dec										

Notes:

On-Peak = Monday through Friday from 7:00 am to 11:00 pm EPT excluding NERC holidays
 Off-Peak = Hours not equal to On-Peak

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Larry Bagford CFM, Planning & Zoning Specialist

Agenda Item: An ordinance amending certain sections of Zoning Ordinance No. 7503, Section 1121.00 “B-2 Community Business District”; Section 1122.00 “B-3 Central Business District” Section 1123.00 “I-1 Limited Industrial District” and Section 1124.00 “I-2 - Industrial District”. (City of Hamilton, Applicant).

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input checked="" type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 5-27-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 6-10-2020 <input type="checkbox"/> Resolution Date: <input checked="" type="checkbox"/> Public Hearing Date: 5-27-2020	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other): 5-13-2020 Caucus Report City Council Meeting Planning Commission: 3-5-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: N/A Expenditure: \$500.00 Source Funds:	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does City Council wish to amend the Zoning Ordinance of the City of Hamilton, Ohio Chapters; 1121.00 – B-2 Community Business, 1122.00 – B-3 Central Business, 1123.00 – I-1 Limited Industrial and 1124.00 –I-2 Industrial Zoning Districts as they pertain to automobile and other vehicle related Conditional Uses.

Policy Alternative(s)

Council may choose not to adopt such legislation to amend the Hamilton Zoning Ordinance or may request changes to the text proposed to be added to the Hamilton Zoning Ordinance.



Planning Staff Recommendation

Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission and adopts the necessary legislation to amend the Zoning Ordinance of the City of Hamilton, Ohio for Chapters 1121.00 – B-2 Community Business, 1122.00 – B-3 Central Business, 1123.00 – I-1 Limited Industrial and 1124.00 – I-2 Industrial Zoning Districts as they pertain to automobile and other vehicle related Conditional Uses.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 1180.00, City of Hamilton Zoning Ordinance: Amendments.
- Plan Hamilton, the City's comprehensive plan.

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the proposed text amendments of the Traditional Neighborhoods Zoning Districts, estimated at approximately \$500.00.

Background Information

The current conditional use standards for automobile related businesses are repetitive and inconsistent, making them confusing for the public to understand and apply in accordance with the vision for the City's future.

The proposed changes will eliminate three (3) repetitive uses from four (4) different chapters of the Hamilton Zoning Ordinance, by consolidating where appropriate and eliminating excessive verbiage.

Petition Overview

Attached this report are the sections of the zoning ordinance reflecting the proposed changes to the text. Items ~~struck through in red~~ are to be deleted. Proposed new language is highlighted in yellow.

The bullet points of the individual conditions associated with the uses have been changed to a letter and numbering system that will clarify ordinance citations in reports and notices.

In addition, a clean draft (Attachment – Exhibit B) shows the new text as it will appear in the ordinance.

Notification

The Planning Department posted a notice of public hearing for the May 7, 2020 Planning Commission and a notice of public hearing for the May 27, 2020 City Council on the City of Hamilton Website, Planning Commission page, per the recently revised statutes of Section 1180.00 of the Hamilton Zoning Ordinance (HZO).

- Planning Commission Public Hearing Notice: Posted April 21, 2020 (Exhibit C)
- City Council Public Hearing Notice: Posted April 21, 2020 (Exhibit D)

Planning received no inquiries pertaining to the proposed text amendments.

Findings for Approval

Staff recommends the proposed amendments to the Hamilton Zoning Ordinance for the following reasons:

1. The proposed text amendments address repetition and inconsistencies concerning the automobile related businesses, clarifying them for the public and other users of the Zoning Ordinance.
2. The proposed text amendments align the Hamilton Zoning Ordinance with State of Ohio best practices.



3. The revised and new conditions associated with the automobile related uses reduce the intensity and impact of the uses, protecting the public, health, safety and welfare.

Planning Commission Recommendation

After conducting a public hearing on May 7, 2020, the Planning Commission recommended to City Council that they hold a public hearing, prepare legislation, and approve the text amendments to the City of Hamilton Zoning Ordinance as presented and contained within the attachments submitted within the Planning Staff report.

Attached Information

- 1) Exhibit A – Proposed Text Amendments, Deletions and Additions to the Hamilton Zoning Ordinance.
- 2) Exhibit B – Clean Draft of New Ordinance Text without the Mark-ups.
- 3) Exhibit C – Notice of Public Hearing, Planning Commission May 7, 2020
- 4) Exhibit D – Notice of Public Hearing, City Council May 27, 2020
- 5) Exhibit E – Planning Commission Staff Report: May 7, 2020

Copies Provided to:

N/A



Exhibit A – Proposed Text Amendments, Deletions and Additions to the Hamilton Zoning Ordinance.

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments.

The complete zoning code can be viewed online at:

https://gis.hamilton-oh.gov/webdocs/Dept%20Planning/Hamilton%20H%20-%20Zoning%20Ordinance%2001.14.2020_202001300751072131.pdf

EXHIBIT A

Proposed Text Amendments to City of Hamilton Zoning Ordinance

Words to be **deleted** are [lined through] - Words to be **added** are highlighted

~~Automobile and Other Vehicle Sales: (OR 2014-8-72)~~

~~As Defined in Section 1108.00 and must comply with the following conditions:~~

Automobile and Other Vehicle Sales or Rentals including Boat, Trailer, Recreational Vehicles, Farm Machinery, Power Equipment and Other Motor Vehicles - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- B. Minimum lot area 20,000 square feet.
- C. Minimum lot width 100 feet and must be located along a street classified as major arterial, minor arterial or a collector street, in accordance with the ~~City of Hamilton Street Designation.~~ City of Hamilton Roadway Functional Classification Map.
- D. If any repair and services are offered, a separate Conditional Use Approval for Motor Vehicle Repair is required.
- ~~E. Any automobile for sale, or automobiles awaiting minor repair, may be permitted outside of a building. Automobiles awaiting repair may not be stored on the lot for more than 30 days.~~
- ~~F. Display of automobiles for sale, or awaiting minor repair, shall be located on a paved surface and shall be setback a minimum of ten (10) feet from any property line. The outdoor display area for vehicles shall comply with the side and rear building setback requirements set for the district in which the lot is located or be at least ten (10) feet, whichever is greater. All areas not used for parking or display of vehicles shall be landscaped according to the requirements of Section 1111.20.~~
- G. Display of motor vehicles for sale, shall be located on a paved surface and shall be setback a minimum of ten (10) feet from any property lines along a street frontage
- H. The outdoor display area for vehicles shall be setback a minimum of five (5) feet from the side and rear property lines. ~~All areas not used for parking or display of motor vehicles shall be landscaped according to the requirements of Section 1111.20.~~



- I. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- J. ~~Any repair and services area must be located within an enclosed building.~~
- K. If any repair and services are offered, a separate Conditional Use Approval for Motor Vehicle Repair is required.
- L. ~~No junk, inoperative or unlicensed automobiles, except for the inventory of new or used automobiles for sale, or automobiles awaiting repair, shall be permitted outside of any building. Automobiles awaiting repair may not be stored on the lot for more than 30 days.~~
- M. No unlicensed vehicles except for the inventory of new or used motor vehicles for sale.
- N. ~~The only automobile repair and services permitted to be performed outside of a building shall include but no be limited to the dispensing of fuel, oil, air, and other common vehicular liquids and lubricants and minor repair such as fuse, light bulb, windshield wiper replacement, etc.~~
- O. ~~Hazardous Materials. All automotive fluids, tires, batteries, and other discarded hazardous materials must be recycled or removed in accordance with local, state and federal standards.~~
- P. ~~Indoor Storage. Used or discarded automotive parts or equipment, not including hazardous materials as mentioned above must be stored inside a building~~
- Q. ~~Building Openings. There may not be any openings in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.~~
- R. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- S. There shall not be any openings, any rollup or other type of automobile sized access doors in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits
- T. Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.
- U. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing thirty (30) days to achieve compliance or be subject to the Penalties listed in in Section???? herein.

Minor Auto Repair: (REVISED OR2019-9-85)

As Defined in Section 1108.00 and must comply with the following conditions:

Automotive and Other Vehicle Repair - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards. Minimum lot area of 20,000 square feet
- B. Minimum lot width of 100 feet
- C. Facilities that are located on a corner lot shall have a minimum lot frontage of 100 feet on each street.
- D. ~~Major Auto Repair Outdoor Automobile Storage. Any space devoted to the storage of motor vehicles awaiting Major Auto Repair (as defined in Section 1108.00) must be located behind the principal structure or screened from the view of any public right of way. Screening may be accomplished by a solid wall, fence, or landscaping. All screening must be a minimum of six (6) feet in height.~~
- E. ~~Any repair and services area must be located within an enclosed building.~~



- F. Motor Vehicles awaiting repair shall be located on a paved surface and shall be setback a minimum of ten (10) feet from any property lines along a street frontage. The area for parking vehicles awaiting repair shall setback a minimum of five (5) feet from the side and rear property lines.
- G. No junk, inoperative or unlicensed vehicles, except for those awaiting repair, shall be permitted outside of any building. Vehicles awaiting repair may not be stored on the lot for more than 30 days.
- H. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
- a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- I. ~~No junk, inoperative or unlicensed automobiles, shall be permitted outside of any building, with the exception of an inventory of new or used automobiles for sale and automobiles awaiting repair. Automobiles awaiting repair may not be stored on the lot for more than thirty (30) days.~~
- J. ~~The only automobile repair services permitted to be performed outside of a building shall limited to the dispensing of fuel, oil, air, and other common vehicular liquids and lubricants and minor repairs such as fuse, light bulb, and, windshield wiper replacements.~~
- K. All repairs or services shall be performed within an enclosed building except the dispensing of fuel, oil, air, and other common vehicular liquids and lubricants and minor repair such as fuse, light bulb, windshield wiper replacement, etc.
- L. No vehicles shall be kept on the property for the purpose of salvaging parts and equipment to repair other vehicles.
- M. ~~Hazardous Materials. All automotive fluids, tires, batteries, and other discarded hazardous materials must be recycled or removed in accordance with local, state and federal standards.~~
- N. Used or discarded motor vehicle fluids, tires, batteries, parts or equipment, shall be stored inside a building and disposed of in accordance with state and federal regulations.
- O. ~~Indoor Storage. Used or discarded automotive parts or equipment, not including hazardous materials as mentioned above must be stored inside a building at all times.~~
- P. ~~Building Openings.~~ There ~~may~~ shall not be any openings, any rollup or other type of automobile sized access doors in side walls, rear walls or roofs within fifty (50) feet of a residential district, unless the openings are stationary windows or required fire exits. Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.
- Q. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- R. No outdoor storage of any material or waste shall be permitted on site.
- S. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.



~~Automotive Service and Minor Repair: (REVISED 2019-9-85)~~

~~As Defined in Section 1108.00 and must comply with the following conditions:~~

- ~~• Minimum lot area of 20,000 square feet.~~
- ~~• Minimum lot area with accessory Car Wash of 40,000 Square Feet.~~
- ~~• Minimum lot width of 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.~~
- ~~• Facilities that are located on a corner lot shall have a minimum lot frontage of 100 feet on each street.~~
- ~~• Any automobile awaiting repair may be permitted outside of a building. Automobiles awaiting repair may not be stored on the lot for more than thirty (30) days.~~
- ~~• Automobiles awaiting repair, shall be located on a paved surface and shall have a minimum setback of ten (10) feet from any property line. The area for parking of vehicles shall comply with the side and rear building setback requirements set for the district in which the lot is located or be at least (10) feet, whichever is greater. All areas not used for parking of vehicles shall be landscaped according to the requirements of Section 1111.20.~~
- ~~• An accessory automated car wash is permitted within a completely enclosed building and shall have a minimum lot size of 40,000 square feet. The location of access drives shall be placed as far as possible from the closest intersection.~~
- ~~• Vacuuming or steam cleaning equipment may be located outside a building, but shall be placed a minimum of fifty (50) feet from any adjoining residential property and at least twenty (20) feet from a public right-of-way.~~
- ~~• Parking and related driveways and paved areas may be erected in a front yard, but not less than twenty (20) feet from any property line.~~
- ~~• Any repair services area must be located within an enclosed building.~~
- ~~• No junk, inoperative or unlicensed automobiles shall be permitted outside of any building, with the exception of an inventory of new or used automobiles for sale and automobiles awaiting repair. Automobiles awaiting repair may not be store on the lot for more than thirty (30) days.~~
- ~~• The only automobile repair and services permitted to be performed outside of a building shall be limited to the dispensing of fuel, oil, air and other common vehicular liquids and lubricants, and minor repair such as fuse, light bulb and windshield wiper replacements.~~
- ~~• Hazardous Materials. All automotive fluids, tires, batteries, and other discarded hazardous materials must be recycled or removed in accordance with local, state and federal standards.~~
- ~~• Indoor Storage. Used or discarded automotive parts or equipment, not including hazardous materials as mentioned above must be stored inside a building.~~
- ~~• Building Openings. There may not be any openings in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.~~
- ~~• Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.~~
- ~~• Proposed building and site plans shall comply with Section 1111.00 Architectural, Landscaping, Design, Building & Site Development Regulations.~~

~~Automobile Washing Facilities (Car Wash): (OR 2014-8-72)~~

~~As Defined in Section 1108.00 and must comply with the following conditions:~~

Automobile and Other Vehicle Washing Facilities /Car Wash - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. Minimum lot area 20,000 square feet.
- B. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.



- C. Minimum lot width 100 feet and must be located along a street classified as major arterial, minor arterial or a collector street, in accordance with the ~~City of Hamilton Street Designation~~. City of Hamilton Roadway Functional Classification Map.
- D. ~~Automobile washing~~ Motor vehicle washing structures shall be located at least ~~fifty (50)~~ 50 feet from any adjoining residential property.
- E. A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an automobile washing facility from adjoining residential property.
- F. All automated ~~automobile~~ motor vehicle washing facilities shall be located entirely within an enclosed building except that entrance and exit doors may be left open during the hours of operation.
- G. Vacuuming or steam cleaning equipment may be located outside a building, but shall not be placed closer than ~~fifty (50)~~ 50 feet to any adjoining residential property and at least ~~twenty (20)~~ 20 feet from a public right-of-way.
- H. Off-street parking and waiting space shall be provided for auto washing facilities as specified in Section 1137.27.C, Off-Street Parking and Loading Regulations. Waiting spaces shall not block or otherwise interfere with site circulation patterns.
- I. Vehicular access shall be provided from a thoroughfare street and access shall be limited to no more than one (1) access drive per street frontage. The location of access drives shall be place as far as possible from the intersection unless otherwise approved by the City Traffic Engineer.
- J. No vehicles for sale shall be parked on the property.
- K. Vehicle repair shall not be allowed on the property.
- L. ~~Any repair and services area must be located within an enclosed building.~~
- M. ~~No junk, inoperative or unlicensed automobiles, except for the inventory of new or used automobiles for sale, or automobiles awaiting repair, shall be permitted outside of any building. Automobiles awaiting repair may not be stored on the lot for more than 30 days.~~
- N. No junk, inoperative or unlicensed vehicles, or parts shall be permitted on the property.
- ~~O. The only automobile repair and services permitted to be performed outside of a building shall include but not be limited to the dispensing of fuel, oil, air and other common vehicular liquids and lubricants and minor repair such as fuse, light bulb, windshield wiper replacement, etc.~~
- ~~P. Hazardous Materials. All automotive fluids, tires, batteries, and other discarded hazardous materials must be recycled or removed in accordance with local, state and federal standards.~~
- ~~Q. Indoor Storage. Used or discarded automotive parts or equipment, not including hazardous materials as mentioned above must be stored inside a building.~~
- R. Building Openings. There may not be any openings in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.
- ~~S. Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.~~
- ~~T. Proposed building and site shall comply with Section 1111.00 Architectural, Landscaping, Design, Building & Site Development Regulations.~~
- ~~U. Proposed building, additions and the entire site shall comply with Section 1111.00 Commercial Design Standards.~~
- V. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- W. No outdoor storage of any material or waste shall be permitted on site.
- X. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing thirty (30) days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.



Farm Implements Sales: (OR 2014-8-72)

As Defined in Section 1108.00 and must comply with the following conditions:

- ~~Minimum lot area 20,000 square feet.~~
- ~~Minimum lot width 100 feet and must be located along a street classified as major arterial, minor arterial or a collector street, in accordance with the City of Hamilton Street Designation.~~
- ~~Any automobile for sale, or automobiles awaiting minor repair, may be permitted outside of a building. Automobiles awaiting repair may not be store on the lot for more than 30 days.~~
- ~~Display of automobiles for sale or awaiting minor repair, shall be located on a paved service and shall be setback a minimum of ten (10) feet from any property line. The outdoor display area for vehicles shall comply with the side and rear building setback requirements set for the district in which the lot is located or be at least ten (10) feet, whichever is greater. All areas not used for parking or display of vehicles shall be landscaped according to the requirements of Section 1111.20.~~
- ~~Any repair and services area must be located within an enclosed building.~~
- ~~No junk, inoperative or unlicensed automobiles, except for the inventory of new or used automobiles for sale, or automobiles awaiting repair, shall be permitted outside of any building. Automobiles awaiting repair may not be stored on the lot for more than 30 days.~~
- ~~The only automobile repair and services permitted to be performed outside of a building shall include but not be limited to the dispensing of fuel, oil, air and other common vehicular liquids and lubricants and minor repair such as fuse, light bulb, windshield wiper replacement, etc.~~
- ~~Hazardous Materials. All automotive fluids, tires, batteries, and other discarded hazardous materials must be recycled or removed in accordance with local, state and federal standards.~~
- ~~Indoor Storage. Used or discarded automotive parts or equipment, not including hazardous materials as mentioned above must be stored inside a building.~~
- ~~Building Openings. There may not be any openings in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.~~
- ~~Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.~~
- ~~Proposed building and site shall comply with Section 1111.00 Architectural, Landscaping, Design, Building & Site Development Regulations.~~



~~Automotive Service Stations when accessory to a principal permitted use.~~

Automobile and Other Motor Vehicle Fueling Stations - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. Minimum lot area 12,000 square feet required.
- B. Minimum lot area with accessory Car Wash 20,0000 square feet.
- C. Minimum lot width of 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Roadway Functional Classification Map.
- D. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- E. Facilities that are located on a corner lot shall have a minimum of 100 feet frontage on each street.
- F. There shall be a minimum ten (10) feet landscaped setback area along any street frontage.
- G. There shall be a minimum five (5) feet landscaped setback area at the rear and side property lines.
- H. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- I. The location of access drives shall be placed as far as possible from the intersection unless otherwise approved by the City Traffic Engineer.
- J. If any repair and services are offered, a separate Conditional Use Approval for Motor Vehicle Repair is required.
- K. No junk, inoperative or unlicensed vehicles shall be permitted on site for more than 24 hours, unless the property has a conditional use approval for vehicle repair.
- L. No vehicles for sale shall be parked on the property.
- M. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- N. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- O. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.



1129.30 Form-Based Zoning Districts: Permitted Uses

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS												ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1		UCP-2
Automotive Services, Farm Implements														See 1121.33 – applies to all
Automotive Service Stations								C		C	P			See 1122.22; 1122.33
Automobile repair Automotive and Other Vehicle Repair								C		C	C			See 1122.22
Body and Fender Shops								C		C	C			See Table Note [1]
Automobile and Other Vehicle Washing Facilities / Car Washes								C		C	C			
Commercial Parking Garages and Lots						C		P	C	P	P	P	P	See 1122.32
Paint Shops								C		C	C			
Repair Garages								C		C	C			
Trailer Lots														
Used Car Lots														
Auto Sharing Service										C		P	P	



General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments.

The complete zoning code can be viewed online at:

https://gis.hamilton-oh.gov/webdocs/Dept%20Planning/Hamilton%20H%20-%20Zoning%20Ordinance%2001.14.2020_202001300751072131.pdf

EXHIBIT B

Proposed Text Amendments to City of Hamilton Zoning Ordinance
Clean Copy

Automobile and Other Motor Vehicle Fueling Stations - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- I. Minimum lot area 12,000 square feet required.
- J. Minimum lot area with accessory Car Wash 20,000 square feet.
- K. Minimum lot width of 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Roadway Functional Classification Map.
- L. New proposed structures shall comply with the Commercial Design Standards listed in Section 1111.00 Herein.
- M. Facilities that are located on a corner lot shall have a minimum of 100 feet frontage on each street.
- N. There shall be a minimum ten (10) feet landscaped setback area along any street frontage.
- O. There shall be a minimum five (5) feet landscaped setback area at the rear and side property lines.
- P. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- P. The location of access drives shall be placed as far as possible from the intersection unless otherwise approved by the City Traffic Engineer.
- Q. If any repair and services are offered, a separate Conditional Use Approval for Motor Vehicle Repair is required.
- R. No junk, inoperative or unlicensed vehicles shall be permitted on site for more than 24 hours, unless the property has a conditional use approval for vehicle repair.
- S. No vehicles for sale shall be parked on the property.
 - T. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
 - U. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
 - V. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.



Automobile and Other Vehicle Sales or Rentals including Boat, Trailer, Recreational Vehicles, Farm Machinery, Power Equipment and Other Motor Vehicles - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. New proposed structures shall comply with the Commercial Design Standards listed in Section 1111.00 Herein.
- B. Minimum lot area 20,000 square feet required.
- C. Minimum lot width 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Roadway Functional Classification Map
- D. If any repair and services are offered, a separate Conditional Use Approval for Motor Vehicle Repair is required.
- E. Display of motor vehicles for sale, shall be located on a paved surface and shall be setback a minimum of ten (10) feet from any property lines along a street frontage
- F. The outdoor display area for vehicles shall be setback a minimum of five (5) feet from the side and rear property lines.
- G. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- H. No unlicensed vehicles except for the inventory of new or used motor vehicles for sale.
 - I. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
 - J. There shall not be any openings, any rollup or other type of automobile sized access doors in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.
 - K. Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.
 - L. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
 - M. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.

Automotive and Other Vehicle Repair - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. New proposed structures shall comply with the Commercial Design Standards listed in Section 1111.00 Herein.
- B. There shall be a minimum ten (10) feet landscaped setback area along any street frontage.
- C. There shall be a minimum five (5) feet landscaped setback area at the rear and side property lines.
- D. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree



c) Trees: 1 Per Required Tree

F. Any space devoted to the storage of motor vehicles awaiting repair shall be located behind the principal structure and shall be enclosed by a six (6) feet high opaque fence so as to be screened from the view of any public right-of-way.

G. All repairs or services shall be performed within an enclosed building except the dispensing of fuel, oil, air, and other common vehicular liquids and lubricants and minor repair such as fuse, light bulb, windshield wiper replacement, etc.

H. No junk, inoperative or unlicensed vehicles, except for those awaiting repair, shall be permitted outside of any building. Vehicles awaiting repair may not be stored on the lot for more than 30 days.

I. Used or discarded motor vehicle fluids, tires, batteries, parts or equipment, shall be stored inside a building and disposed of in accordance with state and federal regulations.

J. No vehicles shall be kept on the property for salvaging parts and equipment to repair other vehicles.

K. Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.

L. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.

M. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.

N. No outdoor storage of any material or waste shall be permitted on site.

O. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.



Automobile and Other Vehicle Washing Facilities /Car Wash - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- B. Minimum lot area 20,000 square feet required.
- C. Minimum lot width 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Roadway Functional Classification Map.
- D. Motor vehicle washing structures shall be located at least 50 feet from any adjoining residential property.
- E. There shall be a minimum ten (10) feet landscaped setback area along any street frontage.
- F. There shall be a minimum five (5) feet landscaped setback area at the rear and side property lines.
- G. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- G. Motor vehicle washing structures shall be located at least 50 feet from any adjoining residential property.
- H. A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a motor vehicle washing facility from adjoining residential property.
- I. All automated motor vehicle washing facilities shall be located entirely within an enclosed building except that entrance and exit doors may be left open during the hours of operation.
- J. Vacuuming or steam cleaning equipment may be located outside a building, but shall not be placed closer than 50 feet to any adjoining residential property and at least 20 feet from a public right-of-way.
- K. Off-street parking and waiting space shall be provided for motor vehicle washing facilities as specified in Section 1137.27.C, Off-Street Parking and Loading Regulations. Waiting spaces shall not block or otherwise interfere with site circulation patterns.
- L. Vehicular access shall be provided from a thoroughfare street and access shall be limited to no more than one (1) access drive per street frontage. The location of access drives shall be placed as far as possible from the intersection unless otherwise approved by the City Traffic Engineer.
- M. No vehicles for sale shall be parked on the property.
- N. Vehicle repair shall not be allowed on the property.
- O. No junk, inoperative or unlicensed vehicles or parts shall be permitted on the property.
- P. Building Openings. There may not be any openings inside walls or rear walls within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.
- Q. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- R. No outdoor storage of any material or waste shall be permitted on site.
- S. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.

1129.30 Form-Based Zoning Districts: Permitted Uses



USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS												ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1		UCP-2
Automotive Services														See 1121.33 – applies to all
Automotive and Other Vehicle Repair								C		C	C			See 1122.22
Body and Fender Shops								C		C	C			See Table Note [1]
Automobile and Other Vehicle Washing Facilities / Car Washes								C		C	C			
Commercial Parking Garages and Lots						C		P	C	P	P	P	P	See 1122.32
Paint Shops								C		C	C			
Repair Garages								C		C	C			
Trailer Lots														
Used Car Lots														
Auto Sharing Service										C		P	P	



Exhibit C – Public Hearing Notices for Zoning Text Amendment Requests



Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

LEGAL NOTICE TO CITY WEBSITE

City Contact: Ed Wilson, AICP
Date Sent and Posted: April 21, 2020
Run Indefinitely, Until: May 7, 2020

LEGAL NOTICE OF PUBLIC HEARING

The Hamilton Planning Commission will hold a public hearing on **Thursday afternoon, May 7, 2020 at 1:30 PM** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/93410265331>. Webinar ID: 934 1026 5331, on amending the Hamilton Zoning Ordinance (HZO) No. 7503:

APPLICANT: City of Hamilton
REQUEST: Proposed Amendments to the Hamilton Zoning Ordinance (HZO):
Amendments pertaining to automotive related land use categories

To Amend:

Section 1108.00 - Glossary
Sections 1121.39.27, 1122.36, 1123.36 and 1124.39.4 – Automobile and Other Vehicle Sales
Sections 1121.39.6, 1122.37.1, 1123.38.2, 1124.39.6, and 1125.36 – Automotive Service and Minor Repair
Sections 1121.39.28, 1123.38.3 and 1124.39.7 – Automobile Washing Facilities
Section 1129.30, Permitted Uses – Form-Based Zoning Districts

To Delete:

Sections 1122.37, 1122.141, 1123.38.1, 1124.39.5 and 1125.35 – Major Auto Repair
Section 1122.33 – Automotive Service Stations, as an accessory use
Sections 1121.33, 1123.38.4 and 1124.39.8 – Farm Implement Sales

To Add:

Sections 1121.33, 1122.33, 1123.38.4 and 1124.39.8 –
Automobile and Other Motor Vehicle Fueling Stations

An application for this project is on file and available for your review at the Planning Department located at 345 High Street, Suite 350, and on the city website at:
<https://www.hamilton-oh.gov/planningcommission>

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205 6099 and when prompted dial the Webinar ID: 934 1026 5331

Or use this website link to access the online meeting:
<https://zoom.us/j/93410265331> Webinar ID: 934 1026 5331.

(Continued on the Next Page)





Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least seven (7) days prior to the public hearing. The phone number for the Planning Department is 513.785.7350.

Ed Wilson, AICP

Edward Wilson AICP

Associate Planner II
City of Hamilton, Ohio





LEGAL NOTICE TO CITY WEBSITE

City Contact: Ed Wilson, AICP
Date Sent and Posted: April 21, 2020
Run Indefinitely, Until: May 27, 2020

LEGAL NOTICE OF PUBLIC HEARING

The Hamilton City Council will hold a public hearing on **Wednesday evening, May 27, 2020 at 6:00 PM** in the Council Chambers of the City Building located at 345 High Street, on amending the Hamilton Zoning Ordinance (HZO) No. 7503:

APPLICANT: City of Hamilton
REQUEST: Proposed Amendments to the Hamilton Zoning Ordinance (HZO):
Amendments pertaining to automotive related land use categories

To Amend:

Section 1108.00 – Glossary
Sections 1121.39.27, 1122.36, 1123.36 and 1124.39.4 – Automobile and Other Vehicle Sales
Sections 1121.39.6, 1122.37.1, 1123.38.2, 1124.39.6, and 1125.36 – Automotive Service and Minor Repair
Sections 1121.39.28, 1123.38.3 and 1124.39.7 – Automobile Washing Facilities
Section 1129.30, Permitted Uses – Form-Based Zoning Districts

To Delete:

Sections 1122.37, 1122.141, 1123.38.1, 1124.39.5, and 1125.35 – Major Auto Repair
Section 1122.33 – Automotive Service Stations, as an accessory use
Sections 1121.33, 1123.38.4 and 1124.39.8 – Farm Implement Sales

To Add:

Sections 1121.33, 1122.33, 1123.38.4 and 1124.39.8 –
Automobile and Other Motor Vehicle Fueling Stations

An application for this project is on file and available for your review at the Planning Department located at 345 High Street, Suite 350, and on the city website at:
<https://www.hamilton-oh.gov/planningcommission>

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least seven (7) days prior to the public hearing. The phone number for the Planning Department is 513.785.7350.

Nick Garuckas
City Clerk
City of Hamilton, Ohio

The filing and payment due date for tax year 2019 has been extended to July 15, 2020. Additionally, the 2020 first and second quarter estimate due dates are now both on July 15, 2020. ×



Services Explore Business
Questions Info



Proof of Posting Public Hearing Notices on Planning Commission Website
Posted April 21 & April 24, 2020 - Both Commission and Council Public Hearings

Planning Commission.

The Planning Commission is responsible for reviewing rezoning, planned unit developments, preliminary and final subdivision plats, street and alley vacations, street name changes, and then forwarding recommendations to the City Council for final action.

Commission Procedures

Read the Planning Commission Rules of Procedure (PDF) / Planning Commission By-Laws online.

Planning Commission Forms

General Use Planning Application
Conditional Use Application ***NEW*** -

May 7, 2020 Planning Commission Meeting

Public Hearing | 1:30 P.M. | 345 High Street, Hamilton, OH (Posted: 4/21/2020, 10:40 AM) /
RE-POSTED with updated Zoom Webinar information 4/24/2020, 5:50 AM

PC Agenda 05.07.2020: [Coming Soon]

The meeting is open to the public. However, due to the State of Emergency related to COVID-19, the Planning Department is encouraging those who are comfortable participating in the public hearing remotely to do so. Anyone can use the website link or dial into the meeting using the following information (see below).

Please click the link below to join the webinar:
<https://zoom.us/j/93410265331>. Webinar ID:
934 1026 5331

One tap mobile
+13126266799,,93410265331# US (Chicago)
+19292056099,,93410265331# US (New York)

Or Telephone:
Dial (for higher quality, dial a number based on

2020

your current location):

US: +1 929 205 6099 or +1 312 626 6799 or
 +1 669 900 6833 or +1 253 215 8782 or +1
 301 715 8592 or +1 346 248 7799

Webinar ID: 934 1026 5331

Planning Commission Cases and Notice of Public Hearings

This space contains the online posted notices of Public Hearings, upcoming cases, and tentative schedule of upcoming meetings for Planning Commission.

Questions concerning upcoming meetings, cases, or other inquiries can be directed to Ed Wilson, Associate Planner II

Email: edward.wilson@hamilton-oh.gov | Phone: (513) 785-7029

May 7, 2020 - 1:30 PM

PC Agenda 05.07.2020: [TBD]

Please click the link below to join the webinar:

March 19th, 2020 Planning Commission meeting update.

The March 19th, 2020 Planning Commission (TN (Traditional Neighborhood) rezoning proposal, public hearing has been postponed to the May 21st, 2020 meeting. Continual updates will be posted on the Planning Department website and Planning Commission website.

For the TN Rezoning proposal and all other Planning Commission inquiries - the Planning Department encourages people to email or call with their questions and comments. Email: planning@hamilton-oh.gov or (513) 785-7350

Regular Board Meetings.

Planning Commission meetings are public meetings regularly held on the 1st and 3rd Thursday of every month. The first meeting of the month is a day meeting which begins at

<https://zoom.us/j/93410265331>.

Or dial: 1 312-626-6799 then dial the webinar ID number below when prompted.

Webinar ID: 934 1026 5331

Re-Posted with updated Zoom

Webinar information:

April 24, 2020:

**Agenda Item - #1 (PUBLIC HEARING):
Major Amendment to a Planned
Development, Berkeley Square,
Phase 14 (proposes seven (7)
duplexes)**

[Location Map](#) | [Application](#)

**Agenda Item - #2 (PUBLIC HEARING):
Conditional Use for an Auto Repair
Business at 1000 Fairview Avenue**

[Location Map](#) | [Application](#)

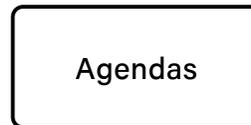
**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
pertaining to Supportive Housing,
Clinics, and Inpatient Rehabilitation**

1:30 pm. The second meeting of the month is an evening meeting which begins at 6:00 pm. Special meeting times and dates will be scheduled as necessary.

All meetings are held in the Hamilton City Council Chambers located at 345 High Street in Hamilton Ohio 45011.

Agenda & Minutes

For agenda and meeting minutes to prior board meetings, please submit a request to brandon.saurber@hamilton-oh.gov



Planning Commission Meeting
May 7, 2020 · 1:30 PM – 3:00 PM

Planning Commission Meeting
May 21, 2020 · 6:00 PM – 8:00 PM

Planning Commission Applications

These are general applications that require review and/or approval from the Planning Commission. Please contact the Planning Department for further information.

Posted: April 21, 2020. Public Hearing
Notice: [Here]

Planned Development (PD) Application

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
pertaining to Automobile Related
Conditional Uses**

Specific Use Application

Conditional Use Application

Posted: April 21, 2020. Public Hearing
Notice: [Here]

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
concerning Residential Design
Standards for accessory structures,
and Special Provisions regarding
nonconforming lots**

Posted: April 21, 2020. Public Hearing
Notice: [Here] & [Here]

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
concerning Commercial Design
Standards, pertaining to concrete
material facade regulations**

Posted: April 21, 2020. Public Hearing
Notice: [Here]

May 21, 2020 - (Tentative, TBD)

**Agenda Item - #1 (PUBLIC HEARING):
TN (Traditional Neighborhood)
Rezoning proposal for specific
properties in Lindenwald and
Prospect Hill.**

Re-posted and updated notice for
May 21, 2020 meeting | Re-posted
March 23, 2020

Lindenwald: Proposed Rezoning Map
[Here] | List of Properties [Here]

Prospect Hill: Proposed Rezoning Map
[Here] | List of Properties [Here]

Public Hearings at City Council (Commission Cases)

City Council: May 27, 2020

**PUBLIC HEARING: Request to amend
the Hamilton Zoning Ordinance
(HZO), - pertaining to Supportive
Housing, Clinics, Inpatient Rehab**

Posted: April 21, 2020. Public Hearing
Notice: [Link]

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), - pertaining to Automobile Related Conditional Uses

Posted: April 21, 2020. Public Hearing Notice: [\[Link\]](#)

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), Section 1111.00 - Commercial Design Standards (concrete facade item)

Posted: April 21, 2020. Public Hearing Notice: [\[Link\]](#)

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), Section 1110.00 - Residential Design Standards (for accessory structures) & Section 1131.00 - Special Provisions (non-conforming lots).

Posted: April 21, 2020. Public Hearing Notice: [\[1110 notice\]](#) & [\[1131 notice\]](#)

Board Members

Exhibit E – Planning Commission Staff Report: May 7, 2020

For the Planning Commission Meeting of May 7, 2020

To: Planning Commission
From: Larry Bagford CFM, Planning & Zoning Specialist
 Ed Wilson, AICP, Associate Planner II
Date: April 14, 2020

Subject: **AGENDA ITEM #3 – New Business**
Zoning Text Amendments pertaining to clarification of Automotive Related Conditional Uses.

APPLICANT: City of Hamilton, Planning Department

REQUEST: To Amend sections of the City of Hamilton Zoning Ordinance (HZO):
 Section 1108.00 - Glossary
 Sections 1121.39.27, 1122.36, 1123.36 and 1124.39.4 - Automobile and Other Vehicle Sales
 Sections 1121.39.6, 1122.37.1, 1123.38.2 and 1124.39.6 – Automotive Service and Minor Repair
 Sections 1121.39.28, 1123.38.3 and 1124.39.7 - Automobile Washing Facilities
 Section 1129.30, Permitted Uses (Use Chart) for the Form-Based Zoning Districts

To Delete:

Sections 1122.37, 1123.38.1 and 1124.39.5 – Major Automotive Repair Section 1122.33 – Automotive Service Stations – when an accessory use Sections 1121.33, 1123.38.4 and 1124.39.8 – Farm Implement Sales

To Add Sections 1121.33, 1122.33, 1123.38.4 and 1124.39.8 - Automobile and Other Motor Vehicle Fueling Stations

BASIC INFORMATION	
Applicant/Property Owner	City of Hamilton – Planning Department
Architect/Engineer/Consultant	N/A
Size of Property	N/A
Current Zoning	N/A
Proposed Zoning	N/A
Comp. Plan Land Use Designation	N/A
Special Purpose/CRA	N/A



Section A: Introduction & Background:

The current conditional use standards for automobile related businesses are repetitive and inconsistent, making them confusing for the public to understand and apply in accordance with the vision for the City's future.

The proposed changes will eliminate three (3) repetitive uses from four (4) different chapters of the zoning ordinance, by consolidating where appropriate and eliminating excessive verbiage.

Attached this report are the sections of the zoning ordinance reflecting the proposed changes to the text. Items ~~struck through in red~~ are to be deleted. Proposed new language is highlighted in yellow.

The bullet points of the individual conditions associated with the uses have been changed to a letter and numbering system that will clarify ordinance citations in reports and notices.

In addition, a clean draft (Attachment –Exhibit B) shows the new text as it will appear in the ordinance.

Section B: Petition Review

The proposal consists of a text amendment to the Hamilton Zoning Ordinance (HZO), amending various sections pertaining to auto-related uses.

In all cases, the amended and added use categories would remain as Conditional Uses within their respective Zoning Districts. The proposed changes would primarily impact the following zoning districts and sections of the zoning ordinance.

- B-2 (Community Business District), Section 1121.00
- B-3 (Central Business District), Section 1122.00
- I-1 (Limited Industrial District), Section 1123.00
- I-2 (Industrial District), Section 1124.00



Section B.1: Proposed Amendments, Changes

Amending:

- Automobile and Other Vehicle Sales

Revised to: Automobiles and Other Motor Vehicles Sale or Rent (Boat, Trailer, Recreational Vehicles, Farm Machinery, Power Equipment, and Other Motor Vehicle)

Sections 1121.39.27, 1122.36, 1123.36 and 1124.39.4

The proposed revision is a clarification and consolidation of automotive and vehicle sales. There are also proposed changes to the required conditions for this use that are in line with recent applications and Staff review of the zoning ordinance.

- Automotive Service and Minor Repair

Revised to: Automotive and Other Vehicle Repair

Sections 1121.39.6, 1122.37.1, 1123.38.2 and 1124.39.6

The proposed revision is a clarification and consolidation of the automobile repair uses with revised conditions for the use.

Staff reviewed the automotive service and major auto repair uses compared to existing conditions in the city and best practices in the Planning field. The proposed revision would consolidate both auto repair uses under one definition. Auto repair proposals that are larger in scope and scale would have further conditions of approval recommended by Staff when required.

- Automobile Washing Facilities - of the Hamilton Zoning Ordinance

Revised to: Automobile and Other Vehicle Washing Facilities / Car Wash

Sections 1121.39.28, 1123.38.3 and 1124.39.7

Propose changes to the required conditions for this use that are in line with recent applications and Staff review of the zoning ordinance.

- Form-Based Zoning Districts, Permitted Uses (Use Chart) - of the Hamilton Zoning Ordinance - Section 1129.30

The proposed changes would be reflective of the other revisions pertaining to automotive related uses, including updating of use categories.

Section B.2: Proposed Deletions

To Delete:

- Major Auto Repair



Sections 1122.37, 1123.38.1 and 1124.39.5

With this deletion, all auto repair would be interpreted as Automotive and Other Vehicle Repair. All other instances of Major Auto Repair within the Zoning Ordinance would be revised to reflect the change.

- Automotive Service Stations – when an accessory use
Section 1122.33

Automotive Service Stations will be deleted and replaced with a proposed new use category: Automobile and Other Motor Vehicle Fueling Stations. All other instances of Automotive Service Stations within the Zoning Ordinance would be revised accordingly.

- Farm Implement Sales
Sections 1121.33, 1123.38.4 and 1124.39.8

With this deletion, Farm Implement Sales would be interpreted as Automobile and Other Vehicle Sales or Rent. All instances of Farm Implement Sales within the Zoning Ordinance would be revised to reflect the change.

Section B.3: Proposed Additions:

To Add/Revise:

- New land use category:
Automobile and Other Motor Vehicle Fueling Stations (Fuel Station)
Sections 1121.33, 1122.33, 1123.38.4 and 1124.39.8

With this deletion, all auto repair would be categorized as Automotive and Other Vehicle Repair. All instances of Major Auto Repair within the Zoning Ordinance would be revised to reflect the change.

Section C: Notification

The City of Hamilton posted notification of the zoning text amendments on the Planning Department's website, per Section 1180.00 of the Hamilton Zoning Ordinance. Staff posted the notification on April 21, 2020, located on the Planning Commission's website (see Commission Website, here; see Notice, here)

At the time of writing this report, Planning staff has received no phone calls concerning the proposed text amendments.

Section D: Statutes:

Section 1180.00 of the Hamilton Zoning Ordinance provides the basis and process for the amendment of the Zoning Ordinance, Ordinance No. 7503.



Section E: Recommendation:

The Planning Commission can approve, amend, or deny the proposed zoning text amendments. If the Planning Commission approves of the proposed text amendments to the Hamilton Zoning Ordinance, the Planning Department recommends the following motion:

- 1) That the Planning Commission take action to recommend to City Council that they hold a public hearing, prepare legislation, and approve the text amendments to the City of Hamilton Zoning Ordinance as presented and contained within the attachments submitted within the Planning Staff report.

Specific sections proposed for amendment are as follows:

To Amend:

Section 1108.00 - Glossary

Sections 1121.39.27, 1122.36, 1123.36 and 1124.39.4 - Automobile and Other Vehicle Sales;

Sections 1121.39.6, 1122.37.1, 1123.38.2 and 1124.39.6 - Automotive Service and Minor Repair

Sections 1121.39.28, 1123.38.3 and 1124.39.7 - Automobile Washing Facilities - of the Hamilton Zoning Ordinance

Section 1129.30, Permitted Uses (Use Chart) for the Form-Based Zoning Districts

To Delete:

Sections 1122.37, 1123.38.1 and 1124.39.5 - Major Automotive Repair

Section 1122.33 - Automotive Service Stations - when an accessory use Sections 1121.33, 1123.38.4 and 1124.39.8 - Farm Implement Sales

To Add

Sections 1121.33, 1122.33, 1123.38.4 and 1124.39.8 - Automobile and Other Motor Vehicle Fueling Stations

Section F: Staff Comments / Basis for Recommendation

4. The proposed text amendments address repetition and inconsistencies concerning the automobile related businesses, clarifying them for the public and other users of the Zoning Ordinance.
5. The proposed text amendments align the Hamilton Zoning Ordinance with State of Ohio best practices.
6. The revised and new conditions associated with the automobile related uses reduce the intensity and impact of the uses, protecting the public, health, safety and welfare.

Section G: Attachments:

1. Exhibit A - Proposed Text Amendments, Deletions and Additions to the Hamilton Zoning Ordinance.
2. Exhibit B - Clean Draft of New Ordinance Text without the Mark-ups.
3. Exhibit C - Public Hearing Notices for Zoning Text Amendment Requests.



ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ZONING ORDINANCE NO. 7503, SECTION 1121.00 "B-2 COMMUNITY BUSINESS DISTRICT", SECTION 1122.00 "B-3 CENTRAL BUSINESS DISTRICT", SECTION 1123.00 "I-1 LIMITED INDUSTRIAL DISTRICT", AND SECTION 1124.00 "I-2 INDUSTRIAL ZONING DISTRICT". (City of Hamilton, Applicant).

WHEREAS, the City of Hamilton Zoning Ordinances Section 1180.00, Amendments, provides for amending and adding language to the Zoning Ordinance, and

WHEREAS, the current conditional use standards for automobile related businesses are repetitive and inconsistent, making them confusing for the public to understand and apply in accordance with the vision for the City's future, and

WHEREAS, Planning Staff reviewed the City of Hamilton Zoning Ordinance and proposed text amendments to the automobile related conditional use standards based on feedback and periodic review; and

WHEREAS, the proposed changes to the City of Hamilton Zoning Ordinance include specific revisions of Sections 1121.00 "B-2 Community Business District", 1122.00 "B-3 Central Business District", 1123.00 "I-1 Limited Industrial District", and 1124.00 "I-2 Industrial Zoning District" as they pertain to automobile and other vehicle related Conditional Uses; and

WHEREAS, the Planning Commission on May 7, 2020 conducted a public hearing regarding the proposed changes, to receive public input and for review of the proposed text amendments; and

WHEREAS, public notice included legal advertisement published on the Hamilton City Website, pursuant revised to local ordinance (Section 1180.00 "Amendments", Hamilton Zoning Ordinance); and

WHEREAS, Planning Commission approved said zoning text amendments and recommended City Council approval; and

WHEREAS, this Council desires to adopt such zoning text amendments to the City's Zoning Ordinance No. 7503 as proposed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the Hamilton Zoning Ordinance No. 7503, is hereby amended by amending Sections 1121.39.6, 1122.37.1, 1123.38.2 and 1124.39.6 "Automotive Service and Minor Repair", Sections 1121.39.28, 1123.38.3 and 1124.39.7 "Automobile Washing Facilities", Section 1129.30, "Permitted Uses (Use Chart) for the Form-Based Zoning Districts", Sections 1121.39.27, 1122.36, 1123.36 and 1124.39.4 "Automobile and Other Vehicle Sales" of the City of Hamilton Zoning Ordinance (HZO), deleting Sections 1122.37, 1123.38.1 and 1124.39.5 "Major Automotive Repair", Section 1122.33 "Automotive Service Stations" – when an accessory use Sections 1121.33, 1123.38.4 and 1124.39.8, "Farm Implement Sales" of the City of Hamilton Zoning Ordinance (HZO), adding Sections 1121.33, 1122.33, 1123.38.4 and 1124.39.8 "Automobile and Other Motor Vehicle Fueling Stations" amended as set forth in Exhibit No. 1 attached hereto, incorporated herein by reference and made a part.

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

Ordinance No. _____ (Cont'd)

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1

Automobile and Other Motor Vehicle Fueling Stations - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. Minimum lot area 12,000 square feet required.
- B. Minimum lot area with accessory Car Wash 20,000 square feet.
- C. Minimum lot width of 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Roadway Functional Classification Map.
- D. New proposed structures shall comply with the Commercial Design Standards listed in Section 1111.00 Herein.
- E. Facilities that are located on a corner lot shall have a minimum of 100 feet frontage on each street.
- F. There shall be a minimum ten (10) feet landscaped setback area along any street frontage.
- G. There shall be a minimum five (5) feet landscaped setback area at the rear and side property lines.
- H. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- I. The location of access drives shall be placed as far as possible from the intersection unless otherwise approved by the City Traffic Engineer.
- J. If any repair and services are offered, a separate Conditional Use Approval for Motor Vehicle Repair is required.
- K. No junk, inoperative or unlicensed vehicles shall be permitted on site for more than 24 hours, unless the property has a conditional use approval for vehicle repair.
- L. No vehicles for sale shall be parked on the property.
- M. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- N. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- O. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.

Ordinance No. _____ (Cont'd)

Automobile and Other Vehicle Sales or Rentals including Boat, Trailer, Recreational Vehicles, Farm Machinery, Power Equipment and Other Motor Vehicles - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. New proposed structures shall comply with the Commercial Design Standards listed in Section 1111.00 Herein.
- B. Minimum lot area 20,000 square feet required.
- C. Minimum lot width 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Roadway Functional Classification Map
- D. If any repair and services are offered, a separate Conditional Use Approval for Motor Vehicle Repair is required.
- E. Display of motor vehicles for sale, shall be located on a paved surface and shall be setback a minimum of ten (10) feet from any property lines along a street frontage
- F. The outdoor display area for vehicles shall be setback a minimum of five (5) feet from the side and rear property lines.
- G. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- H. No unlicensed vehicles except for the inventory of new or used motor vehicles for sale.
- I. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- J. There shall not be any openings, any rollup or other type of automobile sized access doors in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.
- K. Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.
- L. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- M. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.

Ordinance No. _____ (Cont'd)

Automotive and Other Vehicle Repair - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. New proposed structures shall comply with the Commercial Design Standards listed in Section 1111.00 Herein.
- B. There shall be a minimum ten (10) feet landscaped setback area along any street frontage.
- C. There shall be a minimum five (5) feet landscaped setback area at the rear and side property lines.
- D. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- F. Any space devoted to the storage of motor vehicles awaiting repair shall be located behind the principal structure and shall be enclosed by a six (6) feet high opaque fence so as to be screened from the view of any public right-of-way.
- G. All repairs or services shall be performed within an enclosed building except the dispensing of fuel, oil, air, and other common vehicular liquids and lubricants and minor repair such as fuse, light bulb, windshield wiper replacement, etc.
- H. No junk, inoperative or unlicensed vehicles, except for those awaiting repair, shall be permitted outside of any building. Vehicles awaiting repair may not be stored on the lot for more than 30 days.
- I. Used or discarded motor vehicle fluids, tires, batteries, parts or equipment, shall be stored inside a building and disposed of in accordance with state and federal regulations.
- J. No vehicles shall be kept on the property for salvaging parts and equipment to repair other vehicles.
- K. Vehicular access drives shall be limited to no more than one (1) access drive per street frontage, unless otherwise approved by the City Traffic Engineer.
- L. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- M. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- N. No outdoor storage of any material or waste shall be permitted on site.
- O. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.

Ordinance No. _____ (Cont'd)

Automobile and Other Vehicle Washing Facilities /Car Wash - In any zoning district in which this use is a Conditional or Specific Use, all these conditions shall apply:

- A. Proposed new buildings, additions, and the entire site shall comply with Section 1111.00 Commercial Design Standards.
- B. Minimum lot area 20,000 square feet required.
- C. Minimum lot width 100 feet and must be located along a street classified as major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Roadway Functional Classification Map.
- D. Motor vehicle washing structures shall be located at least 50 feet from any adjoining residential property.
- E. There shall be a minimum ten (10) feet landscaped setback area along any street frontage.
- F. There shall be a minimum five (5) feet landscaped setback area at the rear and side property lines.
- G. All set back areas shall be landscaped with a minimum of one (1) tree every 30 linear feet or portion thereof. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:
 - a) Bushes: 3 Per Required Tree
 - b) Flowering Perennials Plants: 6 Per Required Tree
 - c) Trees: 1 Per Required Tree
- G. Motor vehicle washing structures shall be located at least 50 feet from any adjoining residential property.
- H. A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a motor vehicle washing facility from adjoining residential property.
- I. All automated motor vehicle washing facilities shall be located entirely within an enclosed building except that entrance and exit doors may be left open during the hours of operation.
- J. Vacuuming or steam cleaning equipment may be located outside a building, but shall not be placed closer than 50 feet to any adjoining residential property and at least 20 feet from a public right-of-way.
- K. Off-street parking and waiting space shall be provided for motor vehicle washing facilities as specified in Section 1137.27.C, Off-Street Parking and Loading Regulations. Waiting spaces shall not block or otherwise interfere with site circulation patterns.
- L. Vehicular access shall be provided from a thoroughfare street and access shall be limited to no more than one (1) access drive per street frontage. The location of access drives shall be placed as far as possible from the intersection unless otherwise approved by the City Traffic Engineer.
- M. No vehicles for sale shall be parked on the property.
- N. Vehicle repair shall not be allowed on the property.
- O. No junk, inoperative or unlicensed vehicles or parts shall be permitted on the property.

Ordinance No. _____ (Cont'd)

- P. Building Openings. There may not be any openings inside walls or rear walls within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.
- Q. Trash/Recycling containers shall be kept behind the principal structure, enclosed by an opaque fence or wall with a minimum height of six (6) feet.
- R. No outdoor storage of any material or waste shall be permitted on site.
- S. If at any time these and any other conditions of approval are not maintained in compliance a notice of violation will be sent to the applicant of record providing 30 days to achieve compliance or be subject to the Penalties listed in in Section 1186.00 Herein.

Ordinance No. _____ (Cont'd)
1129.30 Form-Based Zoning Districts: Permitted Uses

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS													ADDITIONAL REQUIREMENTS
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1	UCP-2	
Automotive Services														See 1121.33 – applies to all
Automotive and Other Vehicle Repair								C		C	C			See 1122.22
Body and Fender Shops								C		C	C			See Table Note [1]
Automobile and Other Vehicle Washing Facilities / Car Washes								C		C	C			
Commercial Parking Garages and Lots						C		P	C	P	P	P	P	See 1122.32
Paint Shops								C		C	C			
Repair Garages								C		C	C			
Trailer Lots														
Used Car Lots														
Auto Sharing Service										C		P	P	

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Ed Wilson, AICP, Associate Planner II

Agenda Item: An ordinance amending certain sections of Zoning Ordinance No. 7503, Section 1111.00 “Commercial Design Standards”, Section 1110.00, “Residential Design Standards”, Section 1130.00, “Special Provisions of the Zoning Ordinance”. (City of Hamilton, Applicant).

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input checked="" type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 5-27-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 6-10-2020 <input type="checkbox"/> Resolution Date: <input checked="" type="checkbox"/> Public Hearing Date: 5-27-2020	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other): 5-13-2020 Caucus Report City Council Meeting Planning Commission: 5-7-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: \$600.00	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	Expenditure: \$600.00	
	Source Funds:	

Policy Issue

Does City Council wish to amend the Zoning Ordinance of the City of Hamilton, Ohio, Section 1111.00 “Commercial Design Standards”, Section 1110.00 “Residential Design Standards”, and Section 1130.00 “Special Provisions of the Zoning Ordinance”?

Policy Alternative(s)

Council may choose not to adopt such legislation to amend the Zoning Ordinance or may request changes to the text proposed to be added to the Zoning Ordinance.

Staff Recommendation

Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission and adopts the necessary legislation to amend the Zoning Ordinance of the City of Hamilton, Ohio pertaining to: Section 1111.00 “Commercial Design Standards”, Section 1110.00 “Residential Design Standards”, and Section 1130.00 “Special Provisions of the Zoning Ordinance”.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 1180.00, City of Hamilton Zoning Ordinance: Amendments.
- Plan Hamilton, the City's comprehensive plan.

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the proposed text amendments of the Traditional Neighborhoods Zoning Districts, estimated at approximately \$600.00.

Background Information

The City of Hamilton Zoning Ordinance (HZO), Ordinance No. 7503, provides regulations for land use and property use, to protect the general public health, safety, and welfare of the City. After periodic review, Planning Staff has determined a need for updating specific portions of the zoning ordinance for clarification.

The City of Hamilton Planning Department is requesting text amendments to the City's Zoning Ordinance that are related to three (3) specific changes (see Planning Commission report for further information, Exhibit F).

1) Commercial Design Standards (Section 1111.00):

The intent of City's Commercial Design Standards (Hamilton Zoning Ordinance, Section 1111.00) is to protect and promote the city's economic vitality through standards for new commercial development, which encourage and reward high quality development while discouraging less attractive and less enduring alternatives.

Staff determined a need for minor revisions to the commercial design standards pertaining to the use of concrete façade materials. Staff proposed a cap of 65% for concrete formed to have a masonry appearance, to allow for variation in façade material and building appearance. Staff also discovered a need for a clarification pertaining to Class 4 vehicle storage as a conditional use in standard zoning districts, and minor typographical corrections within the section.

2) Residential Design Standards (Section 1110.00):

Staff has determined a need for updating the Residential Design Standards pertaining to the exterior finish of accessory structures. Currently, accessory structures require at least 50% of all accessory structure facades to match the primary finish of the front façade of the primary structure on the property. In the case of a brick or masonry primary structure, 50% of all facades of the accessory structure would require brick or masonry.

Due to this regulation, the city received multiple variance requests in recent years pertaining to accessory structures with brick finishes. The regulations can be cost prohibitive for residential applicants and due to the repeated requests for variances, Staff proposed changes to address the issue.

3) Special Provisions (Section 1130.00 / 1131.00):

The Special Provisions of the zoning ordinance address extraordinary circumstances unique to the city, pertaining to development and infill, to allow reasonable relief from zoning regulations based on existing site conditions (narrow lots, substandard lots), while still upholding the intent and purpose of the zoning ordinance, protection of the public health, safety, and welfare.

Staff determined a need for review of related Special Provisions sections pertaining to constructing new single-family structures on nonconforming lots of existing records. These lots may not meet the area requirements set forth within the zoning district to build a new single-family dwelling, which can include lot width, area, setbacks, and/or other dimensional requirements.



Zoning Text Amendment Proposals:

Revisions to the Commercial Design Standards

1. Revise concrete which is formed to have a masonry unit or brick appearance
 - a. **From:** a principal building material that is allowed up to 100% of the building material
 - b. **To:** a principal building material that is allowed up to 65%
2. Change the word “complimentary” to “complementary” in the Commercial Sign and Loading/Unloading Areas sections.
3. Add language specifying that Class 4 vehicles and above as identified by the Federal Highway Administration require a Conditional Use approval when they are not in a Planned Development (PD) zoning district. In Planned Development zoning, this proposal will require a Specific Use approval.

Revisions to the Residential Design Standards

Section 1110.26: Accessory Buildings

1. Revise façade requirements for accessory buildings over 200 square feet
 - a. **Current:** Accessory buildings over 200-sq. ft. in area must have the same exterior finish material on a minimum of 50% on all sides as the primary exterior material and approximate color as the front of the existing primary building.
 - b. **Proposed:** removal of the 50% minimum. An accessory structure over 200 square feet would require the same exterior finish as the primary structure.
2. Proposed new language: If the primary finish of the primary building facade is brick or stone, 100% of the front facade of the accessory building and 25% of facades visible from the street (not alley) must match the primary building material.

The change would:

- a. Require the front façade of an accessory structure over 200 square feet to match the primary structure, 100%.
- b. Require other facades visible from a street to match the primary structure by at least 25%.

Revisions to the Special Provisions - *(New Residences on substandard or smaller lots)*

Section 1131.10: Dwelling On Any Lot of Record

1. Revision of language for clarification.
2. Simplification of language and the standards for new residences on smaller or substandard lots.
3. New residences on substandard lots must meet the applicable requirements of the Zoning District and the Residential Design Standards.
4. Clarification of new Single-Family dwellings and Multi-Family dwellings on substandard lots. Multi-Family dwellings on substandard lots would require a Conditional Use approval.



Legal Review

The proposed changes have been reviewed and approved by Frost Brown Todd, outside legal counsel for the City.

Notification

The Planning Department posted a notice of public hearing for the May 7, 2020 Planning Commission and a notice of public hearing for the May 27, 2020 City Council on the City Website, Planning Commission page, per the recently revised statutes of Section 1180.00 of the Hamilton Zoning Ordinance (HZO).

- Planning Commission Public Hearing Notice: Posted April 21, 2020 (Exhibit D)
- City Council Public Hearing Notice: Posted April 21, 2020 (Exhibit E)

Planning received no inquiries pertaining to the proposed text amendments.

Planning Commission Recommendation

After conducting a public hearing on May 7, 2020, the Planning Commission recommended Council approve the proposed text amendment to the Zoning Ordinance of the City of Hamilton, Ohio with the following motion:

1. That the Planning Commission recommends to City Council that they hold a public hearing, prepare legislation, and approve the request to amend the Zoning Ordinance of the City of Hamilton, Ohio, by amending Sections 1111, Commercial Design Standards; 1110, Residential Design Standards; and 1130, Special Provisions, as presented and contained within the attachments submitted within the Planning Staff report.

It is the recommendation of the Planning Department that Council receives this report, concurs in the recommendation of the Planning Staff and the Planning Commission, conducts a public hearing, and directs the passage of the necessary legislation.

Attached Information

- 1) Exhibit A – Proposed Zoning Text Amendments, Section 1111 (Commercial Design Standards)
- 2) Exhibit B – Proposed Zoning Text Amendments, Section 1110 (Residential Design Standards)
- 3) Exhibit C – Proposed Zoning Text Amendments, Section 1130 (Special Provisions)
- 4) Exhibit D – Notice of Public Hearing, Planning Commission May 7, 2020
- 5) Exhibit E – Notice of Public Hearing, City Council May 27, 2020
- 6) Exhibit F – Planning Commission Staff Report: May 7, 2020

Copies Provided to:

N/A



Sections 1111, 1110, & 1130, 1131, Zoning Text Amendments
Exhibit A - Section 1111.00 Proposed Zoning Text Amendments

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments.

The complete zoning code can be viewed online at:

https://gis.hamilton-oh.gov/webdocs/Dept%20Planning/Hamilton%20H%20-%20Zoning%20Ordinance%2001.14.2020_202001300751072131.pdf

EXHIBIT A

Proposed Text Amendments to City of Hamilton Zoning Ordinance

Words to be **deleted** are ~~lined through~~ - Words to be **added** are **highlighted**

**Commercial Design Standards
Section 1111.00**

1111.31 Exterior Materials (REVISED: OR2017-12-131)

Principal Building Materials

These types of materials may be used for the **principal building material** up to ~~100%~~ of the exterior wall surface area. Permitted primary materials include the following materials; brick, wood “clapboard” type siding, wood composite “clapboard” type siding or cement board “clapboard” type siding, stone, tile, glass or concrete which is formed to have a masonry unit or brick appearance may be used.

If wood “clapboard” type siding, wood composite “clapboard” type siding, cement board “clapboard” type siding, **or concrete which is formed to have a masonry unit or brick appearance may be** is used for ~~more than~~ up to 65% of the exterior of the structure, the remaining 35% of the building shall be required to utilize brick or stone. ~~or concrete which is formed to have a masonry unit or brick appearance.~~

1111.31.3 Sign Materials (REVISED: OR2017-12-131)

Commercial Signs

The base of all monument signs associated with a commercial retail / service use or a commercial office use shall be constructed of brick, stone, or concrete which is formed to have a masonry unit or brick appearance. If the primary building features brick, stone, or concrete which is formed to have a masonry unit or brick appearance, the material used on the base of the sign shall match or be ~~complimentary~~ **complementary** to the building material used on the primary structure. EIFS shall not be permitted to be used on more than 30% of the total façade a monument.

1111.60 Loading / Unloading Areas: Loading and Unloading areas shall be located in the rear of the primary structure. Such areas shall not be visible from the right of way. They shall be screened using a combination of fencing or walls in addition to landscaping and plantings. In the event that walls are used for screening they shall utilize a building material that is the same or ~~complimentary~~ **complementary** to the primary building material on the primary structure. (OR2017-12-131)

1111.90 Fleet Vehicles: Fleet Vehicles associated with a commercial use (not industrial uses) shall be permitted as follows (OR2019-6-44):

- (f) Vehicles identified as Class 4 and above by the Federal Highway Administration Vehicle Classification system ~~are allowed as~~ **require a Conditional Use or Specific Use approval, depending on the zoning district.**

Sections 1111, 1110, & 1130, 1131, Zoning Text Amendments
Exhibit B - Section 1110.00 Proposed Zoning Text Amendments

General Attachment Notice:

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The complete zoning code can be viewed online at:

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EXHIBIT B

Proposed Text Amendments to City of Hamilton Zoning Ordinance

Words to be **deleted** are [~~lined through~~] - Words to be **added** are **highlighted**

Section 1110.00 Residential Design Standards

- 1110.26 Accessory Buildings: Accessory buildings over 200-sq. ft. in area must have the same exterior finish material on ~~a minimum of 50% of~~ all sides as the primary exterior material and approximate color as the front of the existing primary building. **However, if the primary finish of the primary building facade is brick or stone, 100% of the front facade of the accessory building and 25% of facades visible from the street (not alley) must match the primary building material. All materials of the accessory building must follow the regulations found in Section 1110.20**

Sections 1111, 1110, & 1130, 1131, Zoning Text Amendments
Exhibit C - Section 1130, 1131 Proposed Zoning Text Amendments

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments.

The complete zoning code can be viewed online at:
https://gis.hamilton-oh.gov/webdocs/Dept%20Planning/Hamilton%20H%20-%20Zoning%20Ordinance%2001.14.2020_202001300751072131.pdf

EXHIBIT C

Proposed Text Amendments to City of Hamilton Zoning Ordinance
Words to be **deleted** are [~~lined through~~] - Words to be **added** are **highlighted**

1130.00 SPECIAL PROVISIONS

1130.00 Special Provisions:

Special Provisions shall be set forth and are hereby adopted by reference and declared to be a part of this Ordinance.

1131.00 Miscellaneous Provisions

Within the boundaries of any form-based zone district listed in section 1129.00, in the event of any inconsistency between the miscellaneous provisions in this section 1131.00 and any provision of the form-based zone districts in section 1129.00, the provisions of section 1129.00 shall apply. (OR2013-2-22)

1131.10 Dwelling On Any Lot Of Record: In any District where residences are permitted, residences may be erected on any single lot of record at the effective date of adoption or amendment of this Zoning Ordinance, as amended, irrespective of the lot's area or width, ~~provided the applicable yard dimensions, lot and area, and other open space requirements of the District are complied with as nearly as possible, following Section 1131.12 hereof.~~ **provided that the development complies with the applicable requirements of the Zoning District and Residential Design Standards.**

Single family dwellings shall only be permitted in single family zoned districts (R-1, R-2) and in Traditional Neighborhood Zoning Districts, anything but a single-family dwelling requires a Conditional Use.

~~Single family *95 dwellings shall only be permitted in single family districts; a maximum of a two family dwelling shall be permitted on substandard lots in other districts providing the lot area per dwelling unit complies with the requirements of the District in accordance with the following: (OR 86-4-24)~~

(Continued)

ZONING DISTRICT	MINIMUM LOT AREA FOR TWO DWELLING
R-3	5,000 SQ FT
R-4 and R-O	3,000 SQ FT
B-1	4,000 SQ FT
B-2	4,000 SQ FT
B-3	2,000 SQ FT



Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

LEGAL NOTICE TO CITY WEBSITE

City Contact: Ed Wilson, AICP
Date Sent and Posted: April 21, 2020
Run Indefinitely, Until: May 7, 2020

LEGAL NOTICE OF PUBLIC HEARING

The Hamilton Planning Commission will hold a public hearing on **Thursday afternoon, May 7, 2020 at 1:30 PM** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/93410265331>. Webinar ID: 934 1026 5331, on amending the Hamilton Zoning Ordinance (HZO) No. 7503:

APPLICANT: City of Hamilton
REQUEST: Proposed Amendment to the Hamilton Zoning Ordinance (HZO):
Section 1111.00, Commercial Design Standards – pertaining to concrete façade materials.

An application for this project is on file and available for your review at the Planning Department located at 345 High Street, Suite 350, and on the city website at:
<https://www.hamilton-oh.gov/planningcommission>

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205 6099 and when prompted dial the Webinar ID: 934 1026 5331

Or use this website link to access the online meeting:
<https://zoom.us/j/93410265331> Webinar ID: 934 1026 5331.

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least seven (7) days prior to the public hearing. The phone number for the Planning Department is 513.785.7350.

Ed Wilson, AICP

Edward Wilson 999

Associate Planner II
City of Hamilton, Ohio



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APPLICANT: City of Hamilton
REQUEST: Proposed Amendment to the Hamilton Zoning Ordinance (HZO):
Section 1110.00, Residential Design Standards - pertaining to Accessory Structure exterior material (sheds, detached garages).

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REQUEST: Proposed Amendment to the Hamilton Zoning Ordinance (HZO):
Section 1131.00 Special Provisions – pertaining to new residences on existing narrow or smaller lots (non-conforming lots).

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Ed Wilson, AICP

Edward Wilson 999

Associate Planner II
City of Hamilton, Ohio



Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

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City Contact: Ed Wilson, AICP
Date Sent and Posted: April 21, 2020
Run Indefinitely, Until: May 27, 2020

LEGAL NOTICE OF PUBLIC HEARING

The Hamilton City Council will hold a public hearing on **Wednesday evening, May 27, 2020 at 6:00 PM** in the Council Chambers of the City Building located at 345 High Street, on amending the Hamilton Zoning Ordinance (HZO) No. 7503:

APPLICANT: City of Hamilton
REQUEST: Proposed Amendment to the Hamilton Zoning Ordinance (HZO):
Section 1111.00, Commercial Design Standards – pertaining to concrete façade materials.

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Nick Garuckas
City Clerk
City of Hamilton, Ohio

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Nick Garuckas
City Clerk
City of Hamilton, Ohio



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Nick Garuckas
City Clerk
City of Hamilton, Ohio

The filing and payment due date for tax year 2019 has been extended to July 15, 2020. Additionally, the 2020 first and second quarter estimate due dates are now both on July 15, 2020. ×



Services Explore Business
Questions Info



Planning Commission.

The Planning Commission is responsible for reviewing rezoning, planned unit developments, preliminary and final subdivision plats, street and alley vacations, street name changes, and then forwarding recommendations to the City Council for final action.

Commission Procedures

Read the Planning Commission Rules of Procedure (PDF) / Planning Commission By-Laws online.

Planning Commission Forms

General Use Planning Application
Conditional Use Application ***NEW*** -

May 7, 2020 Planning Commission Meeting

Public Hearing | 1:30 P.M. | 345 High Street, Hamilton, OH (Posted: 4/21/2020, 10:40 AM) /
RE-POSTED with updated Zoom Webinar information 4/24/2020, 5:50 AM

PC Agenda 05.07.2020: [Coming Soon]

The meeting is open to the public. However, due to the State of Emergency related to COVID-19, the Planning Department is encouraging those who are comfortable participating in the public hearing remotely to do so. Anyone can use the website link or dial into the meeting using the following information (see below).

Please click the link below to join the webinar:
<https://zoom.us/j/93410265331>. Webinar ID:
934 1026 5331

One tap mobile
+13126266799,,93410265331# US (Chicago)
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2020

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US: +1 929 205 6099 or +1 312 626 6799 or
 +1 669 900 6833 or +1 253 215 8782 or +1
 301 715 8592 or +1 346 248 7799

Webinar ID: 934 1026 5331

Planning Commission Cases and Notice of Public Hearings

This space contains the online posted notices of Public Hearings, upcoming cases, and tentative schedule of upcoming meetings for Planning Commission.

Questions concerning upcoming meetings, cases, or other inquiries can be directed to Ed Wilson, Associate Planner II

Email: edward.wilson@hamilton-oh.gov | Phone: (513) 785-7029

May 7, 2020 - 1:30 PM

PC Agenda 05.07.2020: [TBD]

Please click the link below to join the webinar:

March 19th, 2020 Planning Commission meeting update.

The March 19th, 2020 Planning Commission (TN (Traditional Neighborhood) rezoning proposal, public hearing has been postponed to the May 21st, 2020 meeting. Continual updates will be posted on the Planning Department website and Planning Commission website.

For the TN Rezoning proposal and all other Planning Commission inquiries - the Planning Department encourages people to email or call with their questions and comments. Email: planning@hamilton-oh.gov or (513) 785-7350

Regular Board Meetings.

Planning Commission meetings are public meetings regularly held on the 1st and 3rd Thursday of every month. The first meeting of the month is a day meeting which begins at

<https://zoom.us/j/93410265331>.

Or dial: 1 312-626-6799 then dial the webinar ID number below when prompted.

Webinar ID: 934 1026 5331

Re-Posted with updated Zoom

Webinar information:

April 24, 2020:

**Agenda Item - #1 (PUBLIC HEARING):
Major Amendment to a Planned
Development, Berkeley Square,
Phase 14 (proposes seven (7)
duplexes)**

[Location Map](#) | [Application](#)

**Agenda Item - #2 (PUBLIC HEARING):
Conditional Use for an Auto Repair
Business at 1000 Fairview Avenue**

[Location Map](#) | [Application](#)

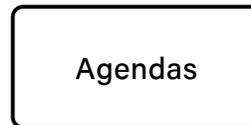
**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
pertaining to Supportive Housing,
Clinics, and Inpatient Rehabilitation**

1:30 pm. The second meeting of the month is an evening meeting which begins at 6:00 pm. Special meeting times and dates will be scheduled as necessary.

All meetings are held in the Hamilton City Council Chambers located at 345 High Street in Hamilton Ohio 45011.

Agenda & Minutes

For agenda and meeting minutes to prior board meetings, please submit a request to brandon.saurber@hamilton-oh.gov



Planning Commission Meeting
May 7, 2020 · 1:30 PM – 3:00 PM

Planning Commission Meeting
May 21, 2020 · 6:00 PM – 8:00 PM

Planning Commission Applications

These are general applications that require review and/or approval from the Planning Commission. Please contact the Planning Department for further information.

Posted: April 21, 2020. Public Hearing
Notice: [Here]

Planned Development (PD) Application

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
pertaining to Automobile Related
Conditional Uses**

Specific Use Application

Conditional Use Application

Posted: April 21, 2020. Public Hearing
Notice: [Here]

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
concerning Residential Design
Standards for accessory structures,
and Special Provisions regarding
nonconforming lots**

Posted: April 21, 2020. Public Hearing
Notice: [Here] & [Here]

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
concerning Commercial Design
Standards, pertaining to concrete
material facade regulations**

Posted: April 21, 2020. Public Hearing
Notice: [Here]

May 21, 2020 - (Tentative, TBD)

**Agenda Item - #1 (PUBLIC HEARING):
TN (Traditional Neighborhood)
Rezoning proposal for specific
properties in Lindenwald and
Prospect Hill.**

Re-posted and updated notice for
May 21, 2020 meeting | Re-posted
March 23, 2020

Lindenwald: Proposed Rezoning Map
[Here] | List of Properties [Here]

Prospect Hill: Proposed Rezoning Map
[Here] | List of Properties [Here]

Public Hearings at City Council (Commission Cases)

City Council: May 27, 2020

**PUBLIC HEARING: Request to amend
the Hamilton Zoning Ordinance
(HZO), - pertaining to Supportive
Housing, Clinics, Inpatient Rehab**

Posted: April 21, 2020. Public Hearing
Notice: [Link]

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), - pertaining to Automobile Related Conditional Uses

Posted: April 21, 2020. Public Hearing
Notice: [\[Link\]](#)

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), Section 1111.00 - Commercial Design Standards (concrete facade item)

Posted: April 21, 2020. Public Hearing
Notice: [\[Link\]](#)

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), Section 1110.00 - Residential Design Standards (for accessory structures) & Section 1131.00 - Special Provisions (non-conforming lots).

Posted: April 21, 2020. Public Hearing
Notice: [\[1110 notice\]](#) & [\[1131 notice\]](#)

Board Members

- Dale McAllister (Chair)
- Matthew Von Stein, Citizen Member
- Patrick Moeller, Mayor
- Joshua A. Smith, City Manager
- Lisa Sandlin, Alternate Member #1
- Larry Bowling, Alternate Member #2
- Shaquila Mathews, School Board Representative
- Teri Horsley, Citizen Member
- David Belew, Citizen Member
- Liz Hayden, Planning Director
Commission Secretary

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Planning Department
 345 High Street, 3rd floor
 Hamilton, Ohio 45011

For the Planning Commission Meeting of May 7, 2020

To: Planning Commission
From: Liz Hayden, Planning Director
 Daniel Tidyman, Associate Planner
 Ed Wilson, AICP, Associate Planner II
Date: April 28, 2020

Subject: AGENDA ITEM #4 – New Business

- 1) Zoning Text Amendments – Commercial Design Standards: Section 1111.00
- 2) Zoning Text Amendments – Residential Design Standards: Section 1110.00
- 3) Zoning Text Amendments – Special Provisions of the Hamilton Zoning Ordinance: Section 1131.00

[\(Hamilton Zoning Ordinance, January 2020, PDF File\)](#)

APPLICANT: City of Hamilton
REQUEST: To Amend the Zoning Ordinance of the City of Hamilton, Ohio

1. To revise Section 1111, Commercial Design Standards (Concrete Material & Class 4 vehicle storage as Conditional Use)
2. To revise Section 1110, Residential Design Standards for detached Accessory Structures
3. To revise Section 1130, 1131, Special Provisions of the Zoning Ordinance, pertaining to New Residential Structures on substandard lots

BASIC INFORMATION	
Applicant/Property Owner	City of Hamilton – Planning Department
Architect/Engineer/Consultant	N/A
Size of Property	N/A
Current Zoning	N/A
Proposed Zoning	N/A
Comp. Plan Land Use Designation	N/A
Special Purpose/CRA	N/A
ADJACENT LAND USE/ZONING INFORMATION	
N/A	
ZONING/DIMENSIONAL INFORMATION	
N/A	





Section A: Introduction & Background

The City of Hamilton Zoning Ordinance (HZO), Ordinance No. 7503 provides regulations for land use and property use, to protect the general public health, safety, and welfare of the city. After periodic review, Staff has determined a need for updating specific portions of the zoning ordinance for clarification:

1) Commercial Design Standards:

Staff determined the need for minor revisions to the Commercial Design Standards of the Zoning Ordinance. The intent of City's Commercial Design Standards (Hamilton Zoning Ordinance, Section 1111.00) is to protect and promote the city's economic vitality through standards for new commercial development, which encourage and reward high quality development while discouraging less attractive and less enduring alternatives. The commercial design standards comprise architecture, building materials, façade materials, landscaping and site design, key components for regulating new and significant renovation-type commercial building projects.

2) Residential Design Standards:

Staff has determined a need for updating the Residential Design Standards pertaining to the exterior finish of accessory structures. The current regulations for accessory structures require at least 50% of all accessory structure facades to match the primary finish of the front façade of the primary structure on the property. This means that if the primary finish on the front façade is brick, 50% of all facades of the accessory structure will be required to have brick.

Over the past few years, the city has received multiple variance requests pertaining to accessory structures with brick finishes as the primary façade. These requirements can be cost prohibitive to the property for both the exterior finish. Staff is requesting changes that increase the required exterior finish material on all facades of the accessory structure.

3) Special Provisions (New Residences on substandard/smaller lots):

In conjunction with the residential standards, Staff determined a need for review of related Special Provisions sections pertaining to constructing new single-family structures on nonconforming lots of existing records. These lots may not meet the area requirements set forth within the zoning district to build a new single-family dwelling, which can include lot width, area, setbacks, and/or other dimensional requirements.





Section B: Petition Review

The proposal consists of a text amendment to the Hamilton Zoning Ordinance (HZO), amending [Section 1111.00](#) Commercial Design Standards, [Section 1110.00](#) Residential Design Standards, and [Section 1131.00](#) Special Provisions / Miscellaneous Provisions.

Section B.1 Revisions to the Commercial Design Standards ([Exhibit A](#))

1. Revise concrete which is formed to have a masonry unit or brick appearance
 - a. **From:** a principal building material that is allowed up to 100% of the building material
 - b. **To:** a principal building material that is allowed up to 65%
2. Change the word “complimentary” to “complementary” in the Commercial Sign and Loading/Unloading Areas sections.
3. Add language specifying that Class 4 vehicles and above as identified by the Federal Highway Administration require a Conditional Use approval when they are not in a Planned Development (PD) zoning district. In Planned Development zoning, this proposal will require a Specific Use approval.

Section B.2 Revisions to the Residential Design Standards ([Exhibit B](#))

Section 1110.26: Accessory Buildings

1. Revise façade requirements for accessory buildings over 200 square feet
 - a. **Current:** Accessory buildings over 200-sq. ft. in area must have the same exterior finish material on a minimum of 50% on all sides as the primary exterior material and approximate color as the front of the existing primary building.
 - b. **Proposed:** removal of the 50% minimum. An accessory structure over 200 square feet would require the same exterior finish as the primary structure.
2. Proposed new language: If the primary finish of the primary building facade is brick or stone, 100% of the front facade of the accessory building and 25% of facades visible from the street (not alley) must match the primary building material.

The change would:





- a. Require the front façade of an accessory structure over 200 square feet to match the primary structure, 100%.
- b. Require other facades visible from a street to match the primary structure by at least 25%.

***Section B.3 Revisions to the Special Provisions ([Exhibit C](#))
(New Residences on substandard or smaller lots)***

Section 1131.10: Dwelling On Any Lot of Record

1. Revision of language for clarification.
2. Simplification of language and the standards for new residences on smaller or substandard lots.
3. New residences on substandard lots must meet the applicable requirements of the Zoning District and the Residential Design Standards.
4. Clarification of new Single-Family dwellings and Multi-Family dwellings on substandard lots. Multi-Family dwellings on substandard lots would require a Conditional Use approval.

Section C: Notification

The City of Hamilton posted notification of the zoning text amendments on the Planning Department's website, per Section 1180.00 of the Hamilton Zoning Ordinance. Staff posted the notification on April 21, 2020, located on the Planning Commission's website (see Commission Website, [here](#); Proof of posting of notices, [here](#); see Notices: [Section 1111](#), [Section 1110](#), [Section 1131](#))

At the time of writing this report, Planning staff has received no phone calls concerning the proposed text amendments.

Section D: Statutes

[Section 1180.00](#) of the Hamilton Zoning Ordinance (HZO) provides the basis and process for amending zoning districts.

Plan Hamilton [[link](#)] is the updated Comprehensive Plan for the city; a living document meant to guide land use and zoning decisions for the present and future of the city. Plan Hamilton includes the objective of revitalizing and reimagining business corridors in Hamilton. Improving the Commercial Design Standards helps to ensure that high quality development occurs in our commercial areas.





Section E: Recommendation

The Planning Commission can approve, amend, or deny the proposed zoning text amendments. If the Planning Commission approves of the proposed text amendments to the Hamilton Zoning Ordinance, Planning recommends the following motion:

1. That the Planning Commission take action to recommend to City Council that they hold a public hearing, prepare legislation, and approve the request to amend the Zoning Ordinance of the City of Hamilton, Ohio, by amending Sections 1111, Commercial Design Standards; 1110, Residential Design Standards; and 1131, Special Provisions, as presented and contained within the attachments submitted within the Planning Staff report.

Section F: Staff Comments / Basis for Recommendation

Staff recommends the proposed amendments for the following reasons:

1. Staff recommends that treating concrete which is formed to have a masonry unit or brick appearance similar to wood composite “clapboard” as a building material is more aligned with Hamilton’s objective to promote the use of high-quality materials than treating it like brick or stone.
2. This change will further Plan Hamilton’s objective to ensure high quality development on Hamilton’s commercial corridors.
3. The proposed amendments are in keeping with the purposes of the Commercial Design Standards, the Residential Design Standards, and the Special Provisions of the Zoning Ordinance.
4. Staff received multiple variance requests pertaining to accessory structures with brick finishes as the primary façade due to cost and feasibility. The proposed text amendments are required to address the frequency of variance requests to the Hamilton Zoning Ordinance.
5. The revised regulations allow for residences on nonconforming lots while providing increased review and oversight of multi-family residences through the Conditional Use process.
6. The proposed text amendments align the Hamilton Zoning Ordinance with State of Ohio best practices.





Section G: Attachments:

- 1) [Exhibit A](#) – Amendments Section 1111.00 Commercial Design Standards
- 2) [Exhibit B](#) – Amendments Section 1110.00 Residential Design Standards
- 3) [Exhibit C](#) – Amendments Section 1130.00, 1131.00 Special Provisions
- 4) [Exhibit D](#) – Public Hearing Notices for Zoning Text Amendment Requests



ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ZONING ORDINANCE NO. 7503, SECTION 1111.00 "COMMERCIAL DESIGN STANDARDS", SECTION 1110.00 "RESIDENTIAL DESIGN STANDARDS", AND SECTION 1130.00 "SPECIAL PROVISIONS OF THE ZONING ORDINANCE". (City of Hamilton, Applicant).

WHEREAS, the City of Hamilton Zoning Ordinance (HZO), Ordinance No. 7503 provides regulations for land use and property use, to protect the general public health, safety, and welfare of the city; and

WHEREAS, after periodic review, Staff determined a need for updating specific portions of the zoning ordinance for clarification; and

WHEREAS, Staff determined a need for revision of the City's Commercial Design Standards (Hamilton Zoning Ordinance, Section 1111.00), the intent of which is to protect and promote the city's economic vitality through standards for new commercial development, which encourage and reward high quality development while discouraging less attractive and less enduring alternatives; and

WHEREAS, Planning Staff determined a need for updating the Residential Design Standards (Hamilton Zoning Ordinance, Section 1110.00), pertaining to the exterior finish of accessory structures, due to multiple variance requests pertaining to cost and feasibility concerns; and

WHEREAS; Planning Staff determined a need for review of related Special Provisions (Hamilton Zoning Ordinance, Section 1130.00) sections pertaining to the construction of new single-family structures and multi-family structures on nonconforming lots of existing record; and

WHEREAS, the Planning Commission on May 7, 2020 conducted a public hearing regarding the proposed changes, to receive public input and for review of the proposed text amendments; and

WHEREAS, public notice included legal advertisement published on the Hamilton City Website, pursuant revised to local ordinance (Section 1180.00 "Amendments", Hamilton Zoning Ordinance); and

WHEREAS, Planning Commission approved said zoning text amendments and recommended City Council approval; and

WHEREAS, this Council desires to adopt such zoning text amendments to the City's Zoning Ordinance No. 7503 as proposed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the Hamilton Zoning Ordinance No. 7503, is hereby amended as set forth in Exhibit No.1 attached hereto, incorporated herein by reference and made a part.

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

Ordinance No. _____ (Cont'd)

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1

**Commercial Design Standards
Section 1111.00**

1111.31 Exterior Materials (REVISED: OR2017-12-131)

Principal Building Materials

These types of materials may be used for the principal building material of the exterior wall surface area. Permitted primary materials include the following materials; brick, wood “clapboard” type siding, wood composite “clapboard” type siding or cement board “clapboard” type siding, stone, tile, glass or concrete which is formed to have a masonry unit or brick appearance may be used.

If wood “clapboard” type siding, wood composite “clapboard” type siding, cement board “clapboard” type siding, or concrete which is formed to have a masonry unit or brick appearance is used for up to 65% of the exterior of the structure, the remaining 35% of the building shall be required to utilize brick or stone.

1111.31.3 Sign Materials (REVISED: OR2017-12-131)

Commercial Signs

The base of all monument signs associated with a commercial retail / service use or a commercial office use shall be constructed of brick, stone, or concrete which is formed to have a masonry unit or brick appearance. If the primary building features brick, stone, or concrete which is formed to have a masonry unit or brick appearance, the material used on the base of the sign shall match or be complementary to the building material used on the primary structure. EIFS shall not be permitted to be used on more than 30% of the total façade a monument.

1111.60 Loading / Unloading Areas: Loading and Unloading areas shall be located in the rear of the primary structure. Such areas shall not be visible from the right of way. They shall be screened using a combination of fencing or walls in addition to landscaping and plantings. In the event that walls are used for screening they shall utilize a building material that is the same or complementary to the primary building material on the primary structure. (OR2017-12-131)

Ordinance No. _____ (Cont'd)

1111.90 Fleet Vehicles: Fleet Vehicles associated with a commercial use (not industrial uses) shall be permitted as follows (OR2019-6-44):

- (f) Vehicles identified as Class 4 and above by the Federal Highway Administration Vehicle Classification system require a Conditional Use or Specific Use approval, depending on the zoning district.

Section 1110.00 Residential Design Standards

1110.26 Accessory Buildings: Accessory buildings over 200-sq. ft. in area must have the same exterior finish material on all sides as the primary exterior material and approximate color as the front of the existing primary building. However, if the primary finish of the primary building facade is brick or stone, 100% of the front facade of the accessory building and 25% of facades visible from the street (not alley) must match the primary building material. All materials of the accessory building must follow the regulations found in Section 1110.20

Section 1130.00 Special Provisions

1130.00 Special Provisions:

Special Provisions shall be set forth and are hereby adopted by reference and declared to be a part of this Ordinance.

1131.00 Miscellaneous Provisions

Within the boundaries of any form-based zone district listed in section 1129.00, in the event of any inconsistency between the miscellaneous provisions in this section 1131.00 and any provision of the form-based zone districts in section 1129.00, the provisions of section 1129.00 shall apply. (OR2013-2-22)

Ordinance No. _____ (Cont'd)

1131.10 Dwelling On Any Lot Of Record: In any District where residences are permitted, residences may be erected on any single lot of record at the effective date of adoption or amendment of this Zoning Ordinance, as amended, irrespective of lot width and area, provided that the development complies with the applicable requirements of the Zoning District and Residential Design Standards.

Single family dwellings shall only be permitted in single family zoned districts (R-1, R-2) and in Traditional Neighborhood Zoning Districts, anything but a single-family dwelling requires a Conditional Use.

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Liz Hayden, Planning Director
Ed Wilson, AICP, Associate Planner II

Agenda Item: An ordinance amending certain sections of Zoning Ordinance No. 7503, related to medical clinics, inpatient rehabilitation facilities, and supportive housing, (City of Hamilton, Applicant).

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input checked="" type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 5-27-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 6-10-2020 <input type="checkbox"/> Resolution Date: <input checked="" type="checkbox"/> Public Hearing Date: 5-27-2020	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other): 5-13-2020 Caucus Report City Council Meeting Planning Commission: 5-7-2020	
Contract	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$4000.00	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: \$4000.00	
	Source Funds:	

Policy Issue

Does City Council wish to amend the Zoning Ordinance of the City of Hamilton, Ohio to add five (5) new land use types related to Medical Clinics and Supportive Housing and eliminate two (2) land use types related to Alcohol and Drug Addiction Treatment Clinics?

Policy Alternative(s)

Council may choose not to adopt such legislation to amend the Zoning Ordinance or may request changes to the text proposed to be added to the Zoning Ordinance.

Staff Recommendation

Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission and adopts the necessary legislation to amend the Zoning Ordinance of the City of Hamilton, Ohio for the following chapters:



1. Section 1108.00, Glossary
2. Section 1117.00, R-3 (One to Four Family Residence District)
3. Section 1118.00, R-4 (Multi-Family Residence District)
4. Section 1118.100, RPD (Residential Planned Development District)
5. Section 1119.00, R-O (Multi-Family Office District)
6. Section 11119.100, OPD (Office Planned Development District)
7. Section 1120.00, B-1 (Neighborhood Business District)
8. Section 1121.00, B-2 (Community Business District)
9. Section 1122.00, B-3 (Central Business District)
10. Section 1122.100, BPD (Business Planned Development District)
11. Section 1123.00, I-1 (Limited Industrial District)
12. Section 1124.00, I-2 (Industrial District)
13. Section 1125.00, IPD (Industrial Planned Development District)
14. Section 1129.00, Form-Based Zoning Districts
15. Section 1130.100, EM-UPD (Entertainment Mixed Use Development District)
16. Section 1134.400, TN-3 (Traditional Neighborhood Three District)
17. Section 1134.500, TN-4 (Traditional Neighborhood Four District)

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 1180.00, City of Hamilton Zoning Ordinance: Amendments.
- Plan Hamilton, the City’s Comprehensive Plan.

Fiscal Impact Summary

The City’s current fiscal impact includes work completed by Planning consulting firm McBride Dale Clarion, and staff time, estimated at approximately \$4,000.00.

Background Information

The City of Hamilton Planning Department is requesting text amendments to the City’s Zoning Ordinance that are related to two (2) separate changes.

First, is the proposed addition of five (5) new use categories to the Hamilton Zoning Ordinance: Supportive Housing, Large; Supportive Housing, Small; Clinic, High Intensity; Clinic, Low Intensity; and Inpatient Rehabilitation Facility. Second, is the proposed elimination of two (2) use categories pertaining to the proposed use categories: Alcohol and Drug Addiction Treatment Clinics, Inpatient, and Outpatient. An overview of the proposed changes has been outlined below (see Exhibit A for specific revisions):

Medical Clinics

Currently, the City of Hamilton Zoning Ordinance treats all medical clinics, ranging from small dental offices to large urgent cares, the same. The only exception is Inpatient and Outpatient Alcohol and Drug Addiction Treatment Clinics. After a review of planning & zoning best practices, Planning Staff is recommending that Clinics and Inpatient and Outpatient Alcohol and Drug Addiction Treatment Clinics are eliminated and replaced with the following new categories:

1. Clinic, High Intensity: A clinic that has more than 30 patrons on average per day.
2. Clinic, Low Intensity: A clinic that has 30 patrons or less on average per day.
3. Inpatient Rehabilitation Facility: A facility that provides inpatient care of persons requiring physical, mental, and/or medical care for 24 hours or more, but that does not require hospitalization.

These proposed changes allow the Hamilton Zoning Ordinance to better address intensity of use and manage these in different zoning districts. The proposed new use categories are also in line with best practices for zoning in the State



of Ohio.

Supportive Housing

Currently, the City of Hamilton Zoning Ordinance does not include a land use category for homeless shelters, domestic violence shelters, and transitional housing. Planning staff is recommending the addition of the following definition and two (2) new use categories:

1. Supportive Housing: A dwelling or facility that provides access to health and social services, such as mental health and addiction therapy, medical care, and case management, to assist tenants who reside in the dwelling or facility. The types of Supportive Housing contemplated by this definition are:
 - a. A shelter for persons experiencing temporary homelessness.
 - b. A domestic violence shelter, which is a public or private building or structure housing residents for the purpose of the rehabilitation or special care for victims of domestic violence or emotional or mental abuse;
 - c. A recovery or rehabilitation residence for people who are recovering from substance addiction and which includes services such as peer support, employment assistance, and community/house meetings;
 - d. A transitional house that serves as a short-term stay for an individual or household that is either waiting to secure permanent housing or has secured permanent housing that is not immediately available.
2. Supportive Housing, Large: A supportive housing use where more than six (6) persons reside.
3. Supportive Housing, Small: A supportive housing use where three to five (3 to 5) persons reside.

These proposed changes allow the Hamilton Zoning Ordinance to better address intensity and density presented by this use. The proposal regulations would also help with the management of uses in different zoning districts.

Zoning District Regulations

The City of Hamilton Planning Department proposes that the new land uses will be regulated in the following way:

Medical Clinics, Low Intensity

- Permitted Use in the R-0, B-1, B-2, B-3, BPD, I-1, I-2, NIA, MS-1, MS-2, MS-3, DT-1, DT-2, DT-3, UCP-1, UCP-2, EM-UPD Zoning Districts
- Conditional Use in TN-3, TN-4, R-3 and R-4 Zoning Districts
- Specific Use in RPD, OPD, and IPD Zoning Districts

Medical Clinics, High Intensity

- Conditional Use in B-2, DT-1, DT-2, DT-3, UCP-1, UCP-2, I-1, I-2 Zoning Districts
- Specific Use in BPD, IPD, and EM-UPD Zoning Districts



Inpatient Rehabilitation Facilities

- Accessory Use in RPD Zoning District
- Specific Use in OPD, BPD, and IPD Zoning Districts
- Conditional Use in B-2, B-3, I-1, I-2 Zoning Districts

Supportive Housing, Small

- Conditional Use in R-3 and R-4 Zoning Districts

Supportive Housing, Large

- Conditional Use in I-1 and I-2 Zoning Districts
- Specific Use in IPD Zoning District

The following standard conditions are proposed to be included in the Hamilton Zoning Ordinance:

Clinics, Low Intensity: Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.



Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

Supportive Housing, Small: As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own a small supportive housing facility shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

Supportive Housing, Large: As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own large Supportive Housing Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

Planning Commission Recommendation

After conducting a public hearing on May 7, 2020, the Planning Commission recommended Council approve the amendment to the Zoning Ordinance of the City of Hamilton, Ohio related to Supportive Housing and Medical Clinics. The recommended changes that are reflected in the Council Staff Report and Attachments including:

- Adding a “history criminal violations” to the list of conditions to consider for new medical clinics, inpatient rehabilitation centers, and supportive housing.
- Eliminating the number of employees from the definition of High Intensity and Low Intensity Clinics, making the determining intensity factor the number of patrons alone.

It is the recommendation of the Planning Department that Council receives this report, concurs in the recommendation of the Planning Staff and the Planning Commission, conducts a public hearing, and passes the necessary legislation.

Attached Information

- 1) Exhibit A – Proposed Hamilton Zoning Text Amendments
- 2) Exhibit B – Notice of Public Hearing, Planning Commission May 7, 2020
- 3) Exhibit C – Notice of Public Hearing, City Council May 27, 2020
- 4) Exhibit D – Planning Commission Staff Report: May 7, 2020

Copies Provided to:

N/A



Supportive Housing, Clinics: Zoning Text Amendments
Exhibit A - Proposed Amendments

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments.

The complete zoning code can be viewed online at:

https://gis.hamilton-oh.gov/webdocs/Dept%20Planning/Hamilton%20H%20-%20Zoning%20Ordinance%2001.14.2020_202001300751072131.pdf

EXHIBIT A

Proposed Text Amendments to City of Hamilton Zoning Ordinance

Words to be **deleted** are [~~lined through~~] - Words to be **added** are **highlighted**

NOTE: If a numbered section is deleted, all remaining sections shall be renumbered accordingly.

Glossary Section 1108.00

Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient: shall mean any business, building, structure, or land used for the inpatient treatment, counseling, and administering of addiction medicine for recovery purposes. (OR 2014 8-71)

Alcohol and Drug Addiction Treatment Clinics & Facilities, Outpatient: shall mean any business, building, structure, or land used for the outpatient treatment, counseling, and administering of addiction medicine for recovery purposes. (OR 2014 8-71)

Clinic, High Intensity: A clinic that has more than 30 patrons on average per day.

Clinic, Low Intensity: A clinic that has 30 patrons or less on average per day.

Inpatient Rehabilitation Facility: A facility that provides inpatient care of persons requiring physical, mental, and/or medical care for 24 hours or more, but that does not require hospitalization.

Outpatient Care: The care of patients that does not include an overnight stay (less than 24 hours in length).

Supportive Housing: A dwelling or facility that provides access to health and social services, such as mental health and addiction therapy, medical care, and case management, to assist tenants who reside in the dwelling or facility. The types of Supportive Housing contemplated by this definition are:

- (A) A shelter for persons experiencing temporary homelessness;
- (B) A domestic violence shelter, which is a public or private building or structure housing residents for the purpose of the rehabilitation or special care for victims of domestic violence or emotional or mental abuse;
- (C) A recovery or rehabilitation residence for people who are recovering from substance addiction and which includes services such as peer support, employment assistance, and community/house meetings;
- (D) A transitional house that serves as a short-term stay for an individual or household that is either waiting to secure permanent housing or has secured permanent housing that is not immediately available.

Supportive Housing, Large: A supportive housing use where six or more persons reside.

Supportive Housing, Small: A supportive housing use where three to five persons reside.

**“R-3” One to Four Family Residence District
Section 1117.00**

1117.30 Conditional Uses:

1117.32 Clinics, Low Intensity: ~~Medical clinics including the offices of physicians, surgeons, and dentists for the care, diagnosis and treatment of persons in need of medical or surgical attention, but not including overnight accommodations for patients~~ Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

(Renumeration continues from this point)

1117.37 Supportive Housing, Small:

As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own a small supportive housing facility shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

(Renumeration continues from this point)

**“R-4” Multi-Family Residential District
Section 1118.00**

1118.20: Principal Permitted Uses:

~~1118.24 Clinics: Medical clinics, including the offices of physicians, surgeons and dentists for the care, diagnosis and treatment of persons in need of medical or surgical attention, but not including overnight accommodations for patients~~

**“RPD” Residential Planned Development
Section 1118.100**

1118.142.1 Permitted Commercial Ancillary Uses: Ancillary uses, meeting the provisions of Section 1118.142 may include uses similar to, but not limited to, the following:

Inpatient Rehabilitation Facilities

**“R-0” Multi-Family Residence – Office District
Section 1119.00**

1119.30 Conditional Uses:

1119.31 Transient Accommodations: ~~Transient homes, h~~Hotels, motels, motor hotels and bed and breakfasts for any number of guests; including incidental commercial accessory uses, when located on a lot having frontage on a street officially designated as a thoroughfare on the "Official Thoroughfare Plan". (OR 93-3-26)

**“OPD” Office Planned Development District
Section 1119.100**

1119.130 Uses Requiring Specific Approval:

1119.132 ~~Treatment Facilities,~~ Educational Institutions and Juvenile Correctional Facilities which are publicly owned and operated by a municipal, county, state, or federal government.

1119.133 **Inpatient Rehabilitation Facilities:**

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

**“B-1” Neighborhood Business District
Section 1120.00**

1120.20 Principal Permitted Uses:

- 1120.29.2 Clinic, Low Intensity:** Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention, must comply with the following conditions:
- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
 - Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
 - Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1120.30 Conditional Uses:

- 1120.40 Clinics, High Intensity:** High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:
- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
 - A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
 - Designated outdoor smoking areas shall be located to the rear of the principal building.
 - Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

~~1120.38.1~~ **1120.40.1** Prohibited Uses: Pawn Shops, Check Cashing, Bail Bonds, Pay Day Lending, Car Title Loan Business, Tattoo & Piercing, and Medical Marijuana Cultivation, Processing, or Retail Dispensing (OR 2014-5-34) (REVISED: OR2017-12-132)

**“B-2” Community Business District
Section 1121.00**

1121.30 Conditional Uses:

1121.39.4 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

1121.39.5 Clinics, High Intensity: High Intensity Clinics as defined in Section

1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

**“B-3” Central Business District
Section 1122.00**

1122.30 Conditional Uses:

1122.39 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, or health code violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

1122.39.1 Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

“I-1” Limited Industrial District
Section 1123.00

1123.30 Conditional Uses:

~~1123.38.5 — Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient:
(OR 2014-8-71)~~

~~As Defined in Section 1108.00 and must comply with the following conditions:~~

- ~~● No Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient shall be located within five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a school, public library, public park, church, or religious institution.~~
- ~~● No Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient shall be located within a radius of 500 feet of any business that serves and/or sells Alcoholic beverages.~~
- ~~● In order to prevent the excessive concentration of licensed Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient within the same block or within a 500 foot radius of another Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient.~~

~~1123.38.6 — Alcohol and Drug Addiction Treatment Clinics & Facilities, Outpatient:
(OR 2014-8-71)~~

~~As Defined in Section 1108.00 and must comply with the following conditions:~~

- ~~● No Alcohol and Drug Addiction Treatment Clinics & Facilities, Outpatient shall be located within five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a school, public library, public park, church, or religious institution.~~
- ~~● No Alcohol and Drug Addiction Treatment Clinics & Facilities, Outpatient shall be located within a radius of 500 feet of any business that serves and/or sells Alcoholic beverages.~~
- ~~● In order to prevent the excessive concentration of licensed Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient within the same block or within a 500 foot radius of another Alcohol and Drug Addiction Treatment Clinics and Facilities, Outpatient.~~

(Continued)

~~1123.38.7~~ **1123.38.5** Residential Facility, Small: As Defined in Section 1108.00 (OR 2014-8-71)

~~1123.38.8~~ **1123.38.6** Residential Facility, Large: (OR 2014-8-71)
As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Large Residential Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Large Residential Facility within the same block or within a 500 foot radius of another Large Residential Facility.

1123.38.7 Supportive Housing, Large:

As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own large Supportive Housing facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1123.38.8 Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1123.38.9 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

**“I-2” Industrial District
Section 1124.00**

1124.30 Conditional Uses:

~~1124.39.9 Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient:
(OR 2014 8 71)~~

~~As Defined in Section 1108.00 and must comply with the following conditions:~~

- ~~• No Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient shall be located within five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a school, public library, public park, church, or religious institution.~~
- ~~• No Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient shall be located within a radius of 500 feet of any business that serves and/or sells Alcoholic beverages.~~
- ~~• In order to prevent the excessive concentration of licensed Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient within the same block or within a 500 foot radius of another Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient.~~

~~1124.39.10 Alcohol and Drug Addiction Treatment Clinics & Facilities, Outpatient:
(OR 2014 8 71)~~

~~As Defined in Section 1108.00 and must comply with the following conditions:~~

- ~~• No Alcohol and Drug Addiction Treatment Clinics & Facilities, Outpatient shall be located within five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a school, public library, public park, church, or religious institution.~~
- ~~• No Alcohol and Drug Addiction Treatment Clinics & Facilities, Outpatient shall be located within a radius of 500 feet of any business that serves and/or sells Alcoholic beverages.~~

- ~~In order to prevent the excessive concentration of licensed Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Alcohol and Drug Addiction Treatment Clinics and Facilities, Inpatient within the same block or within a 500 foot radius of another Alcohol and Drug Addiction Treatment Clinics and Facilities, Outpatient.~~

1124.39.13 Supportive Housing, Large:

As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own large Supportive Housing facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1124.39.14 Clinics, High Intensity: High Intensity Clinics as defined in Section

1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

(Continued)

1124.39.15 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

1124.39.13 1124.39.16 Self-Storage Facility:

1124.39.14 1124.39.17 Instant Bingo: Instant Bingo as defined in Section 1108.00 (REVISED: OR 2019-9-85)

**“IPD” Industrial Planned Development District
Section 1125.00**

1125.30 Uses Requiring Specific Approval:

1125.37 Alcohol and Drug Addiction Treatment Clinics & Facilities, Inpatient or Outpatient (REVISED OR 2019 9 86)

Minimum Lot Size: — Ten (10) Acres

Use Setbacks: 1. Setback five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a school, public library, public park, church, or religious institution.

2. Setback five hundred (500) feet of any business that serves and/or sells Alcoholic beverages.

**Form-Based Zoning Districts
Section 1129.00**

1129.30 Permitted Uses:

- (1) A “P” in a cell of this table indicates that the land use is allowed by right in that form-based zone district, subject to compliance with those standards referenced in the right-hand column of the table, Additional Requirements, any restrictions on uses contained in sections 1129.43 Building Types, and all other applicable provisions of this zoning ordinance. Any use allowed by right as a primary use of land is also permitted as an accessory use to a different permitted or approved conditional use of land on the same parcel.

- (2) A “U” in a cell of this table indicates that the land use is allowed by right in that form-based zone district only above the ground floor of the building, subject to compliance with those standards referenced in the right-hand column of the table, Additional Requirements, any restrictions on uses contained in sections 1129.43 Building Types, and all other applicable provisions of this zoning ordinance.

- (3) A “C” in a cell of the table indicates that the land use is allowed in that form-based zone district only if specifically authorized by the City Council in accordance with the provisions in Section 1155.00. If the use is authorized, it shall be subject to compliance with those standards referenced in the right-hand column of the table, Additional Requirements, any restrictions on uses contained in sections 1129.43 Building Types, and all other applicable provisions of this zoning ordinance. (REVISED OR2015-9-80)

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS												ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1		UCP-2
Clinics														
Medical Clinics, Low Intensity						P	P	P	P	P	P	P	P	
Offices of Physicians, Surgeons or Dentists Clinics, High Intensity						P	P	P	CP	CP	CP	CP	CP	

EM-UPD (Entertainment Mixed-Use Planned Development)
Section 1130.100

1130.120 Principal Permitted Uses

1130.120.9 ~~Medical Offices and Clinics, High Intensity~~: Such uses and services provided shall be accessory or ancillary to other uses provided in the development area such as orthopedic services or sports medicine **uses, or entertainment uses**. Such uses shall not include overnight accommodations for patients.

1130.120.10 Clinics, Low Intensity

~~1130.120.10~~ **1130.120.11** Offices: Business and professional offices

(Renumeration continues from this point)

TN-3 (Traditional Neighborhood-3) District
Section 1131.400

1131.460 Conditional Uses

1131.461.3.10 ~~Clinics, Low Intensity~~: ~~Medical clinics (including the offices of physicians, surgeons, and dentists) for the care, diagnosis and treatment of persons in need of medical or surgical attention, but not including overnight accommodations for patients~~ **Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:**

- **Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.**
- **Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.**
- **Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.**

TN-4 (Traditional Neighborhood-4) District
Section 1131.500

1131.530 Principal Permitted Uses

~~1131.536~~ ~~Clinics: Medical clinics (including the offices of physicians, surgeons, and dentists) for the care, diagnosis and treatment of persons in need of medical or surgical attention, but expressly excluding overnight accommodations for patients.~~

~~1131.536~~ **1131.537** Licensed Day Care Facilities, Children's Nurseries, or Similar Uses

(Renumeration continues from this point)

1131.560 Conditional Uses

1131.567 Clinics, Low Intensity: Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.



Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

LEGAL NOTICE TO CITY WEBSITE

City Contact: Ed Wilson, AICP
Date Sent and Posted: April 21, 2020
Run Indefinitely, Until: May 7, 2020

LEGAL NOTICE OF PUBLIC HEARING

The Hamilton Planning Commission will hold a public hearing on **Thursday afternoon, May 7, 2020 at 1:30 PM** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/93410265331>. Webinar ID: 934 1026 5331, on amending the Hamilton Zoning Ordinance (HZO) No. 7503:

APPLICANT: City of Hamilton

REQUEST: Proposed Amendments to the Hamilton Zoning Ordinance (HZO) pertaining to Supportive Housing, Clinics, and Inpatient Rehabilitation:

Section 1108.00, Glossary;
Section 1117.00, "R-3" One-to-Four Family Residence District;
Section 1118.00, "R-4" Multi-Family Residential District;
Section 1118.100, "RPD" Residential Planned Development District;
Section 1119.00, "R-0" Multi-Family Residence – Office District;
Section 1119.100, "OPD" Office Planned Development District;
Section 1120.00, "B-1" Neighborhood Business District;
Section 1121.00, "B-2" Community Business District;
Section 1122.00, "B-3" Central Business District;
Section 1123.00, "I-1" Limited Industrial District;
Section 1124.00, "I-2" Industrial District;
Section 1125.00, "IPD" Industrial Planned Development District;
Section 1129.00, Form-Based Zoning Districts (DT-1, DT-2, DT-3, MS-1, MS-2 & MS-3);
Section 1130.100, "EM-UPD" Entertainment Mixed-Use Planned Development District;
Section 1131.400, "TN-3" Traditional Neighborhood-3 District;
Section 1131.500, "TN-4" Traditional Neighborhood-4 District.

An application for this project is on file and available for your review at the Planning Department located at 345 High Street, Suite 350, and on the city website at: <https://www.hamilton-oh.gov/planningcommission>

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205 6099 and when prompted dial the Webinar ID: 934 1026 5331

Or use this website link to access the online meeting:
<https://zoom.us/j/93410265331> Webinar ID: 934 1026 5331.

(Continued on the Next Page)



Planning Department

345 High Street, 3rd floor
Hamilton, Ohio 45011

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least seven (7) days prior to the public hearing. The phone number for the Planning Department is 513.785.7350.

Ed Wilson, AICP

Edward Wilson AICP

Associate Planner II
City of Hamilton, Ohio



Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

LEGAL NOTICE TO CITY WEBSITE

City Contact: Ed Wilson, AICP
Date Sent and Posted: April 21, 2020
Run Indefinitely, Until: May 27, 2020

LEGAL NOTICE OF PUBLIC HEARING

The Hamilton City Council will hold a public hearing on **Wednesday evening, May 27, 2020 at 6:00 PM** in the Council Chambers of the City Building located at 345 High Street, on amending the Hamilton Zoning Ordinance (HZO) No. 7503:

APPLICANT: City of Hamilton
REQUEST: Proposed Amendments to the Hamilton Zoning Ordinance (HZO) pertaining to Supportive Housing, Clinics, and Inpatient Rehabilitation:

- Section 1108.00, Glossary;
- Section 1117.00, "R-3" One-to-Four Family Residence District;
- Section 1118.00, "R-4" Multi-Family Residential District;
- Section 1118.100, "RPD" Residential Planned Development District;
- Section 1119.00, "R-0" Multi-Family Residence – Office District;
- Section 1119.100, "OPD" Office Planned Development District;
- Section 1120.00, "B-1" Neighborhood Business District;
- Section 1121.00, "B-2" Community Business District;
- Section 1122.00, "B-3" Central Business District;
- Section 1123.00, "I-1" Limited Industrial District;
- Section 1124.00, "I-2" Industrial District;
- Section 1125.00, "IPD" Industrial Planned Development District;
- Section 1129.00, Form-Based Zoning Districts (DT-1, DT-2, DT-3, MS-1, MS-2 & MS-3);
- Section 1130.100, "EM-UPD" Entertainment Mixed-Use Planned Development District;
- Section 1131.400, "TN-3" Traditional Neighborhood-3 District;
- Section 1131.500, "TN-4" Traditional Neighborhood-4 District.

An application for this project is on file and available for your review at the Planning Department located at 345 High Street, Suite 350, and on the city website at:
<https://www.hamilton-oh.gov/planningcommission>

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least seven (7) days prior to the public hearing. The phone number for the Planning Department is 513.785.7350.

Nick Garuckas
City Clerk
City of Hamilton, Ohio

The filing and payment due date for tax year 2019 has been extended to July 15, 2020. Additionally, the 2020 first and second quarter estimate due dates are now both on July 15, 2020. ×



Services Explore Business
Questions Info



Planning Commission.

The Planning Commission is responsible for reviewing rezoning, planned unit developments, preliminary and final subdivision plats, street and alley vacations, street name changes, and then forwarding recommendations to the City Council for final action.

Commission Procedures

Read the Planning Commission Rules of Procedure (PDF) / Planning Commission By-Laws online.

Planning Commission Forms

General Use Planning Application
Conditional Use Application ***NEW*** -

May 7, 2020 Planning Commission Meeting

Public Hearing | 1:30 P.M. | 345 High Street, Hamilton, OH (Posted: 4/21/2020, 10:40 AM) /
RE-POSTED with updated Zoom Webinar information 4/24/2020, 5:50 AM

PC Agenda 05.07.2020: [Coming Soon]

The meeting is open to the public. However, due to the State of Emergency related to COVID-19, the Planning Department is encouraging those who are comfortable participating in the public hearing remotely to do so. Anyone can use the website link or dial into the meeting using the following information (see below).

Please click the link below to join the webinar:
<https://zoom.us/j/93410265331>. Webinar ID:
934 1026 5331

One tap mobile
+13126266799,,93410265331# US (Chicago)
+19292056099,,93410265331# US (New York)

Or Telephone:
Dial (for higher quality, dial a number based on

2020

your current location):

US: +1 929 205 6099 or +1 312 626 6799 or
 +1 669 900 6833 or +1 253 215 8782 or +1
 301 715 8592 or +1 346 248 7799

Webinar ID: 934 1026 5331

Planning Commission Cases and Notice of Public Hearings

This space contains the online posted notices of Public Hearings, upcoming cases, and tentative schedule of upcoming meetings for Planning Commission.

Questions concerning upcoming meetings, cases, or other inquiries can be directed to Ed Wilson, Associate Planner II

Email: edward.wilson@hamilton-oh.gov | Phone: (513) 785-7029

May 7, 2020 - 1:30 PM

PC Agenda 05.07.2020: [TBD]

Please click the link below to join the webinar:

March 19th, 2020 Planning Commission meeting update.

The March 19th, 2020 Planning Commission (TN (Traditional Neighborhood) rezoning proposal, public hearing has been postponed to the May 21st, 2020 meeting. Continual updates will be posted on the Planning Department website and Planning Commission website.

For the TN Rezoning proposal and all other Planning Commission inquiries - the Planning Department encourages people to email or call with their questions and comments. Email: planning@hamilton-oh.gov or (513) 785-7350

Regular Board Meetings.

Planning Commission meetings are public meetings regularly held on the 1st and 3rd Thursday of every month. The first meeting of the month is a day meeting which begins at

<https://zoom.us/j/93410265331>.

Or dial: 1 312-626-6799 then dial the webinar ID number below when prompted.

Webinar ID: 934 1026 5331

Re-Posted with updated Zoom

Webinar information:

April 24, 2020:

**Agenda Item - #1 (PUBLIC HEARING):
Major Amendment to a Planned
Development, Berkeley Square,
Phase 14 (proposes seven (7)
duplexes)**

[Location Map](#) | [Application](#)

**Agenda Item - #2 (PUBLIC HEARING):
Conditional Use for an Auto Repair
Business at 1000 Fairview Avenue**

[Location Map](#) | [Application](#)

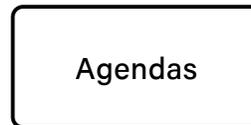
**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
pertaining to Supportive Housing,
Clinics, and Inpatient Rehabilitation**

1:30 pm. The second meeting of the month is an evening meeting which begins at 6:00 pm. Special meeting times and dates will be scheduled as necessary.

All meetings are held in the Hamilton City Council Chambers located at 345 High Street in Hamilton Ohio 45011.

Agenda & Minutes

For agenda and meeting minutes to prior board meetings, please submit a request to brandon.saurber@hamilton-oh.gov



Planning Commission Meeting
May 7, 2020 · 1:30 PM – 3:00 PM

Planning Commission Meeting
May 21, 2020 · 6:00 PM – 8:00 PM

Planning Commission Applications

These are general applications that require review and/or approval from the Planning Commission. Please contact the Planning Department for further information.

Posted: April 21, 2020. Public Hearing
Notice: [Here]

Planned Development (PD) Application

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
pertaining to Automobile Related
Conditional Uses**

Specific Use Application

Conditional Use Application

Posted: April 21, 2020. Public Hearing
Notice: [Here]

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
concerning Residential Design
Standards for accessory structures,
and Special Provisions regarding
nonconforming lots**

Posted: April 21, 2020. Public Hearing
Notice: [Here] & [Here]

**Agenda Item - (PUBLIC HEARING):
Proposed Amendments to the City
of Hamilton Zoning Ordinance,
concerning Commercial Design
Standards, pertaining to concrete
material facade regulations**

Posted: April 21, 2020. Public Hearing
Notice: [Here]

May 21, 2020 - (Tentative, TBD)

**Agenda Item - #1 (PUBLIC HEARING):
TN (Traditional Neighborhood)
Rezoning proposal for specific
properties in Lindenwald and
Prospect Hill.**

Re-posted and updated notice for
May 21, 2020 meeting | Re-posted
March 23, 2020

Lindenwald: Proposed Rezoning Map
[Here] | List of Properties [Here]

Prospect Hill: Proposed Rezoning Map
[Here] | List of Properties [Here]

Public Hearings at City Council (Commission Cases)

City Council: May 27, 2020

**PUBLIC HEARING: Request to amend
the Hamilton Zoning Ordinance
(HZO), - pertaining to Supportive
Housing, Clinics, Inpatient Rehab**

Posted: April 21, 2020. Public Hearing
Notice: [Link]

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), - pertaining to Automobile Related Conditional Uses

Posted: April 21, 2020. Public Hearing Notice: [\[Link\]](#)

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), Section 1111.00 - Commercial Design Standards (concrete facade item)

Posted: April 21, 2020. Public Hearing Notice: [\[Link\]](#)

PUBLIC HEARING: Request to amend the Hamilton Zoning Ordinance (HZO), Section 1110.00 - Residential Design Standards (for accessory structures) & Section 1131.00 - Special Provisions (non-conforming lots).

Posted: April 21, 2020. Public Hearing Notice: [\[1110 notice\]](#) & [\[1131 notice\]](#)

Board Members

- Dale McAllister (Chair)
- Matthew Von Stein, Citizen Member
- Patrick Moeller, Mayor
- Joshua A. Smith, City Manager
- Lisa Sandlin, Alternate Member #1
- Larry Bowling, Alternate Member #2
- Shaquila Mathews, School Board Representative
- Teri Horsley, Citizen Member
- David Belew, Citizen Member
- Liz Hayden, Planning Director
Commission Secretary

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City of Hamilton, Ohio

City of Hamilton, Ohio
345 High St, Hamilton, OH

Contact Us

Supportive Housing, Clinics, Zoning Text Amendments
 Exhibit C - Planning Commission Staff Report



Planning Department
 345 High Street, 3rd floor
 Hamilton, Ohio 45011

For the Planning Commission Meeting of May 7, 2020

To: Planning Commission
From: Liz Hayden, Planning Director
 Liz Fields, McBride Dale Clarion
 Ed Wilson, AICP, Associate Planner II
Date: April 22, 2020

Subject: AGENDA ITEM #5 – New Business
 Zoning Text Amendments pertaining to Supportive Housing, Clinics, and Inpatient Rehabilitation.

APPLICANT: City of Hamilton

REQUEST: Proposed changes to the Zoning Ordinance of the City of Hamilton for the following sections: Section 1108.00, Glossary; Section 1117.00 R-3 (One to Four Family Residence District); Section 1118.00 R-4 (Multi-Family Residence District); Section 1118.100 RPD (Residential Planned Development District); Section 1119.00 R-O (Multi-Family Office District); Section 11119.100 OPD (Office Planned Development District); Section 1120.00 B-1 (Neighborhood Business District); Section 1121.00 B-2 (Community Business District); Section 1122.00, B-3 (Central Business District); Section 1122.100, BPD (Business Planned Development District); Section 1123.00, I-1 (Limited Industrial District); Section 1124.00, I-2 (Industrial District); Section 1125.00 IPD (Industrial Planned Development District); Section 1129.00 Form-Based Zoning Districts; Section 1130.100 EM-UPD (Entertainment Mixed Use Development District); Section 1134.400 TN-3 (Traditional Neighborhood Three District); Section 1134.500 TN-4 (Traditional Neighborhood Four District)

BASIC INFORMATION	
Applicant/Property Owner	City of Hamilton, applicant
Requests	<p>To add five (5) new land use types to the zoning code:</p> <ol style="list-style-type: none"> 1. Supportive Housing, Large 2. Supportive Housing, Small 3. Clinic, High Intensity 4. Clinic, Low Intensity 5. Inpatient Rehabilitation Facility <p>To eliminate two use types from the zoning code:</p> <ol style="list-style-type: none"> 1. Alcohol and Drug Addiction Treatment Clinics, Inpatient 2. Alcohol and Drug Addiction Treatment Clinics, Outpatient



Section A: Introduction and Background

Section A.1: Overview of Zoning Text Amendments

The City of Hamilton Planning Department is requesting text amendments to the City's Zoning Ordinance that are related to two (2) separate changes.

First, is the proposed addition of five (5) new use categories to the Hamilton Zoning Ordinance: Supportive Housing, Large; Supportive Housing, Small; Clinic, High Intensity; Clinic, Low Intensity; and Inpatient Rehabilitation Facility. Second, is the proposed elimination of two (2) use categories pertaining to the proposed use categories: Alcohol and Drug Addiction Treatment Clinics, Inpatient, and Outpatient. An overview of the proposed changes has been outlined below (see [Exhibit A](#) for specific revisions):

Medical Clinics

Currently, the City of Hamilton Zoning Ordinance treats all medical clinics, ranging from small dental offices to large urgent cares, the same. The only exception is Inpatient and Outpatient Alcohol and Drug Addiction Treatment Clinics. After a review of planning & zoning best practices, Staff is recommending that Clinics and Inpatient and Outpatient Alcohol and Drug Addiction Treatment Clinics be eliminated and replaced with the following new categories:

1. Clinic, High Intensity: A clinic that has more than five (5) employees working on the largest shift and have more than 30 patrons on average per day.
2. Clinic, Low Intensity: A clinic that has five (5) or less employees working on the largest shift and have 30 patrons or less on average per day.
3. Inpatient Rehabilitation Facility: A facility that provides inpatient care of persons requiring physical, mental, and/or medical care for 24 hours or more, but that does not require hospitalization.

These proposed changes allow the Hamilton Zoning Ordinance to better address intensity of use and manage these in different zoning districts. The proposed new use categories are also in line with best practices for zoning in the State of Ohio.



Supportive Housing

Currently, the City of Hamilton Zoning Ordinance does not include a land use category for homeless shelters, domestic violence shelters, and transitional housing. Planning staff is recommending the addition of the following definition and two (2) new use categories:

1. **Supportive Housing**: A dwelling or facility that provides access to health and social services, such as mental health and addiction therapy, medical care, and case management, to assist tenants who reside in the dwelling or facility. The types of Supportive Housing contemplated by this definition are:
 - a. A shelter for persons experiencing temporary homelessness.
 - b. A domestic violence shelter, which is a public or private building or structure housing residents for the purpose of the rehabilitation or special care for victims of domestic violence or emotional or mental abuse.
 - c. A recovery or rehabilitation residence for people who are recovering from substance addiction and which includes services such as peer support, employment assistance, and community/house meetings.
 - d. A transitional house that serves as a short-term stay for an individual or household that is either waiting to secure permanent housing or has secured permanent housing that is not immediately available.
2. **Supportive Housing, Large**: A supportive housing use where more than six (6) persons reside.
3. **Supportive Housing, Small**: A supportive housing use where three to five (3 to 5) persons reside.

These proposed changes allow the Hamilton Zoning Ordinance to better address intensity and density presented by this use. The proposal regulations would also help with the management of uses in different zoning districts.

Section A.2: History

Planning staff has been working with McBride Dale Clarion, a Planning consulting firm, to update the Hamilton Zoning Ordinance related to these two topics. Liz Fields from McBride Dale Clarion researched zoning information pertaining to these uses throughout the State of Ohio and has recommended the proposed changes.





Section B: Petition Review

The City of Hamilton Planning Department proposes that the new land uses will be regulated in the following way:

Medical Clinics, Low Intensity

- Permitted Use in the R-0, B-1, B-2, B-3, BPD, I-1, I-2, NIA, MS-1, MS-2, MS-3, DT-1, DT-2, DT-3, UCP-1, UCP-2, EM-UPD Zoning Districts
- Conditional Use in TN-3, TN-4, R-3 and R-4 Zoning Districts
- Specific Use in RPD, OPD, and IPD Zoning Districts

Medical Clinics, High Intensity

- Conditional Use in B-2, DT-1, DT-2, DT-3, UCP-1, UCP-2, I-1, I-2 Zoning Districts
- Specific Use in BPD, IPD, and EM-UPD Zoning Districts

Inpatient Rehabilitation Facilities

- Accessory Use in RPD Zoning District
- Specific Use in OPD, BPD, and IPD Zoning Districts
- Conditional Use in B-2, B-3, I-1, I-2 Zoning Districts

Supportive Housing, Small

- Conditional Use in R-3 and R-4 Zoning Districts

Supportive Housing, Large

- Conditional Use in I-1 and I-2 Zoning Districts
- Specific Use in IPD Zoning District

Permitted uses are allowed in zoning districts by-right, no need for Planning Commission review. Specific Uses only exist in Planned Development Zoning Districts and require Planning Commission review. Conditional Uses require both Planning Commission and City Council review. Accessory Uses are allowed when accompanied with a Permitted Use. For example, an Inpatient Rehabilitation Facility could be an Accessory Use to a nursing home in the Residential Planned Development District. Zoning Districts not listed for each use mean that the use is not allowed in that district.



The following standard conditions are proposed to be included in the Zoning Ordinance:

Clinics, Low Intensity: Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, or health code violations.

Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, or health code violations.

Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, or health code violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.





Supportive Housing, Small: As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own a small supportive housing facility shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, or health code violations.

Supportive Housing, Large: As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own large Supportive Housing Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, or health code violations.

Section C: Notification

The City of Hamilton posted notification of the zoning text amendments on the Planning Department's website, per Section 1180.00 of the Hamilton Zoning Ordinance. Staff posted the notification on April 21, 2020, located on the Planning Commission's website (see Commission Website, [here](#); Proof of posting of notices, [here](#); see Notice, [here](#))

At the time of writing this report, Planning staff has received no phone calls concerning the proposed text amendments.

Section D: Statutes:

Section 1180.00 of the Hamilton Zoning Ordinance provides the basis and process for the amendment of the Zoning Ordinance, Ordinance No. 7503.





Section E: Recommendation

The Planning Commission can approve, amend, or deny the proposed zoning text amendments. If the Planning Commission approves of the proposed text amendments to the Hamilton Zoning Ordinance, the Planning Department recommends the following motion:

- 1) That the Planning Commission take action to recommend that City Council holds a public hearing, and prepare legislation to approve the text amendments to the City of Hamilton Zoning Ordinance as presented and contained within the attachments submitted within the Planning Staff report.

Specific sections being proposed for amendment are as follows:

- Section 1108.00, Glossary
- Section 1117.00, R-3 (One to Four Family Residence District)
- Section 1118.00, R-4 (Multi-Family Residence District)
- Section 1118.100, RPD (Residential Planned Development District)
- Section 1119.00, R-O (Multi-Family Office District)
- Section 11119.100, OPD (Office Planned Development District)
- Section 1120.00, B-1 (Neighborhood Business District)
- Section 1121.00, B-2 (Community Business District)
- Section 1122.00, B-3 (Central Business District)
- Section 1122.100, BPD (Business Planned Development District)
- Section 1123.00, I-1 (Limited Industrial District)
- Section 1124.00, I-2 (Industrial District)
- Section 1125.00, IPD (Industrial Planned Development District)
- Section 1129.00, Form-Based Zoning Districts
- Section 1130.100, EM-UPD (Entertainment Mixed Use Development District)
- Section 1134.400, TN-3 (Traditional Neighborhood Three District)
- Section 1134.500, TN-4 (Traditional Neighborhood Four District)





Section F: Staff Comments / Basis for Recommendation

1. The proposed text amendments align the Hamilton Zoning Ordinance with State of Ohio best practices.
2. The proposed text amendments improve the clarity of the Hamilton Zoning Ordinance.
3. Categorizing clinics and supportive housing by the size of the operation allows for better regulation of intensity within different zoning districts.
4. The proposed text amendments include conditions for each new use that will help to determine when a Conditional or Specific Use Approval is appropriate.
5. The proposed text amendments have been through a significant review process and encompass input received from McBride Dale Clarion, City Staff reviews, and legal review from Frost Brown Todd.

Section G: Attachments

- 1) [Exhibit A](#) – Proposed Hamilton Zoning Ordinance Text Amendments
- 2) [Exhibit B](#) – Public Hearing Notice for Proposed Zoning Text Amendments



ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ZONING ORDINANCE NO. 7503, RELATED TO MEDICAL CLINICS, INPATIENT REHABILITATION FACILITIES, AND SUPPORTIVE HOUSING. (City of Hamilton, Applicant).

WHEREAS, the City of Hamilton established five (5) new land uses to add to the Hamilton Zoning Ordinance related to medical clinics and supportive housing and eliminate two (2) land uses related to alcohol and drug addiction treatment clinics; and

WHEREAS, the proposed changes better manage land uses in relation to intensity of use; and

WHEREAS, the proposed changes align with State of Ohio best practices; and

WHEREAS, the proposed changes identify what Zoning Districts the new land uses are Permitted Uses, Not Permitted Uses, Conditional Uses, or Specific Uses; and

WHEREAS, the proposed changes include standard conditions to help ensure new development does not negatively impact the health, safety, and welfare of the community; and

WHEREAS, the proposed changes to the City of Hamilton Zoning Ordinance include specific revisions of seventeen sections; and

WHEREAS, the Planning Commission on May 7, 2020 conducted a public hearing regarding the proposed changes, to receive public input and for review of the proposed text amendments; and

WHEREAS, public notice included legal advertisement published on the Hamilton City Website, pursuant revised to local ordinance (Section 1180.00 "Amendments", Hamilton Zoning Ordinance); and

WHEREAS, Planning Commission approved said zoning text amendments and recommended City Council approval; and

WHEREAS, this Council desires to adopt such zoning text amendments to the City's Zoning Ordinance No. 7503 as proposed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the Hamilton Zoning Ordinance No. 7503, is hereby amended as set forth in Exhibit No.1 attached hereto, incorporated herein by reference and made a part.

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

**Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO**

EXHIBIT NO. 1

**Glossary
Section 1108.00**

Clinic, High Intensity: A clinic that has more than 30 patrons on average per day.

Clinic, Low Intensity: A clinic that has 30 patrons or less on average per day.

Inpatient Rehabilitation Facility: A facility that provides inpatient care of persons requiring physical, mental, and/or medical care for 24 hours or more, but that does not require hospitalization.

Outpatient Care: The care of patients that does not include an overnight stay (less than 24 hours in length).

Supportive Housing: A dwelling or facility that provides access to health and social services, such as mental health and addiction therapy, medical care, and case management, to assist tenants who reside in the dwelling or facility. The types of Supportive Housing contemplated by this definition are:

- (A) A shelter for persons experiencing temporary homelessness;
- (B) A domestic violence shelter, which is a public or private building or structure housing residents for the purpose of the rehabilitation or special care for victims of domestic violence or emotional or mental abuse;
- (C) A recovery or rehabilitation residence for people who are recovering from substance addiction and which includes services such as peer support, employment assistance, and community/house meetings;
- (D) A transitional house that serves as a short-term stay for an individual or household that is either waiting to secure permanent housing or has secured permanent housing that is not immediately available.

Supportive Housing, Large: A supportive housing use where six or more persons reside.

Supportive Housing, Small: A supportive housing use where three to five persons reside.

**“R-3” One to Four Family Residence District
Section 1117.00**

1117.30 Conditional Uses:

1117.32 Clinics, Low Intensity: Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

(Renumeration continues from this point)

1117.37 Supportive Housing, Small:

As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own a small supportive housing facility shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

(Renumeration continues from this point)

Ordinance No. _____ (Cont'd)

**“R-4” Multi-Family Residential District
Section 1118.00**

1118.20: Principal Permitted Uses

**“RPD” Residential Planned Development
Section 1118.100**

1118.142.1 Permitted Commercial Ancillary Uses: Ancillary uses, meeting the provisions of Section 1118.142 may include uses similar to, but not limited to, the following:

Inpatient Rehabilitation Facilities

**“R-O” Multi-Family Residence – Office District
Section 1119.00**

1119.30 Conditional Uses:

1119.31 Transient Accommodations: Hotels, motels, motor hotels and bed and breakfasts for any number of guests; including incidental commercial accessory uses, when located on a lot having frontage on a street officially designated as a thoroughfare on the "Official Thoroughfare Plan". (OR 93-3-26)

**“OPD” Office Planned Development District
Section 1119.100**

1119.130 Uses Requiring Specific Approval:

1119.132 Educational Institutions and Juvenile Correctional Facilities which are publicly owned and operated by a municipal, county, state, or federal government.

1119.133 Inpatient Rehabilitation Facilities:
As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

Ordinance No. _____ (Cont'd)

- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

**“B-1” Neighborhood Business District
Section 1120.00**

1120.20 Principal Permitted Uses:

1120.29.2 Clinic, Low Intensity: Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention, must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1120.30 Conditional Uses:

1120.40 Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.

Ordinance No. _____ (Cont'd)

- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1120.40.1 Prohibited Uses: Pawn Shops, Check Cashing, Bail Bonds, Pay Day Lending, Car Title Loan Business, Tattoo & Piercing, and Medical Marijuana Cultivation, Processing, or Retail Dispensing (OR 2014-5-34) (REVISED: OR2017-12-132)

**“B-2” Community Business District
Section 1121.00**

1121.30 Conditional Uses:

1121.39.4 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

1121.39.5 Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.

Ordinance No. _____ (Cont'd)

- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

**“B-3” Central Business District
Section 1122.00**

1122.30 Conditional Uses:

1122.39 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, or health code violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

1122.39.1 Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

Ordinance No. _____ (Cont'd)

**“I-1” Limited Industrial District
Section 1123.00**

1123.30 Conditional Uses:

1123.38.5 Residential Facility, Small: As Defined in Section 1108.00 (OR 2014-8-71)

1123.38.6 Residential Facility, Large: (OR 2014-8-71)
As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Large Residential Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Large Residential Facility within the same block or within a 500 foot radius of another Large Residential Facility.

1123.38.7 Supportive Housing, Large:
As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.
- Organizations that operate and/or own large Supportive Housing facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1123.38.8 Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

Ordinance No. _____ (Cont'd)

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1123.38.9 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

**“I-2” Industrial District
Section 1124.00**

1124.30 Conditional Uses:

1124.39.13 Supportive Housing, Large:

As Defined in Section 1108.00 and must comply with the following conditions:

- In order to prevent the excessive concentration of Supportive Housing Facilities and to avoid impacting a residential block or neighborhood, the City shall not grant a conditional use which would permit more than one Supportive Housing Facility within the same block or within a 500 foot radius of another Supportive Housing Facility.

Ordinance No. _____ (Cont'd)

- Organizations that operate and/or own large Supportive Housing facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1124.39.14 Clinics, High Intensity: High Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- High Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate a high intensity clinic from adjoining residential property.
- Designated outdoor smoking areas shall be located to the rear of the principal building.
- Organizations that operate and/or own High Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

1124.39.15 Inpatient Rehabilitation Facilities:

As Defined in Section 1108.00 and must comply with the following conditions:

- Organizations that operate and/or own Inpatient Rehabilitation Facilities shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.
- A solid wall, fence, or landscaping, a minimum of six (6) feet in height shall separate an inpatient rehabilitation facility from adjoining residential property.

1124.39.16 Self-Storage Facility:

1124.39.17 Instant Bingo: Instant Bingo as defined in Section 1108.00 (REVISED: OR 2019-9-85)

Ordinance No. _____ (Cont'd)

**“IPD” Industrial Planned Development District
Section 1125.00**

1125.30 Uses Requiring Specific Approval:

**Form-Based Zoning Districts
Section 1129.00**

1129.30 Permitted Uses:

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS													ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS														
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1	UCP-2		
Clinics															
Clinics, Low Intensity						P	P	P	P	P	P	P	P		
Clinics, High Intensity									C	C	C	C	C		

**EM-UPD (Entertainment Mixed-Use Planned Development)
Section 1130.100**

1130.120 Principal Permitted Uses

1130.120.9 Clinics, High Intensity: Such uses and services provided shall be accessory or ancillary to other uses provided in the development area such as orthopedic services or sports medicine uses, or entertainment uses. Such uses shall not include overnight accommodations for patients.

1130.120.10 Clinics, Low Intensity

1130.120.11 Offices: Business and professional offices

(Renumeration continues from this point)

Ordinance No. _____ (Cont'd)

**TN-3 (Traditional Neighborhood-3) District
Section 1131.400**

1131.460 Conditional Uses

1131.461.3.10 Clinics, Low Intensity: Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.
- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

**TN-4 (Traditional Neighborhood-4) District
Section 1131.500**

1131.530 Principal Permitted Uses

1131.537 Licensed Day Care Facilities, Children's Nurseries, or Similar Uses

(Renumeration continues from this point)

1131.560 Conditional Uses

1131.567 Clinics, Low Intensity: Low Intensity Clinics as defined in Section 1108.00, including the offices of physicians, surgeons, and dentists, engaged in Outpatient Care of persons in need of medical or surgical attention must comply with the following conditions:

- Low Intensity Clinics must be located along a street classified as a major arterial, minor arterial, or a collector street, in accordance with the City of Hamilton Street Designation.

Ordinance No. _____ (Cont'd)

- Designated outdoor smoking areas shall be located to the rear of the principal building and shall be screened from adjoining residential property with a solid wall, fence, or landscaping, a minimum of six (6) feet in height.
- Organizations that operate and/or own Low Intensity Clinics shall not have a history of being in bad standing with the City of Hamilton, Butler County, or the State of Ohio including but not limited to a history of zoning, building, health code, or criminal violations.

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Nicholas Garuckas, City Clerk

Agenda Item: An ordinance approving, adopting, and enacting the 2020 Replacement Pages to the 1998 Codified Ordinances of the City of Hamilton, Ohio, and repealing matters in conflict therewith.

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 5-27-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 6-10-20 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> Public Hearing Date:	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other): OR2018-6-54 passed 6-13-18 City Council Meeting</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: Yes Expenditure: \$5,344.41 Source Funds: General Fund (100.102.630.260)</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does City Council wish to adopt an Ordinance which puts into place all updates to the Codified Ordinances of the City of Hamilton from March 27, 2019 through April 22, 2020?

Policy Alternative(s)

City Council can refrain from adopting recodification legislation; however, these updates are necessary both for internal City Administration and for the general public.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary Ordinance to adopt the 2020 Codified Ordinances update.



Statutory/Policy Authority

- Section 731.23, Ohio Revised Code
- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

This recodification is expensed out of the General Fund (100.102.630.260). This service is budgeted under Contractual Services in the City Clerk budget. This annual expense has been occurring ever since 1998. This past year the City Clerk has completed a full year update. In the future, City Clerk may decide to move toward half-year updates, depending on budget and legislation.

Background Information

Historically, the City has undertaken this recodification on an annual basis. The last recodification was adopted by City Council in June of 2019 for updates through March of 2019. By updating our Codified Ordinances, new ordinances are placed into one comprehensive book and updates in State law are incorporated as well. Additionally, the City's online Codification index is updated to reflect all relevant State and local code changes. This Codification is for one (1) year or technically, thirteen (13) months. In the future, the City Clerk may decide to move toward half-year updates. This will be a new tactic to determine if updating the ordinances every six (6) months makes the Codification quicker and if the average price of two (2) Codifications per year average out to about the same cost. This method will be used at the discretion of the City Clerk, who will evaluate at half-a-year whether enough ordinances have been passed that warrant an update to the Codified Ordinances.

Attached Information:

- Draft Replacement Pages of the Codified Ordinances of the City of Hamilton

Copies Provided to:

- City of Hamilton Law Department



INSTRUCTIONS FOR INSERTING
2020 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF HAMILTON

All new replacement pages bear the footnote "2020 Replacement". Please discard old pages and insert these new replacement pages immediately as directed in the following table.

Discard Old Pages

Insert New Pages

PRELIMINARY UNIT

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Discard Old Pages

Insert New Pages

PART FIVE - GENERAL OFFENSES CODE

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**CODIFIED
ORDINANCES
OF THE
CITY OF
HAMILTON
OHIO**

Local legislation current through April 22, 2020

State legislation current through December 31, 2019

CERTIFICATION

We, Pat Moeller, Mayor and Nicholas Garuckas, City Clerk, of the City of Hamilton, Ohio, pursuant to Section 002.13 of the Charter, hereby certify that the general and permanent ordinances of the City of Hamilton, Ohio, as revised, rearranged, compiled, renumbered as to sections, recodified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of the City of Hamilton, Ohio, 1998, as amended to April 22, 2020.

/s/ Pat Moeller
Mayor

/s/ Nicholas Garuckas
City Clerk

Codified, edited and prepared for
publication by
THE WALTER H. DRANE COMPANY
Cleveland, Ohio

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CITY OF HAMILTON
 DIRECTORY OF OFFICIALS
 (2020)

CITY COUNCIL

Pat Moeller	Mayor
Eric Pohlman	Vice Mayor
Robert M. Brown	Council Member
Timothy F. Naab	Council Member
Carla J. Fiehrer	Council Member
Michael V. Ryan	Council Member
Susan Vaughn	Council Member

ADMINISTRATION

Joshua A. Smith	City Manager
Nicholas Garuckas	City Clerk
Daniel J. Gattermeyer	Municipal Court Judge
Jeanne Pope	Director of Civil Service and Personnel
Brandon Saurber	Director of Neighborhoods
Thomas Vanderhorst	Executive Director of External Services
Adam Helms	Director of Resident Services
Jody Gunderson	Director of Economic Development
Ken Rivera	Director of Building
Liz Hayden	Director of Planning
Kay Farrar	Health Commissioner
Timothy Werdmann	Executive Director of Internal Services
Letitia S. Block, Esq.	Law Director
David Jones	Director of Finance
Larry Rover	Director of Information Technology Services
James Logan	Executive Director of Infrastructure
Richard Engle, P.E.	Director of Engineering
Jim Williams	Director of Public Works
Dan Moats	Director of Utility Operations
Scott Scrimizzi	Executive Director of Public Safety
Craig Bucheit	Police Chief
Mark Mercer	Fire Chief

The publisher
expresses his appreciation to

NICHOLAS GARUCKAS
City Clerk

and to all other City officials
who gave their assistance in time
and counsel to the preparation of the
1998 Codified Ordinances and
current replacement pages

GENERAL INDEX

EDITOR'S NOTE: References are to individual code sections. As additional aids for locating material, users are directed to:

- (a) The Comparative Section Table, which indicates in the Codified Ordinances the disposition of the ordinances or resolutions integrated therein.
- (b) The Table of Contents preceding each component code, and the sectional analysis preceding each chapter.
- (c) The cross references to related material following the chapter analysis.

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TITLE FIVE - Administrative

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TITLE FIVE - Administrative

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- Chap. 119. City Manager.
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CHAPTER 124
Department of Business Services

124.01 Establishment of Department of Business Services.

124.02 Duties of Director of Business Services.

124.01 ESTABLISHMENT OF DEPARTMENT OF BUSINESS SERVICES.

There is hereby established a Department of Business Services, to be controlled and administered by a Director of Business Services, subject to the Charter and the ordinances and under the direct supervision of the Executive Director of Infrastructure and under the ultimate direction of the City Manager.

(Ord. 2019-6-51. Passed 6-26-19.)

124.02 DUTIES OF THE DIRECTOR OF BUSINESS SERVICES.

It shall be the duty of the Director of Business Services to serve as appointing authority in the Department of Business Services and such other administrative staff level departments and divisions as assigned by ordinance by the Executive Director of Infrastructure. Within such assigned departments and divisions, the Director of Business Services shall further act as liaison to and for the Executive Director of Infrastructure on matters of Business Services and policy and pertaining to operations and management therein and shall be responsible for the handling of sensitive issues, budgeting, capital planning and financial forecasting for the Department of Infrastructure, power and natural gas, supply planning and utility rate analyses therefor, and all such other duties as may be assigned pertaining to the Department of Business Services.

(Ord. 2019-6-51. Passed 6-26-19.)

CHAPTER 126
Department of Information Technology Services

126.01 Establishment of Department of Information Technology Services.

126.02 Duties of the Director of Information Technology Services.

126.01 ESTABLISHMENT OF DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES.

There is hereby established the Department of Information Technology Services to be administered and controlled by the Director of Information Technology Services who shall be subject to the Charter and ordinances of the City and to the direction of the City Manager. (Ord. 2019-5-41. Passed 5-22-19.)

126.02 DUTIES OF THE DIRECTOR OF INFORMATION TECHNOLOGY SERVICES.

It shall be the duty of the Director of Information Technology Services to serve as appointing authority in the Department of Information Technology Services and such other administrative staff level departments and divisions as assigned by ordinance or by the City Manager. Within such assigned departments and divisions, the Director of Information Technology Services shall further act as liaison to and for the City Manager on matters of City Information Technology and policy and pertaining to operations and management therein and shall be responsible for the handling of sensitive issues. Information Technology capital and other projects, budgeting thereof, and all such other duties as may be assigned pertaining to the Department of Information Technology Services. (Ord. 2019-5-41. Passed 5-22-19.)

CHAPTER 139
Department of Neighborhoods

**139.01 Establishment of Department
of Neighborhoods.**

**139.02 Duties of the Director of
Neighborhoods.**

139.01 ESTABLISHMENT OF DEPARTMENT OF NEIGHBORHOODS.

There is hereby established the Department of Neighborhoods to be administered and controlled by the Director of Neighborhoods who shall be subject to the Charter and ordinances of the City and to the direction of the City Manager.
(Ord. 2019-9-87. Passed 9-11-19.)

139.02 DUTIES OF THE DIRECTOR OF NEIGHBORHOODS.

It shall be the duty of the Director of Neighborhoods to serve as appointing authority in the Department of Neighborhoods and such other administrative staff level departments and divisions as assigned by ordinances or by the City Manager. Within such assigned departments and divisions, the Director of Neighborhoods shall further act as liaison to and for the City Manager on matters of City strategy and policy and pertaining to operations and management therein and shall be responsible for the handling of sensitive issues, communications and other projects, budgeting therefor, and all such other duties as may be assigned pertaining to the Department of Neighborhoods.
(Ord. 2019-9-87. Passed 9-11-19.)

**CHAPTER 154
Hamilton Tree Advisory Board**

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| 154.01 Purpose. | 154.04 Compensation. |
| 154.02 Establishment of the Hamilton Tree Advisory Board; membership. | 154.05 Duties and responsibilities. |
| 154.03 Term of office; filling vacancies; term limits. | 154.06 Operation. |
| | 154.07 Review by City Manager. |

CROSS REFERENCES

Authority to establish - see CHTR. 5.07
Trees - see S.U. & P.S. Ch. 915

154.01 PURPOSE.

The purpose of this chapter is to establish a Tree Advisory Board for the City with the responsibility, at the discretion of the City Manager, to develop, implement, and administer a Tree Resource Management Plan for the care, maintenance, improvement, expansion of, and public education about, trees within the corporate limits of the City.
(Ord. 2000-1-5. Passed 1-12-00.)

154.02 ESTABLISHMENT OF THE HAMILTON TREE ADVISORY BOARD; MEMBERSHIP.

There is hereby created and established the Hamilton Tree Advisory Board for the City, which shall consist of at least three persons, but not more than seven persons, with members consisting of citizens and residents of the City. Each member of the Tree Advisory Board and City Council may nominate one or more residents to be considered for appointment to the Board by the City Manager. Members may be removed by the City Manager.
(Ord. 2004-5-46. Passed 5-26-04; Ord. 2019-4-30. Passed 4-24-19.)

154.03 TERM OF OFFICE; FILLING VACANCIES; TERM LIMITS.

The term of office for each member of the Hamilton Tree Advisory Board shall be three years. Members begin their terms in September whether appointed to a first term or reappointed to a second term and/or third term. In the event that a vacancy shall occur during the term of any member of the Board, his/her successor shall be appointed for the unexpired portion of such term. Filling an unexpired term of less than two years shall not count as a full term; however, in no case will a member be appointed or serve on the Board for more than three consecutive three-year terms. Therefore, the maximum number of years a member can serve on the Board is nine.
(Ord. 2004-5-16. Passed 5-26-04; Ord. 2019-4-30. Passed 4-24-19.)

154.04 COMPENSATION.

Members of the Hamilton Tree Advisory Board shall serve without compensation.

(Ord. 2000-1-5. Passed 1-12-00.)

154.05 DUTIES AND RESPONSIBILITIES.

The Tree Board shall promote the planting and care of trees and shrubs throughout the City with particular responsibility for the landscaping of City property and shall educate and inform residents about the selection, planting, and maintenance of trees within the corporate limits, whether the same be on private or public property.

(Ord. 2000-1-5. Passed 1-12-00; Ord. 2019-4-30. Passed 4-24-19.)

154.06 OPERATION.

The Board shall choose its own officers, make its own rules and regulations related to the operation of the Board, and keep minutes of its proceedings. A majority of the members shall be a quorum for the transaction of business. Decisions of the Board shall be made by a majority vote of those members present.

(Ord. 2000-1-5. Passed 1-12-00.)

154.07 REVIEW BY CITY MANAGER.

The City Manager shall have the right to review the conduct, acts and decisions of the Hamilton Tree Advisory Board. Any person may appeal any ruling or order of the Board to the City Manager or his designee who may hear the matter and make a final decision.

(Ord. 2000-1-5. Passed 1-12-00; Ord. 2019-4-30. Passed 4-24-19.)

CHAPTER 155
Diversity and Inclusion Commission

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| 155.01 Purpose. | 155.04 Compensation. |
| 155.02 Establishment of the Diversity and Inclusion Commission; membership. | 155.05 Duties. |
| 155.03 Terms of office; filling vacancies; term limits. | 155.06 Operation. |
| | 155.07 Report and recommendations. |

CROSS REFERENCES

Unlawful discriminatory practices - see Ohio R. C. 4112.02
Interfering with civil rights - see GEN. OFF. 525.13

155.01 PURPOSE.

The purpose of the Diversity and Inclusion Commission shall be to receive reports from City Management and Administration related to internal and external diversity and inclusion efforts and provide non-binding advice regarding such efforts.
(Ord. 2015-1-1. Passed 1-28-15; Ord. 2020-1-3. Passed 1-15-20.)

155.02 ESTABLISHMENT OF THE DIVERSITY AND INCLUSION COMMISSION; MEMBERSHIP.

There is hereby created and established the Diversity and Inclusion Commission which shall serve in an advisory capacity to City Council, the City Manager, and the Administration. This Commission shall be composed of seven (7) members. The seven (7) members, consisting of either residents of the City or City employees, shall be appointed by City Council liaisons with an effort to have adequate representation from the various neighborhoods in the City and different racial, social, demographic, and economic groups. City Council shall designate at least two (2) but no more than three (3) City Council liaisons for the Commission. The City Manager will appoint at least two (2) but no more than three (3) ex-officio, non-voting members to the Commission. The voting Commission members shall select the Chair, who when present will preside over all meetings, and the Vice-Chair, who will serve as the Chair in absence of the Chair. Applications for membership on the Commission shall be announced, advertised and available in the same manner as those for all City boards, committees, and commissions. City Council liaisons may remove their Commission appointees.
(Ord. 2018-8-77. Passed 8-8-18; Ord. 2020-1-3. Passed 1-15-20.)

155.03 TERMS OF OFFICE; FILLING VACANCIES; TERM LIMITS.

(a) All members appointed to the Diversity and Inclusion Commission shall serve a term of two (2) years from the date of their appointment, unless otherwise expressed explicitly in the language of this ordinance.

(b) To balance continuity and new member perspectives, initial Commission appointees will serve staggered terms. To create the staggered term limit schedule for appointees, four (4) of the initial appointees shall serve a term of two (2) years and the remaining three (3) initial appointees shall serve a term of one (1) year. After the initial roster of appointees have served their first full term, all future appointees shall serve the typical two-year term limit.

(c) All members begin their terms in March. In the event that a vacancy shall occur during the term of any member of the Commission, his/her successor shall be appointed for the unexpired portion of such term. Filling an unexpired term of less than one (1) year shall not count as a full term; however, in no case will a member be appointed to serve on the Commission for more than two (2) consecutive terms. Therefore, the maximum number of years an appointee can serve on the Commission is four (4) years.

(Ord. 2018-8-77. Passed 8-8-18; Ord. 2020-1-3. Passed 1-15-20.)

155.04 COMPENSATION.

Members of the Diversity and Inclusion Commission shall serve without compensation.

(Ord. 2015-1-1. Passed 1-28-15; Ord. 2020-1-3. Passed 1-15-20.)

155.05 DUTIES.

The Diversity and Inclusion Commission shall receive reports from City Management and Administration and provide non-binding advice related to the following issues:

- (a) Barriers within City organizational systems to a diverse and inclusive workforce reflective of the community we serve.
- (b) Strategies to attract and retain a talented workforce skilled at working in an inclusive and respectful manner with one another and the community.
- (c) Diversity and inclusion framework for City policies, processes, plans, practices, programs, and services in an effort to meet the diverse needs of those we serve.
- (d) Strategies with various stakeholders in the community related to the impact of City services and other outwardly focused activities with a view towards promoting just and harmonious interaction between City operations and all segments of the community.

(Ord. 2015-1-1. Passed 1-28-15; Ord. 2020-1-3. Passed 1-15-20.)

155.06 OPERATION.

The Commission shall make its own rules and regulations related to the operation of the Commission and keep minutes of its meetings. A majority of the members shall be a quorum for the transaction of business. Decisions of the Commission shall be made by a majority vote of those members present. Any member of the Commission failing to attend two (2) meetings within one year without excuse acceptable to and approved by the Commission, shall be removed as a member of the Commission. The Commission shall determine the time and place of its meetings but shall in any event meet at least two (2) times per year. The meetings will be open to the public in accordance with Section 121.22 of the Ohio Revised Code and Section 3.03 of the City of Hamilton Charter. Additional meetings may be called by the Commission Chair as deemed necessary with at least twenty-four (24) hours prior notice thereof given to all members of the Commission and to the public.

(Ord. 2015-1-1 . Passed 1-28-15; Ord. 2020-1-3. Passed 1-15-20.)

155.07 REPORT AND RECOMMENDATIONS.

City Management and Administration shall provide reports to the Commission related to internal and external diversity and inclusion efforts by July 1, each year, beginning July 1, 2020. The Commission shall submit a response to said reports and provide applicable non-binding advice by October 15, each year, beginning October 15, 2020.
(Ord. 2015-1-1. Passed 1-28-15; Ord. 2020-1-3. Passed 1-15-20.)

167.07 VACATION OF CITY STREETS, ALLEYS OR OTHER PUBLIC PROPERTY.

(a) All requests for the vacation of any City street, alley or other public property shall be commenced by:

- (1) Submitting a petition to Council which shall request such vacation, generally describe the property sought to be vacated, and briefly state the reason and purpose for requesting the vacation; and
- (2) Paying to the City, through the Department of Finance, a nonrefundable fee of three hundred dollars (\$300.00).

(b) Upon receipt of the petition and payment of the three-hundred dollar (\$300.00) fee, the City Clerk shall cause the petition to be placed upon the Council agenda. If Council wishes to consider the petition, it shall receive the petition and refer it to the City Planning Commission for review and public hearing upon the petitioner's request for vacation.

(c) Upon the Planning Commission's receipt of the vacation petition, the Planning Department shall:

- (1) Investigate and determine whether the property is needed for a public purpose;
- (2) Determine whether an easement or other interest should be retained by the City, or obtained or created by the City;
- (3) Submit a written report to the Planning Commission setting forth its findings; and
- (4) Schedule a public hearing before the Planning Commission and at least ten (10) days prior to such hearing notify in writing all property owners within 200 feet of the affected property of the date, time and place of the public hearing to be held before the Planning Commission. Such notice shall generally set forth the vacation being sought and inform the recipient that failure to appear at the public hearing to voice any objection to the vacation, or to otherwise object in writing to the Planning Commission, shall be considered agreement with the proposed vacation.

(d) At the public hearing before the Planning Commission, the Commission shall consider the following:

- (1) Whether the property sought to be vacated continues to have a public use or purpose, such as, but not limited to, alternate property access, refuse collection or police and fire protection, which would be impaired by granting the request for vacation;
- (2) Whether other types of action such as, but not limited to, granting an encroachment or narrowing the public property currently being used, will accommodate the purpose of the vacation as contained in the petition without the need for a vacation and, if so, consider such action in lieu of a vacation;
- (3) Whether the City, any franchisee or any other utility company, with or without the benefit of an easement, has any facilities located on, under, above, across or through the property proposed to be vacated which would be impaired or access to which would be unreasonably diminished by the vacation; and

- (4) Whether access to abutting private property desired to be preserved by the owner(s) would be lost by the vacation.

(e) At the conclusion of the public hearing before the Planning Commission, the Commission shall vote upon a recommendation for or against the vacation either as it was proposed or in such other form as the Commission deems appropriate, and it shall further recommend whether easements for municipal purposes shall be retained over the property proposed to be vacated.

(f) The recommendation of the Planning Commission shall then be submitted to Council by the City Manager and may include additional comments or recommendations of the City Administration.

(g) If upon the recommendation of the Planning Commission and the City Manager, Council wishes to proceed with all or any portion of the proposed vacation, Council shall adopt a resolution declaring the intention to vacate the property.

(h) The appraised value of the property to be vacated shall be based upon the square footage of the property, comparable sale of real estate in the neighborhood or such other method of valuation as is generally accepted as reliable in the field of real estate appraisal. Appraisals shall be conducted at the petitioner's expense. Appraisers shall be selected by the City from a list and shall comply with all of the following conditions and qualifications:

- (1) Possess the skill, experience and education in appraisal of real estate;
- (2) Possess an accreditation or certification of appraisal skill from a recognized real estate organization;
- (3) Charge a reasonable fee for the appraisal of the real estate proposed to be vacated which charge shall be disclosed to the City in advance;
- (4) Have a history of satisfactory performance on previous appraisal assignments, if any; such performance to be measured by the appraiser's willingness to participate in the Board of Revision of Assessments' meeting and to reconsider or recalculate the appraisal, at no additional cost, if it is disapproved by the Board.

(i) The Planning Department shall solicit requests for bids/proposals from all appraisers who have indicated a desire to be on the City's Appraiser List and who possess the necessary conditions and qualifications as set forth above. This solicitation shall be through email and/or through mail to the whole of the interested appraisers. In the event the Planning Department receives no bids or proposals, the Planning Department shall select an appraiser from among the individuals who have indicated a desire to be on the City's Appraiser List and who possesses the necessary conditions and qualifications as set forth above.

(j) The Planning Department shall then notify the petitioner of the need for an appraisal, its costs and the petitioner's obligation to pay for the appraisal.

(k) Upon the payment by the petitioner of the fee for the appraisal, the appraisal of the property proposed to be vacated shall be conducted and submitted in writing to the Director of Finance as the secretary to the Board of Revision of Assessments.

- (l) Upon the adoption of the resolution declaring the intention to vacate any property:
- (1) A meeting of the Board of Revision of Assessments will occur if the petitioner files an appeal for the value determined by the appraisal (as set forth in Section "m"); this meeting shall be held to hear any objections to the proposed vacation and notice of the passage of the resolution shall be served upon all persons whose property abuts upon the portion of the property proposed to be vacated;
 - (2) There shall be one (1) public notice at least 10 days prior to the Board of Revisions of Assessments hearing on Council's resolution declaring its intent to vacate the property, with such notice posted to the City of Hamilton website in a visible, publicly accessible location. Such posting shall contain the title, summary paragraph or statement describing the purpose of the notice, and contact information for the city;
 - (3) There shall be one (1) individual public notice at least 10 days prior to the Board of Revisions of Assessments hearing, mailed to each abutting property owners who have not consented to the vacation;
 - (4) The City is not required to provide any public notice of a hearing on a vacation application if all owner(s) of property abutting the portion of the street/alley proposed to be vacated provide the City with written consent to the vacation; and
 - (5) Prior to the meeting of the Board of Revision of Assessments an appraisal of the property proposed to be vacated shall be made as set forth herein.

(m) At the meeting of the Board of Revision of Assessments, the Board shall hear all objections to the proposed vacation, including the appraisal, and recommend whether or not to approve the proposed vacation. The Board shall have no authority to increase or decrease the area of the property proposed to be vacated, nor to increase or decrease the appraised value, except that upon hearing objections, the Board shall have authority to determine that the property proposed to be vacated is of minimal value for specifically stated reasons and so report the same to Council.

(n) The recommendation of the Board of Revision of Assessments, shall be reported to Council by the Director of Finance who serves as secretary to the Board. Upon receipt of the Board's recommendation, Council may, but shall not be obligated to, order the preparation of an ordinance to vacate the property in conformity with the recommendations of the Board or upon terms determined by a majority of Council.

(o) After Council has ordered the preparation of the ordinance vacating the subject property and upon the petitioner paying to the Director of Finance a sum equal to two-thirds of the appraised value of the property to be vacated, the necessary legislation shall be prepared and presented to Council for its consideration or approval. Upon receipt of the sum equal to two-thirds of the appraised value, the Director of Finance shall immediately notify the City Clerk in writing of such receipt.

(Ord. 93-11-124. Passed 11-24-93; Ord. 2019-7-69. Passed 7-10-19.)

167.08 CERTIFICATION OF LEGISLATION REGARDING STREETS.

The City Clerk shall, within two weeks after the passage of any ordinance vacating, narrowing or altering any street or other thoroughfare, inform the County Auditor of such action by mailing to him a certified copy of such ordinance.
(1931 Code Sec. 12.6412)

CHAPTER 181
Employee Fringe Benefits

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|---------|--|--------|--|
| 181.01 | Vacation leave. | 181.16 | Incentive awards for attendance. (Repealed) |
| 181.02 | Sick leave. | 181.17 | Expenses for members of Council. |
| 181.03 | Payment of sick leave at time of retirement. | 181.18 | Travel expenses. |
| 181.04 | Payment of sick leave in the event of death due to duty-related causes. | 181.19 | Court appearance pay for firemen. |
| 181.05 | Payment of sick leave upon non-duty related death. | 181.20 | Court appearance pay for police officers. |
| 181.06 | Funeral leave. | 181.21 | Court appearance pay for City employees. |
| 181.07 | Short term military leave. | 181.22 | Life insurance. |
| 181.071 | Wages of permanent full-time City employees called to active military duty. | 181.23 | Death benefit for retirees. |
| 181.08 | Disability pay for sworn members of the Fire and Police Divisions. | 181.24 | Medical and hospitalization insurance. |
| 181.09 | Retirement benefits for employees not included under the Public Employees Retirement System prior to May 15, 1962. | 181.25 | Hospital and medical care plans for retirees. (Repealed) |
| 181.10 | Definitions. | 181.26 | Paid time off (PTO). |
| 181.11 | Supplemental retirement benefits for those employees not included in the Public Employees Retirement System prior to May 15, 1962. | 181.27 | Holiday leave with pay. |
| 181.12 | Uniform allowance for Police and Fire Divisions. | 181.28 | Shift differential compensation and premium compensation. |
| 181.13 | Uniform allowance for public health nurse and home health aides. (Repealed) | 181.29 | Special benefits for employees serving in the classified positions of Fire Chief and Assistant Fire Chief. |
| 181.131 | Clothing allowances for certain non-union employees. | 181.30 | Donation of paid leave to employees with critical needs. |
| 181.132 | Uniform allowance for Hamilton Municipal Court Bailiffs. | 181.31 | Special benefits for certain employees within the Police Division and Hamilton Municipal Court. |
| 181.14 | Uniform allowance for parking meter attendants. (Repealed) | 181.32 | Overriding agreement provision. |
| 181.15 | Longevity pay. | 181.33 | Special benefits for Police Chief and Police Administrators. |
| | | 181.34 | Special benefits for Plant Supervisor and Plant Maintenance Supervisor. |
| | | 181.35 | Physical fitness and educational monetary awards. (Repealed) |
| | | 181.36 | Tuition reimbursement program. |
| | | 181.37 | Relocation Assistance Program. |
| | | 181.38 | Milestone Recognition Program. |

CROSS REFERENCES

- Welfare - see Ohio Const., Art. II, Sec. 34
 Workers' Compensation - see Ohio Const., Art. II, Sec. 35; Ohio R.C. Ch. 4123
 Public Employees Retirement System - see Ohio R.C. Ch. 145
 Expenses for attending conference or convention - see Ohio R.C. 733.79
 Civil service - see ADM. Ch. 127

181.01 VACATION LEAVE.

Permanent employees of the City hired before January 1, 2016, including permanent employees originally hired before January 1, 2016 and reinstated to City employment pursuant to Civil Service rule or any legal requirement, shall be granted vacation leave on the basis of length of continuous service and shall be entitled to leave with pay in accordance with the following schedule:

(a) Determination of Eligibility.

- (1) Permanent full-time employees shall be eligible for vacation leave as specified herein unless provided otherwise by a negotiated labor contract covering bargaining unit of which the employee is a member. All service, for calculation of vacation leave, must be continuous with the City.

<u>Years of Continuous Service</u>	<u>Vacation Leave Allowance (work days)</u>
Less than one	0
One but less than seven	10
Seven but less than sixteen	15
Sixteen	20
Seventeen	21
Eighteen	22
Nineteen	23
Twenty	24
Twenty-one	25
Twenty-two	26
Twenty-three	27
Twenty-four	28
Twenty-five	29
Twenty-six or more	30

- (2) Employees of the Division of Fire who are not within the bargaining unit and whose normal work schedule is based upon twenty-four hour tours of duty shall receive vacation leave as follows:

181.13 UNIFORM ALLOWANCE FOR PUBLIC HEALTH NURSES AND HOME HEALTH AIDES.

(EDITOR'S NOTE: Former Section 181.13 was repealed by Ordinance 2004-5-45, passed May 26, 2004.)

181.131 CLOTHING ALLOWANCES FOR CERTAIN NON-UNION EMPLOYEES.

(a) The City Manager is authorized to determine the eligibility for a clothing allowance for an employee not otherwise affected by a collective bargaining agreement, for an amount not to exceed five hundred dollars (\$500.00) per year per employee, pursuant to the Reimbursement Plan and rules and regulations adopted by the City Manager to satisfy current IRS requirements.

(b) The Director of Finance is hereby authorized to pay such clothing allowance for those employees determined to be eligible by the City Manager and pursuant to the Reimbursement Plan, in an amount not to exceed five hundred dollars (\$500.00) per year per employee. (Ord. 2004-5-45. Passed 5-26-04.)

181.132 UNIFORM ALLOWANCE FOR HAMILTON MUNICIPAL COURT BAILIFFS.

Beginning with the 2005 calendar year, each employee serving in the unclassified position of Municipal Court Bailiff and Deputy Bailiff shall be entitled to a uniform allowance as follows:

- (a) First-year employees shall be entitled to an annual allowance in the sum of five hundred dollars (\$500.00);
- (b) All other such employees shall be entitled to an annual allowance in the sum of three hundred fifty dollars (\$350.00).

The allowance provided for herein shall be expended for uniforms, authorized wearing apparel and/or related equipment as designated by the Judge or Court Administrator of the Hamilton Municipal Court and shall be in addition to the salary otherwise received by each such employee. All purchases shall be in compliance with current purchasing procedures. The Finance Director is hereby authorized to pay such clothing allowance for those eligible Bailiffs pursuant to the reimbursement plan adopted by the City Manager to satisfy current Internal Revenue Service requirements. (Ord. 2005-4-43. Passed 4-27-05.)

181.14 UNIFORM ALLOWANCE FOR PARKING METER ATTENDANTS.

(EDITOR'S NOTE: Former Section 181.14 was repealed by Ordinance 2004-5-45, passed May 26, 2004.)

181.15 LONGEVITY PAY.

(a) Permanent full-time City employees who commenced employment on or before November 10, 2010, and who are not covered by collective bargaining agreement, shall receive annual, longevity payment based upon length of continuous service from most recent date of hire as follows:

Years of Continuous Service	Longevity Pay
4 through 8	\$375.00
9 through 14	400.00
15 through 19	450.00
20 through 24	500.00
25 and over	550.00

(b) Eligibility for longevity pay shall commence in the calendar year of the employee's employment anniversary date since most recent date of hire. For the sole purpose of determining longevity pay, servicing during paid military leave since most recent date of hire shall be included in determining the length of years of continuous service.

(c) Payment for longevity shall be made by direct deposit in December of each calendar year as a lump sum to employees on payroll status at that time.

(d) Longevity for partial year payments to employees who are separated for reasons of resignation, dismissal, layoff or retirement, or to the estate of a deceased employee, shall be computed by dividing the annual benefit amount provided for herein by twelve and multiplying that amount by the number of months, completed continuous service in the calendar year in which separation occurs. To receive credit for a service month, the employee shall have worked in that month. (Ord. 2010-11-93. Passed 11-10-10; Ord. 2020-2-17. Passed 2-26-20.)

181.16 INCENTIVE AWARDS FOR ATTENDANCE. (REPEALED)

(EDITOR'S NOTE: Former Section 181.16 was repealed by Ordinance 2012-11-86.)

181.17 EXPENSES FOR MEMBERS OF COUNCIL.

Each member of Council, during their term in office, shall be paid the sum of one hundred dollars (\$100.00) each month for reimbursement of car expenses and other necessary expenses in conjunction with their position as a member of Council. (Ord. 98-2-10. Passed 2-11-98.)

181.18 TRAVEL EXPENSES.

City employees shall be reimbursed as follows for travel expenses incurred while on City business if specific approval for reimbursement is secured from the City Manager:

- (a) Reasonable subsistence according to actual costs incurred, but only as approved by the City Manager.
- (b) Reasonable mileage rate, based upon current costs, for use of a privately owned vehicle as periodically directed by the City Manager.
- (c) Actual cost of miscellaneous expenses such as taxi, telephone, parking, etc. as incurred. (Ord. 81-647. Passed 6-27-81.)

181.19 COURT APPEARANCE PAY FOR FIREMEN.

For each day a member of the Fire Division is required to appear in Hamilton Municipal Court, except for jury trials, he shall be paid on the basis of one and one-half hour pay for morning sessions, and one and one-half hour pay for afternoon sessions.

For each hour a member of the Fire Division is required to appear and be present in Hamilton Municipal Court for a jury trial, he shall receive time and one-half pay. For each hour a member of the Fire Division is required to appear in a court other than Hamilton Municipal Court, he shall receive time and one-half pay.

The above shall not apply where the member of the Fire Division is on duty.
(Ord. 7092. Passed 12-20-67.)

181.20 COURT APPEARANCE PAY FOR POLICE OFFICERS.

(a) For each day a police officer is required to appear in the Hamilton Municipal Court, except for jury trials, he/she shall be paid on the basis of four hours pay for morning sessions and four hours pay for afternoon sessions.

(b) For each hour a police officer is required to appear and be present in either the Hamilton Municipal Court or other Court for a jury trial, he/she shall receive time and one-half pay. For each hour a police officer is required to appear in a court other than the Hamilton Municipal Court, he shall receive time and one-half pay; provided that unit members who are on an off-duty status and are required to report and appear before a grand jury or in a juvenile court or who are subpoenaed to appear on a criminal matter in a Court of Common Pleas shall be eligible for four hours call-in pay at the appropriate rate.

(c) Witness fees received or mileage allowances paid to a unit member who has been required to appear before a court shall be returned to the Director of Finance in accordance with established Police Division procedures. The above shall not apply where the officer is on duty.
(Ord. 84-8-72. Passed 8-8-84.)

181.21 COURT APPEARANCE PAY FOR CITY EMPLOYEES.

Except as provided in Sections 181.19 and 181.20 hereof, whenever a Municipal employee observes a criminal activity during his/her hours of employment with the City and subsequently appears as a witness in the prosecution of such criminal activity, such employee shall be paid for his/her court appearance as follows and pursuant to the following conditions:

- (a) The employee shall receive his normal rate of pay for any court appearance which occurs only during his normal working hours.

- (b) Any witness fees, exclusive of expense allowance, paid to the employee for his/her appearance in court during his/her normal working hours shall be turned over to the Director of Finance for deposit into the proper Municipal fund.
- (c) The employee shall present to his/her supervisor court documentation stating the time and date of the employee's appearance in any court. Such employee's supervisor may give to the employee reasonable time to leave his/her employment to report to the court and shall determine when such employee may leave his employment to report to the court for appearance.
- (d) After appearance as a witness in any court, an employee shall immediately present to his/her supervisor documentation signed by an official of the court in which his/her appearance took place verifying the employee's appearance in such court. (Ord. 87-10-88. Passed 10-28-87.)

181.22 LIFE INSURANCE.

(a) The City Manager is hereby authorized to purchase life insurance benefits in the maximum face amount of ten thousand dollars (\$10,000) including a double indemnity clause for accidental death and lesser amounts for loss of limb or sight, for each permanent full-time and each permanent part-time employee of the City hired before January 1, 2014, excepting seasonal and temporary employees. (Ord. 2014-2-15. Passed 2-12-14.)

(b) Each employee eligible for the life insurance benefits provided in subsection (a) hereof shall be eligible to purchase additional life insurance up to one times the employee's annual earnings in excess of ten thousand dollars (\$10,000) subject to a maximum of fifty thousand dollars (\$50,000) as provided in the Classification and Compensation Plan of the City at a rate of fifteen cents (15¢) per thousand dollars (\$1,000) per month with the City paying the excess premium cost. Such additional insurance shall be in multiples of one thousand dollars (\$1,000) only.

(c) Elected officials of the City shall be considered regular employees for the purpose of this section.

(d) Employees shall be eligible for the life insurance herein provided for after completing six months' service with the City. (Ord. 84-8-72. Passed 8-8-84.)

181.23 DEATH BENEFIT FOR RETIREES.

(a) The City Manager is hereby authorized to pay for or enter into a contract to provide a death benefit in the amount of one thousand dollars (\$1,000) for all regular full-time employees retiring as determined by the employer on or after April 4, 1964, but prior to January 1, 1970.

(b) The City Manager is hereby authorized to pay for or enter into a contract to provide a death benefit in the amount of two thousand dollars (\$2,000) for all regular full-time employees retiring as determined by the employer on or after January 1, 1970, but prior to March 1, 1977.

(c) The City Manager is hereby authorized to pay for or to enter into a contract to provide a death benefit in the amount of four thousand dollars (\$4,000) for all regular full-time employees retiring as determined by the employer on or after March 1, 1977.

(d) Such benefit shall be paid for in full by the City and shall be part of its regular benefits program, until changed by further action of Council.

(e) To qualify for such benefit the employee must have a minimum of ten consecutive years of continuous service with the City, must have been associated with the City for at least five of the last ten years prior to retirement, and must have participated in the employee group life insurance program prior to and at the time of retirement, must be immediately eligible at time of separation for full retirement or disability retirement benefits under the Public Employees Retirement System, Police and Firemen's Disability and Pension Fund or other City retirement system.

(f) This section shall in no way affect persons retired from City employment prior to April 4, 1964. (Ord. 84-8-72. Passed 8-8-84.)

181.24 MEDICAL AND HOSPITALIZATION INSURANCE.

(a) The Director of Finance is hereby authorized to expend that sum of money necessary to provide group insurance coverage to certain permanent full and part-time City employees, as designated to be eligible by the City Manager, to include certain major medical surgical, diagnostic, prescription, dental and maternity care benefits.

(b) Such insurance premiums shall be paid for in full by the City and shall be part of its regular insurance program, until changed by further action of Council.

(c) The Director of Finance is hereby authorized to expend that sum of money necessary to reimburse those employees of the City for personal or dependent coverage who are eligible and who participate in Medicare, Part B. The Finance Director shall require such proof as he deems necessary as evidence of participation in the Medicare B program as a condition for reimbursement. (Ord. 2003-9-87. Passed 9-24-03.)

(d) Permanent part-time employees whose normal average work schedule is less than forty but thirty or more hours per week shall be provided with an individual, single coverage health insurance plan. However, at the employee's option, the employee may purchase the group coverage as set forth in subsection (a) hereof, at a cost which equals the City's cost to provide the additional group coverage less the cost for the single coverage health insurance plan. Permanent part-time employees hired before January 1, 2014 may maintain their existing health insurance coverage notwithstanding this subsection. (Ord. 2014-2-15. Passed 2-12-14.)

(e) Beginning with the 2017 plan year enrollment period, a full-time employee may decline participation in the health and dental benefits plan provided that the participation requirement citywide for all plans included in the health and dental benefits plan package can be achieved without the employee's participation. Employees declining participation in the health and dental benefits plan shall be compensated an amount not to exceed two thousand four hundred dollars (\$2,400) annually. Such amount shall be payable as one hundred dollars (\$100.00) per pay period (based on 24 pays) for such non-participation during a full twelve (12) month plan year. Said compensation shall be taxable to said employee. On a form provided by the City, employees shall execute a written declination of coverage which acknowledges that the City shall have no responsibility for liability for the health or dental benefits or expenses of the employee or his/her dependent and that re-enrollment in the plan(s) shall be subject to the provisions of the respective health or dental benefits plan. Compensation for non-participation shall not be paid to an employee who receives coverage as the spouse of another City employee. (Ord. 2016-11-99. Passed 11-9-16.)

181.25 HOSPITAL AND MEDICAL CARE PLANS FOR RETIREES. (REPEALED)

(EDITOR'S NOTE: Former Section 181.25 was repealed by Ordinance 2008-6-55, passed June 11, 2008.)

181.26 PAID TIME OFF (PTO).

Effective January 1, 2016, permanent full-time employees hired on or after January 1, 2016, will not be eligible for leave benefits under Section 181.01 (Vacation Leave), 181.02 (Sick Leave), and 181.27(b)(2) and 181.27(b)(3) (Floating Holidays and Birthday Leave); for permanent full-time employees hired on or after January 1, 2016, time off will be awarded as Paid Time Off (PTO).

- (a) The City will grant paid time off with pay to all permanent full-time employees hired on or after January 1, 2019 on the following basis:

Years of Continuous Service or Work Experience	PTO Hours Per Year	Approx. PTO Accrual Per Pay	Max PTO Hours Paid at Separation
Less than 1	88	3.38	1:1; 480 max
1	168	6.46	1:1; 480 max
7	208	8.00	1:1; 480 max
16	248	9.54	1:1; 480 max
17	256	9.85	1:1; 480 max
18	264	10.15	1:1; 480 max
19	272	10.46	1:1; 480 max
20	280	10.77	1:1; 480 max
21	288	11.08	1:1; 480 max

- (b) For benefits under this Section, it is understood that all periods of employment are to be continuous periods of employment as a permanent, full-time employee without separation by resignation or dismissal. Credit for continuous service shall apply only to service for the City of Hamilton for persons hired after August 17, 1994. Such employees shall receive no credit for service in any other public agency and shall have no right to claim such service under Ohio Revised Code § 9.44.

- (1) Effective January 1, 2019, at the discretion of the City Manager, the above restriction on credit for continuous service may be adjusted to take into account consideration of years of related work experience acquired prior to hire with the City of Hamilton.

- (c) A permanent full-time employee hired on or after January 1, 2016 may use PTO consistent with policies established and approved by the City Manager.
- (d) Effective March 30, 2018, a permanent full-time employee hired on or after March 30, 2018 will have a lump sum of eighty (80) PTO hours placed in their PTO bank on the date of hire. A permanent full-time employee hired on or after January 1, 2016 who did not have a lump sum of eighty (80) hours placed in their PTO bank upon hire will receive this benefit on or about March 30, 2018. This PTO benefit will not interfere with the PTO accrual schedule set forth in Section 181.26(a).
- (e) PTO will accrue per pay and continue indefinitely up to the PTO bank maximum of 480 hours as long as the employee is in a paid status. Once 480 hours is reached, the accrual will stop. Once the employee's PTO balance goes below 480 hours, the accrual will re-activate and continue as described above.
 - (1) Effective January 1, 2019, at the discretion of the City Manager, the number of PTO hours placed in a new hire's PTO bank can be increased up to one hundred twenty (120) hours to take into account consideration of years of related work experience acquired prior to hire with the City of Hamilton.
- (f) In case of death, unused accrued PTO shall be paid in a lump sum to the estate of the decedent or the surviving spouse or heir(s).
- (g) In the event of separation by resignation, layoff, retirement or dismissal after one year of service, any unused accrued PTO shall be paid in a lump sum. An employee with less than one year of service shall not receive a PTO payment in the event of separation by resignation, layoff, retirement or dismissal.
(Ord. 2017-1-2. Passed 1-11-17; Ord. 2018-3-23. Passed 3-14-18; Ord. 2019-12-131. Passed 12-4-19.)

181.27 HOLIDAY LEAVE WITH PAY.

Employees hired on or after January 1, 2016, excluding permanent employees originally hired before January 1, 2016 and reinstated to City employment pursuant to Civil Service rule or any legal requirement, will not be eligible for benefits under paragraph (b)(2) of this section. They will be eligible for Paid Time Off (PTO) benefits under Section 181.26.

Except as otherwise provided by an applicable negotiated labor contract, the following shall apply:

- (a) Determination of Eligibility.
 - (1) Permanent full-time employees within the administrative service of the City shall be eligible to receive holiday leave with pay. Permanent part-time employees within the administrative service of the City shall not be eligible to receive holiday leave with pay.
 - (2) Permanent employees whose normal work schedule is not less than thirty-seven and one-half hours per week shall be considered as full-time. Holiday leave with pay for full-time employees shall not exceed a total of 120 hours per calendar year, commencing January 1.
 - (3) Permanent employment status notwithstanding, eligibility for holiday leave with pay is further conditioned upon the employee being in a pay status on the actual date of the designated holiday except that, for purposes of leave taken as a "floating holiday", eligibility shall constitute being in a pay status for a period of three or more calendar months in the calendar year.

(b) Holiday Observance.

- (1) Except as provided hereinafter or in an applicable labor contract, the following are official holidays for purposes of leave with pay for permanent employees whose normally scheduled work week does not exceed forty hours:

New Year's Day (January 1)	Thanksgiving Day
Martin Luther King Day	Friday after Thanksgiving
Good Friday	Christmas Eve Day (December 24)
Memorial Day	Christmas Day (December 25)
Independence Day (July 4)	New Year's Eve Day (December 31)
Labor Day	Employee's Birthday

- (2) In addition to the holidays provided at subparagraph (b)(1) hereof, holiday leave with pay not to exceed forty hours per calendar year shall be provided as "floating holidays" for all permanent full-time employees hired prior to January 1, 2016.
- (3) On such occasions as any of the above designated holidays fall on a Saturday or the employee's first scheduled day of rest, such holiday shall be celebrated on the Friday previous or the past previous scheduled work day of the employees work week. On such occasion as any of the above designated holidays fall on a Sunday or the employee's second scheduled day of rest, such holiday shall be celebrated on the Monday next following or the next following scheduled work day of the employee's work week.
- (4) The scheduling of designated and "floating holiday" leaves shall be consistent with established operating policies and procedures of the employee's department or division.
- (5) Holiday leave will not be carried forward into a succeeding calendar year unless with written approval of the City Manager.

(c) Holiday Leave Administration.

- (1) Pay for holiday leave shall be computed based on the hourly or salary rate for the employee's classification, as shown in the Classification and Compensation Plan.
- (2) Pay received for holiday leave taken in excess of the employee's eligibility, as established herein, shall be subject to recovery.
- (3) In the event of separation from employment through resignation, retirement, layoff or dismissal holiday leave with pay due the employee shall be paid in a lump sum upon the effective date of separation.
- (4) In the event of the death of an employee, holiday leave pay otherwise due the employee shall be paid in a lump sum to the estate of the deceased employee, the surviving spouse or the heir(s) at law.
- (5) The City Manager is authorized to promulgate such policies and procedures as is necessary for the administration of the City's holiday leave with pay benefit and may further authorize premium rates of pay for hours worked on an observed holiday.

(Ord. 2017-1-2. Passed 1-11-17; Ord. 2020-3-24. Passed 3-11-20.)

181.28 SHIFT DIFFERENTIAL COMPENSATION AND PREMIUM COMPENSATION.

(a) Shift Differential Compensation. Shift differential compensation, and the effective date thereof, for employees represented by collective bargaining units shall be established by the respective collective bargaining agreement for each unit.

Shift differential compensation for employees included in the unorganized (nonunion) units, except for those employees within the command ranks of the Police and Fire Divisions and except for those employees within the classification of Plant Supervisor, shall be paid in the following amounts from and after the dates stated:

<u>Unit</u>	<u>Second Shift (per hour)</u>	<u>Third Shift (per hour)</u>	<u>Date</u>
Unorganized (non union) employees	\$ 0.20	\$ 0.25	April 21, 1989
Unorganized (non union) power plant shift supervisors	0.25	0.40	May 1, 1991

(b) Premium Compensation. In the case of unorganized (nonunion) employees, the City Manager may grant time and one-fourth payment for Saturday work when it is part of the regularly scheduled work week or time and one-half payment for Sunday work when it is part of the regularly scheduled work week or grant time and one-half or double time payment for overtime and/or holiday work or may grant compensatory time off for overtime and/or holiday work or grant compensation for call-in time. Employees serving within the classification of Plant Supervisor within Schedule A of the City's Classification and Compensation Plan shall be granted premium pay pursuant to the provisions of Section 181.34.
(Ord. 2000-2-19. Passed 2-23-00.)

181.29 SPECIAL BENEFITS FOR EMPLOYEES SERVING IN THE CLASSIFIED POSITIONS OF FIRE CHIEF AND ASSISTANT FIRE CHIEF.

Notwithstanding the provisions set forth in this chapter and in place of existing provisions of this chapter which may be in conflict with the following provisions, the classified employees in the position of Fire Chief and Assistant Fire Chief shall be granted the following special benefits:

- (a) Overtime: The Fire Chief and Assistant Fire Chief shall not be eligible for overtime.
- (b) Compensatory Time: The Fire Chief and Assistant Fire Chief shall be eligible only for compensatory time in accordance with the City Manager's administrative directives which apply to the City's management personnel.

- (c) Vacation: Upon written request to the City Manager, the Fire Chief and Assistant Fire Chief may be compensated in lieu of time off for vacation or holiday leave up to a maximum of sixty-four hours. Payment for such compensation shall be made to the employee in the next pay period following approval of such request. The Fire Chief or Assistant Fire Chief may, if he chooses and with supervisory approval, work an eight-hour vacation day or eight-hour holiday to a maximum of forty hours during a calendar year and receive pay in lieu of time off provided supervisory approval is obtained.
Such work shall be requested in writing to the City Manager, approved by the appropriate supervisor, and be paid to the employees in the next pay period following approval of such request.
- (d) Uniform Allowance: The Fire Chief and each Deputy Fire Chief shall receive annually the sum of seven hundred dollars (\$700.00) for uniform allowance.
- (e) Uniform Maintenance Allowance: The Fire Chief and Assistant Fire Chief shall also receive an annual uniform maintenance allowance of four hundred twenty-five dollars (\$425.00) or thirty-five dollars and forty cents (\$35.40) per month. The annual uniform maintenance allowance shall be payable on or about the first payroll period in the month of December of each year.
- (f) Dry-cleaning: The City shall, by public contract, provide for the dry-cleaning of dress hats and the cleaning and pressing of certain uniform apparel of the Fire Chief and Assistant Fire Chief. Such apparel shall be limited to 480 uniform apparel items per year of dry cleaning. The City shall also provide for the cleaning of bunker gear and the items of such bunker gear shall not count against the aforesaid items of dry cleaning.
- (h) Disability Pay for Fire Chief and Assistant Fire Chief.
- (1) Length of time for pay. If the Fire Chief or Assistant Fire Chief is disabled as the result of injuries received in the performance of his/her duties, he/she shall be entitled to receive his/her salary during the continuance of such disability, or during the period of one year, whichever is shorter, subject to the provisions of this subparagraph.
 - (2) Certification. In case the Fire Chief or Assistant Fire Chief is disabled as the result of injuries received in the performance of his or her duties, it shall be the duty of the Director of Public Safety in circumstances involving the Fire Chief, or the Fire Chief in circumstances involving the Assistant Fire Chief, to ascertain the nature and circumstances of the injuries. For this purpose, the Director of Public Safety may cause the injured person to be examined and/or re-examined by a competent physician or surgeon. In the event of such examination or re-examination, such physician or surgeon shall certify to the Director of Public Safety a report of the nature and extent of the disability. The Director of Public Safety, in circumstances involving the Fire Chief, or the Fire Chief, in circumstances involving the Assistant Fire Chief, shall certify to the City Manager a report of the nature and circumstances of the injury. The Director of Public Safety shall transmit copies of such certificates to the Director of Civil Service and the Director of Finance. If the Director of Civil Service or the Director of Finance is not satisfied that the injury or the circumstances in which it was received are such as to entitle the injured person to continue to receive his or her salary he shall within five days from receipt of such certificate or certificates notify the other directors concerned and shall, if he thinks it needful, cause or require other or further examination to be made.

- (3) Examination by physician. Neither the Fire Chief, nor Assistant Fire Chief, shall be entitled to receive salary or compensation if he or she refuses to permit examination of his or her injuries at any time by a competent physician or surgeon at the direction of the Director of Public Safety, the Director of Civil Service or the Director of Finance; or if, upon the determination as a result of any such examination that he or she is fit either for full, or for partial duty, or for special duty, he or she fails or refuses to report to his or her appointing authority, or to respond to any order that he or she so report. Malingering shall be sufficient ground for discontinuance of salary and for dismissal from the service.
- (4) Salary and promotion during period of disability. The salary of the Fire Chief and Assistant Fire Chief shall not be increased during and for any period of disability, either partial or entire, during which he or she is paid his or her salary. The Assistant Fire Chief shall be eligible for promotion during periods of disability but shall not be entitled to the promoted rate of pay until he or she actively works in the promoted classification.
(Ord. 2019-12-138. Passed 12-11-19.)

181.30 DONATION OF PAID LEAVE TO EMPLOYEES WITH CRITICAL NEEDS.

(a) As used in this section, "paid leave" means only vacation leave and personal leave. Paid leave shall not include sick leave.
(Ord. 96-11-121. Passed 11-13-96.)

(b) The City Manager may establish a Paid Leave Donation Program under which an employee paid directly by warrant of the City may donate some or all of that employee's accrued but unused paid leave to another employee paid directly by warrant of the City but who has no accrued but unused paid leave and who has a critical need for it because of circumstances such as a serious illness or the serious illness of a member of the employee's immediate family. Rules shall be established to administer the Paid Leave Donation Program and shall comply with the Codified Ordinances of the City and the administrative policies of the City. Said rules shall also include, but shall not be limited to, provisions that identify the circumstances under which leave may be donated and that specify the amount, types and value of leave that may be donated.
(Ord. 96-9-105. Passed 9-11-96.)

181.31 SPECIAL BENEFITS FOR CERTAIN EMPLOYEES WITHIN THE POLICE DIVISION AND HAMILTON MUNICIPAL COURT.

Notwithstanding the provisions set forth in this chapter and in place of existing provisions of this chapter, classified employees serving in the positions of Police Civilian Desk Officer, Police Public Safety Communications Manager and Administrative Specialist II (Police Division), and employees serving in the unclassified positions of Municipal Court Warrant Officer/Bailiff and Deputy Bailiff shall be granted the following special benefits:

- (a) Premium Compensation: Third shift Police Civilian Desk Officers (excluding the Police Public Safety Communications Manager and Administrative Specialist II (Police Division) classifications) shall receive time and one-quarter pay for Saturday as part of his/her regularly scheduled work week.

- (b) Holidays/Holiday Premium Compensation:
- (1) Police Public Safety Communications Manager and Administrative Specialist II (Police Division) classified employees and the Municipal Court Warrant Officer/Bailiff unclassified employees shall take off as holidays the holidays as otherwise designated in Section 181.27, and are excluded from the holiday provisions set forth hereafter.
 - (2) Police Civilian Desk Officer classified employees who work the following six designated holidays: New Year's Day, Independence Day, Thanksgiving Day, Christmas Eve Day, Christmas Day and New Year's Day shall, at their option, be paid either:
 - A. Two and one-half times the regular rate of pay and receive no time off for the holiday, or
 - B. One and one-half times the regular rate of pay and an additional eight hours compensatory time off at some future date.
- (c) Overtime Compensation/Compensatory Leave Time:
- (1) Police Public Safety Communications Manager and the Administrative Specialist II (Police Division) classified employees are exempt from overtime compensation.
 - (2) For hours worked in excess of forty hours per week, Police Civilian Desk Officer classified employees shall receive one and one-half times the regular hourly rate of pay, or one and one-half hours of time off work as compensatory leave:
 - (3) Police Civilian Desk Officer classified employees may accumulate up to eighty hours of compensatory leave time. No such employee may carry over more than eighty hours of compensatory leave time from one calendar year into the following calendar year. The employee shall receive pay for all compensatory leave time in excess of eighty hours at year-end which cannot be carried over by operation of this provision.
 - (4) All compensatory time must be approved in advance by the Police Chief.
- (d) Court Time: For each day that an off-duty Police Civilian Desk Officer, Police Public Safety Communications Manager or Administrative Specialist II (Police Division) classified employee is required to appear in court, the employee shall be paid in the same manner as sworn police officers as set forth in the current Collective Bargaining Agreement between the City and Fraternal Order of Police Lodge 38. (Ord. 2004-1-3. Passed 1-14-04.)

181.32 OVERRIDING AGREEMENT PROVISION.

Should the provisions of any collective bargaining agreement with City employees be in conflict with the provisions of this chapter, the provisions of the collective bargaining agreement shall prevail.

181.33 SPECIAL BENEFITS FOR POLICE CHIEF AND POLICE ADMINISTRATORS.

Notwithstanding any other provision of this chapter, classified employees serving in the positions of Police Chief or other full-time sworn police administrative positions not covered by a collective bargaining agreement shall be granted the following special benefits:

- (a) The Police Chief and police administrators shall be provided the same benefits police supervisors receive in the areas of leave, clothing, and fitness including but not limited to vacation leave, holiday leave, sick leave, attendance incentive, clothing allowance, clothing maintenance, dry cleaning, duty weapon, uniform badge, and fitness incentives. These provisions will mirror the benefits provided to the police supervisors in their collective bargaining agreement, as may be amended from time to time, but will not exceed them.
- (b) Eligibility for Compensatory Time: The Police Chief and police administrators shall only be eligible for compensatory time in accordance with the City Manager's Administrative Directives which apply to the City's management personnel. (Ord. 2019-12-139. Passed 12-11-19.)

181.34 SPECIAL BENEFITS FOR PLANT SUPERVISOR AND PLANT MAINTENANCE SUPERVISOR.

Notwithstanding the provisions of this chapter relating to the benefits set forth herein and in place of such existing benefits which may be in conflict with the following provisions, classified employees serving in the position of Plant Supervisor and Plant Maintenance Supervisor within Schedule A of the City's Classification and Compensation Plan shall be granted the special benefits as set forth below:

Overtime: Compensation for overtime shall begin after eighty-four hours worked within any given payroll period and shall be paid at regular, straight-time rates.

Compensatory Time: In any given calendar year, compensatory time may be earned up to and including eighty hours, and not more than forty hours may be carried over into the next calendar year. All compensatory time must be approved in advance by the Electric Production Superintendent.

Shift Differential Compensation: Plant Supervisors and Plant Maintenance Supervisor shall not be entitled to any shift differential compensation.

Premium Compensation: Compensation for any work performed as part of the regularly scheduled work week shall be paid:

- (a) At the rate of one and one-fourth times the regular rate of pay when such work is performed on Saturday; or
- (b) At the rate of one and one-half times the regular rate of pay when such work is performed on Sundays or holidays.

In lieu of payment for the aforesaid work performed on Saturdays, Sundays or holidays, compensatory time off may be granted and shall be calculated at the same payment rate as set forth above for work performed on Saturday, Sunday and holidays. (Ord. 2013-11-92. Passed 11-13-13.)

181.35 PHYSICAL FITNESS AND EDUCATIONAL MONETARY AWARDS. (REPEALED)

(EDITOR'S NOTE: Former Section 181.35 was repealed by Ordinance 2012-11-86.)

181.36 TUITION REIMBURSEMENT PROGRAM.

(a) There is hereby established a Tuition Reimbursement Program whereby a City employee may be reimbursed up to an annual, maximum amount of two thousand four hundred dollars (\$2,400.00) for any course of study which is offered by an accredited institution and which is related to the duties and responsibilities of the employee's current position within the City or of a position which would constitute a promotion for such employee.

(b) The City Manager shall establish by way of an Administrative Directive, specific criteria and regulation relating to the method of reimbursement, eligibility, application procedures, recovery of reimbursements, employee and appointing authority responsibilities, or any other matter impacting upon the administration and benefits of the Program.
(Ord. 2016-9-83. Passed 9-28-16.)

181.37 RELOCATION ASSISTANCE PROGRAM.

(a) There is hereby established a Relocation Assistance Program whereby a City employee may be reimbursed up to a maximum amount of three thousand five hundred dollars (\$3,500.00) for Tier 2 eligible employees and up to a maximum of seven thousand five hundred (\$7,500.00) for Tier 1, eligible employees.

(b) The City Manager shall establish by way of an Administrative Directive, specific criteria and regulations relating to the method of reimbursement, eligibility, application procedures, recovery of reimbursements, employee and appointing authority responsibilities, or any other matter impacting upon the administration and benefits of the Program.
(Ord. 2016-9-84. Passed 9-28-16.)

181.38 MILESTONE RECOGNITION PROGRAM.

(a) There is hereby established a Milestone Recognition Program whereby a City employee may receive a milestone recognition gift, subject to the annual budget established by the City Manager.

(b) The City Manager shall establish by way of an Administrative Directive, specific criteria and regulations relating to the administration of the Program.
(Ord. 2017-3-34. Passed 3-22-17.)

TITLE NINE - Taxation

- Chap. 191. Income Tax.
 Chap. 192. Income Tax Effective January 1, 2016.
 Chap. 193. Transient Occupancy Excise Tax.
 Chap. 195. Motor Vehicle License Tax.
 Chap. 197. Municipal Permissive Motor Vehicle License Tax.

CHAPTER 191**Income Tax**

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| 191.01 Purpose. | 191.10 Interest and penalties. |
| 191.02 Definitions. | 191.11 Collection of unpaid taxes and refunds of overpayments. |
| 191.03 Imposition of tax. | 191.12 Violations. |
| 191.04 Effective period. | 191.13 Board of Review. |
| 191.05 Return and payment of tax. | 191.14 Credit for tax paid to another municipality or Joint Economic Development District. |
| 191.06 Collection at source. | 191.15 Requirements for Joint Economic Development Districts. |
| 191.07 Declarations. | 191.99 Penalty. |
| 191.08 Duties of the Tax Commissioner. | |
| 191.09 Investigative powers of the Tax Commissioner; information is confidential. | |

CROSS REFERENCES

Power to levy income tax - see Ohio Const. Art. XVIII Sec. 3

Municipal income taxes - see Ohio R. C. Ch. 718

191.01 PURPOSE.

To provide funds for the purposes of general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City, there is hereby levied a tax on salaries, qualifying wages, commissions and other compensation and on net profits and other taxable income as hereinafter provided (General Fund 77.5%; Public Safety 12.5%; Capital Improvements 10.0%). (Ord. 2015-11-101. Passed 11-18-15.)

191.02 DEFINITIONS.

As used in this Chapter, the following words shall have the meaning ascribed to them in this section, except if the context clearly indicates or requires a different meaning.

- (a) "**Adjusted federal taxable income**" means a C corporation's federal taxable income before net operating losses and special deductions as determined under the Internal Revenue Code, adjusted as follows:
- (1) Deduct intangible income to the extent included in federal taxable income. The deduction shall be allowed regardless of whether the intangible income relates to assets used in a trade or business or assets held for the production of income;

- (2) Add an amount equal to five percent (5%) of intangible income deducted under division (a)(1) of this section, but excluding that portion of intangible income directly related to the sale, exchange, or other disposition of property described in section 1221 of the Internal Revenue Code;
- (3) Add any losses allowed as a deduction in the computation of federal taxable income if the losses directly relate to the sale, exchange or other disposition of an asset described in section 1221 or 1231 of the Internal Revenue Code;
- (4) (A) Except as provided in division (a)(4)(B) of this section, deduct income and gain included in federal taxable income to the extent the income and gain directly relate to the sale, exchange, or other disposition of an asset described in section 1221 or 1231 of the Internal Revenue Code.
(B) Division (a)(4)(A) of this section does not apply to the extent the income or gain is income or gain described in section 1245 or 1250 of the Internal Revenue Code.
- (5) Add taxes on or measured by net income allowed as a deduction in the computation of federal taxable income;
- (6) In the case of a real estate investment trust and regulated investment company, add all amounts with respect to dividends to, distributions to, or amounts set aside for or credited to the benefit of investors and allowed as a deduction in the computation of federal taxable income;
- (7) If the taxpayer is not a C corporation and is not an individual, the taxpayer shall compute adjusted federal taxable income as if the taxpayer were a C corporation, except:
 - (A) Guaranteed payments and other similar amounts paid or accrued to a partner, former partner, member, or former member shall not be allowed as a deductible expense; and
 - (B) Amounts paid or accrued to a qualified self-employed retirement plan with respect to an owner or owner-employee of the taxpayer, amounts paid or accrued to or for health insurance for an owner or owner-employee, and amounts paid or accrued to or for life insurance for an owner or owner-employee shall not be allowed as a deduction.

Nothing in division (a) of this section shall be construed as allowing the taxpayer to add or deduct any amount more than once or shall be construed as allowing any taxpayer to deduct any amount paid to or accrued for purposes of federal self-employment tax.

Nothing in this chapter shall be construed as limiting or removing the ability of any City to administer, audit, and enforce the provisions of its municipal income tax.

- (b) "**Association**" means a partnership, limited partnership or any other form of unincorporated enterprise, owned by two or more persons.
- (c) "**Board of Review**" means the Board created by and constituted as provided in Section 191.13.
- (d) "**Business**" means an enterprise, activity, profession, undertaking or other activity of any nature conducted for profit or ordinarily conducted for profit, whether by an individual, partnership, association, corporation or any other entity including but not limited to the renting or leasing of property, real, personal or mixed.
- (e) "**Calendar year**" means an accounting period of twelve months or less ending on December 31.

193.13 DISTRIBUTION/CREDITING OF MONEYS RECEIVED.

The moneys received under the provisions of this chapter shall be distributed and credited as follows:

- (a) Effective September 1, 1996, sixty-seven percent (67%) of such receipts shall be given to the Greater Hamilton Convention and Visitors Bureau, and thirty-three percent (33%) shall be credited to the General Fund.
- (b) Effective January 1, 1997, eighty-three percent (83%) of such receipts shall be given to the Greater Hamilton Convention and Visitors Bureau, and seventeen percent (17%) shall be credited to the General Fund; and
- (c) Effective January 1, 1998, one hundred percent (100%) of such receipts shall be given to the Greater Hamilton Convention and Visitors Bureau, and no funds shall be credited to the General Fund.
(Ord. 96-9-106. Passed 9-25-96.)
- (d) Effective January 1, 2009, fifty percent (50%) of such receipts shall be given to the Greater Hamilton Convention and Visitors Bureau, and fifty percent (50%) shall be credited to the General Fund.
(Ord. 2008-8-106. Passed 8-27-08.)
- (e) Effective March 25, 2016, fifty percent (50%) of such receipts shall be given to the Butler County Visitors Bureau and fifty percent (50%) shall be credited to the General Fund. (Ord. 2016-2-13. Passed 2-24-16.)
- (f) Effective January 1, 2020, (i) twenty-five percent (25%) of such receipts shall be given to either the Butler County Visitors' Bureau or the Greater Hamilton Convention and Visitors Bureau, as designated or allocated pursuant to the City's annual appropriation budget or contractual arrangement, and (ii) seventy-five percent (75%) of such receipts shall be credited to the General Fund.
(Ord. 2019-9-105. Passed 9-25-19.)

193.99 PENALTY.

(a) Whoever violates any provision of this chapter shall be guilty of a misdemeanor of the second degree, punishable therefor by a fine of not more than seven hundred fifty dollars (\$750.00) or by imprisonment for a period of not more than ninety days, or by both such fine and imprisonment for each offense.

(b) Any operator or other person who fails or refuses to register as required herein or to furnish any return required to be made, who fails or refuses to furnish a supplemental return or other data required by the Commissioner of Taxation, or who renders a false or fraudulent return or claim, is guilty of a misdemeanor of the second degree and is punishable therefor by a fine of not more than seven hundred fifty dollars (\$750.00) or by imprisonment for a period of not more than ninety days, or by both such fine and imprisonment for each offense.

(c) Any person required to make, render, sign or verify any report or claim who makes a false or fraudulent report or claim with intent to defeat or evade the determination of any amount due required by this chapter to be made, is guilty of a misdemeanor of the second degree and is punishable therefor by a fine of not more than seven hundred fifty dollars (\$750.00) or by imprisonment for a period of not more than ninety days, or by both such fine and imprisonment for each offense. (Ord. 84-12-108. Passed 12-27-84.)

CHAPTER 195
Motor Vehicle License Tax

195.01 Definition.
195.02 Levy.
195.03 Duration.

195.04 Payment.
195.05 Disposition of proceeds.

CROSS REFERENCES

Authority to tax - see Ohio R. C. 4504.06, 4504.172

Municipal permissive motor vehicle license tax - see ADM. Ch. 197

195.01 DEFINITION.

As used in this chapter "motor vehicle" means any and all vehicles included within the definition of motor vehicle in Ohio R.C. 4501.01 and 4505.01. (Ord. 89-2-18. Passed 2-22-89.)

195.02 LEVY.

There is hereby levied an annual license tax upon the operation of motor vehicles on the public roads or highways pursuant to Ohio R.C. 4504.172, for the following purposes:

- (a) Paying the costs and expenses of enforcing and administering the tax provided for in this section;
- (b) Planning, constructing, improving, maintaining and repairing public roads, highways and streets;
- (c) Maintaining and repairing bridges and viaducts;
- (d) Paying the City's portion of costs and expenses of cooperating with the Ohio Department of Transportation in the planning, improvement and construction of State highways;
- (e) Paying the City's portion of the compensation, damages, costs and expenses of planning, constructing, reconstructing, improving, maintaining and repairing roads and streets;
- (f) Paying any costs apportioned to the City corporation under Ohio R.C. 4907.47;
- (g) Paying debt service charges on notes or bonds of the City issued for such purposes;
- (h) Purchasing, erecting and maintaining street and traffic signs and markers;
- (i) Purchasing, erecting and maintaining traffic lights and signals; and
- (j) To supplement revenue already available for such purposes.

Such tax shall be at the rate of five dollars (\$5.00) per motor vehicle on each and every motor vehicle the district of registration of which, as defined in Ohio R.C. 4503.10, is in the City. (Ord. 89-2-18. Passed 2-22-89.)

195.03 DURATION.

The tax imposed by this chapter shall apply to and be in effect for the registration year commencing January 1, 1990 and shall continue in effect and application during each registration year thereafter. (Ord. 89-2-18. Passed 2-22-89.)

195.04 PAYMENT.

The tax imposed by this chapter shall be paid to the Registrar of Motor Vehicles of the State or to a Deputy Registrar at the time application for registration of a motor vehicle is made as provided in Ohio R.C. 4503.10.
(Ord. 89-2-18. Passed 2-22-89.)

195.05 DISPOSITION OF PROCEEDS.

All moneys derived from the tax hereinbefore levied shall be used by the City for the purposes specified in this chapter.
(Ord. 89-2-18. Passed 2-22-89.)

CHAPTER 197
Municipal Permissive Motor Vehicle License Tax

197.01 Definitions.

197.02 Levy of annual tax on motor vehicles.

197.03 Duration of the tax.

197.04 Payment of the tax.

197.05 Disposition of proceeds.

CROSS REFERENCES

Motor vehicle license tax - see ADM. Ch. 195

197.01 DEFINITIONS.

As used in this Chapter, the term, "motor vehicle" shall mean any and all vehicles included within the definition of motor vehicle in Sections 4501.01 and 4505.01 of the Ohio Revised Code. (Ord. 2019-8-77. Passed 8-14-19.)

197.02 LEVY OF ANNUAL TAX ON MOTOR VEHICLES.

(a) There is hereby levied an annual license tax upon the operation of motor vehicles on the public roads or highways pursuant to Section 4504.173 of the Ohio Revised Code, for the purpose of planning, constructing, improving, maintaining, and repairing public roads, highways, and streets.

(b) Such tax shall be at the rate of five dollars (\$5.00) per motor vehicle on each and every motor vehicle the district of registration of which, as defined in Section 4503.10 of the Ohio Revised Code, is in the City of Hamilton, Ohio subject to reductions in the manner provided in Section 4503.11 of the Ohio Revised Code and subject to exemptions provided in 4503.16, 4503.17, 4503.172, 4503.173, 4503.18, 4503.41, 4503.43, 4503.46, and 4503.571 of the Ohio Revised Code. (Ord. 2019-8-77. Passed 8-14-19.)

197.03 DURATION OF THE TAX.

The tax imposed by this chapter shall apply to and be in effect for the registration year commencing January 1, 2020 and shall continue in effect and application during each registration year thereafter. (Ord. 2019-8-77. Passed 8-14-19.)

197.04 PAYMENT OF THE TAX.

The tax imposed by this chapter shall be paid to the Registrar of Motor Vehicles of the State of Ohio or to a Deputy Registrar at the time application for registration of a motor vehicle is made as provided in Section 4503.10 of the Ohio Revised Code.

(Ord. 2019-8-77. Passed 8-14-19.)

197.05 DISPOSITION OF PROCEEDS.

All money derived from the tax hereinbefore levied shall be used by the City of Hamilton for the purposes specified in this chapter.

(Ord. 2019-8-77. Passed 8-14-19.)

315.08 APPEAL PROCEDURE.

Any person aggrieved shall have the right to appeal the denial of an event permit or the revocation of a permit to the City Manager. The appeal shall be taken within thirty days after notice. The City Manager shall act upon the appeal within thirty days after its receipt. (Ord. 2011-4-26. Passed 4-13-11.)

315.09 ALTERNATIVE PERMIT.

The Chief of Police, in denying an application for an event permit, shall be empowered to authorize the conduct of the event on a date, at a time, at a place and/or over a route different than that named by the applicant. An applicant desiring to accept an alternative permit shall, within five days after notice of the action of the Chief of Police, file a written notice of his acceptance with the appropriate Director. An alternate event permit shall conform to the requirements of and shall have the effect of, an event permit under this chapter. (Ord. 2011-4-26. Passed 4-13-11.)

315.10 COMPLIANCE BY PERMITTEE.

(a) Duties of Permittee. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

(b) Possession of Permit. The event chairman or other person heading or leading such activity shall carry the permit on his person during the conduct of the event. (Ord. 2011-4-26. Passed 4-13-11.)

315.11 CONDUCT OF PUBLIC DURING AN EVENT.

(a) Interference. No person shall unreasonably hamper, obstruct, impede or interfere with any event, or event assembly or with any person, vehicle or animal participating or used in the event.

(b) Driving through the Event. No driver of a vehicle except a police car or other public safety vehicle shall drive between the vehicles or persons comprising an event when such vehicles or persons are in motion and are conspicuously designated as an event.

(c) Parking in the Event Area. The Chief of Police shall have the authority when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or other public thoroughfare or part thereof constituting a part of the route of an event. The Chief shall post signs to such effect, and no person shall park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street or other public thoroughfare unposted in violation of this chapter.

(d) Possession of Dangerous Weapons. No person participating in, present at or within 500 feet of an event and while in a public place, shall possess a dangerous weapon of any kind as defined below (with the exception of firearms as defined by Ohio R.C. 2923.11, part of a firearm, its components, or its ammunition). For purposes of this section the term "dangerous weapon" shall be defined as any device designed or capable of being used to inflict serious injury upon a person or property, including but not limited to knives of any kind or any type having a blade in excess of three inches in length, razors and razor blades, chains, metallic knuckles, slingshots, clubs, blackjacks, night sticks, mace, dynamite cartridges, bombs, grenades, mines and other powerful explosives, loaded canes and caustic substances. For further purpose of this section, a club includes any metal pipe or rod of any thickness, and any wooden instrument or device thicker than one inch or wider than three-fourths of an inch, or a flashlight in excess of eight inches.

This restriction shall not apply to the following persons while acting lawfully and within the scope of their duties and authority:

- (1) Law enforcement officers;
- (2) Officers and soldiers of the armed forces, militia and National Guard;
- (3) Students of military science in an accredited program who are participating in the event;
- (4) Event participants who have secured from the Chief of Police a written permit to discharge for pageantry purposes during the course of such event blank-loaded ceremonial cannons, black powder muskets and like or similar firearms and weapons. Such written permit shall require that:
 - A. A written application for carrying and/or discharging blank-loaded dangerous weapons shall be filed with the Chief of Police not less than fourteen days or not more than sixty days before the date on which it is proposed to conduct the event.
 - B. The written application contains the following information:
 1. The name and address of the organization or group requesting the permit;
 2. The names and addresses of the individuals participating who will be carrying or discharging the devices;
 3. A description of the types of items that will be discharged including the type of powder or explosive material to be used;
 4. A statement as to whether or not the group or individual has liability coverage against all hazards arising from the discharge of blank loaded ceremonial cannons, black powder muskets, like or similar dangerous weapons;
 5. A declaration that such items are experienced with the use of items and practice safety precautions as associated with the items and any explosives; and
 6. A statement that no items will actually fire or eject a missile capable of causing injury or damage.

(e) Hand Carried Signs or Posters. No person participating in, present at, or within 500 feet of an event and while in a public place, shall possess or carry signs or posters of a metallic substance and no such sign or poster shall be of greater thickness than eight-ply .030 cardboard. No support for such sign or poster shall be of a metallic substance or thicker than one inch or wider than three-fourths of an inch.

(f) Personal Conduct. No person shall throw or cause to be thrown any rock, piece of metal or other hard object at any police officer, motor vehicle, event participant or onlooker upon a public street, sidewalk, park or other public facility.
(Ord. 2011-4-26. Passed 4-13-11; Ord. 2019-12-142. Passed 12-11-19.)

315.12 REVOCATION OF PERMIT.

The Chief of Police shall have the authority to revoke a parade permit issued hereunder upon application of the standards for issuance as herein set forth.
(Ord. 2011-4-26. Passed 4-13-11.)

C. As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway. Upon request from the Municipality for streets and highways under its jurisdiction, the Ohio Director of Transportation may extend the traditional school zone boundaries. The distances in subsections (b)(1)C.1. to 3. hereof shall not exceed 300 feet per approach per direction and are bounded by whichever of the following distances or combinations thereof the Director approves as most appropriate:

1. The distance encompassed by projecting the school building lines normal to the fronting highway and extending a distance of 300 feet on each approach direction;
2. The distance encompassed by projecting the school property lines intersecting the fronting highway and extending a distance of 300 feet on each approach direction;
3. The distance encompassed by the special marking of the pavement for a principal school pupil crosswalk plus a distance of 300 feet on each approach direction of highway;

Nothing in this section shall be construed to invalidate the Director's initial action on August 9, 1976, establishing all school zones at the traditional school zone boundaries defined by projecting school property lines, except when those boundaries are extended as provided in subsections (b)(1)A. and C. hereof.

D. As used in this subsection, "crosswalk" has the meaning given that term in Section 301.09. The Director may, upon request by resolution of Council, and upon submission by the Municipality of such engineering, traffic and other information as the Director considers necessary, designate a school zone on any portion of a State route lying within the Municipality that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line nearest the crosswalk to the nearest point of the crosswalk is no more than 1,320 feet. Such a school zone shall include the distance encompassed by the crosswalk and extending 300 feet on each approach direction of the State route;

- (2) Twenty-five miles per hour in all other portions of the Municipality, except on State routes outside business districts, through highways outside business districts and alleys;
- (3) Thirty-five miles per hour on all State routes or through highways within the Municipality outside business districts, except as provided in subsections (b)(4) and (5) hereof;
- (4) Fifty miles per hour on controlled-access highways and expressways within the Municipality, except as provided in subsections (b)(8) to (b)(12) of this section;
- (5) Fifty miles per hour on State routes within the Municipality outside urban districts unless a lower prima-facie speed is established as further provided in this section;
- (6) Fifteen miles per hour on all alleys within the Municipality;

- (7) Fifty-five miles per hour on freeways with paved shoulders inside the Municipality other than freeways as provided in subsection (b)(10) and (12);
- (8) Sixty miles per hour on rural expressways with traffic control signals and on all portions of rural divided highways, except as provided in subsections (b)(9) and (10) of this section;
- (9) Sixty-five miles per hour on all rural expressways without traffic control signals;
- (10) Seventy miles per hour on all rural freeways;
- (11) Fifty-five miles per hour on all portions of freeways or expressways in congested areas as determined by the Director and that are located within a municipal corporation or within an interstate freeway outerbelt, except as provided in subsection (b)(12) of this section;
- (12) Sixty-five miles per hour on all portions of freeways or expressways without traffic control signals in urbanized areas. (A.O.)
- (13) Fifteen miles per hour in all public parks within the Municipality, except that if a different speed is set forth on a sign indicating a different speed limit, that limit shall be permitted. (Ord. 2006-6-69. Passed 6-14-06.)

(c) It is prima-facie unlawful for any person to exceed any of the speed limitations in subsection (b)(1)A. to (b)(6) hereof, or any declared or established pursuant to this section by the Director or local authorities and it is unlawful for any person to exceed any of the speed limitations in subsection (d) hereof. No person shall be convicted of more than one violation of this section for the same conduct, although violations of more than one provision of this section may be charged in the alternative in a single affidavit.

- (d) No person shall operate a motor vehicle upon a street or highway as follows:
- (1) At a speed exceeding fifty-five miles per hour, except upon a highway, expressway or freeway as provided in subsection (b)(8), (9), (10) and (12) hereof;
 - (2) At a speed exceeding sixty miles per hour upon a highway as provided in subsection (b)(8) hereof;
 - (3) At a speed exceeding sixty-five miles per hour upon an expressway as provided in subsection (b)(9) hereof, or upon a freeway as provided in subsection (b)(12) of this section, except upon a freeway as provided in subsection (b)(10) hereof;
 - (4) At a speed exceeding seventy miles per hour upon a freeway as provided in subsection (b)(10) hereof;
 - (5) At a speed exceeding the posted speed limit upon a highway, expressway or freeway for which the Director has determined and declared a speed limit pursuant to Ohio R.C. 4511.21(I)(2) or (L)(2).

(e) In every charge of violation of this section the affidavit and warrant shall specify the time, place and speed at which the defendant is alleged to have driven, and in charges made in reliance upon subsection (c) hereof also the speed which subsections (b)(1)A. to (b)(6) hereof, or a limit declared or established pursuant to this section declares is prima-facie lawful at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater speed than will permit the person to bring the vehicle to a stop within the assured clear distance ahead the affidavit and warrant need not specify the speed at which the defendant is alleged to have driven.

(f) When a speed in excess of both a prima-facie limitation and a limitation in subsection (d) hereof is alleged, the defendant shall be charged in a single affidavit, alleging a single act, with a violation indicated of both subsections (b)(1)A. to (b)(6) hereof, or of a limit declared or established pursuant to this section by the Director or local authorities, and of the limitation in subsection (d) hereof. If the court finds a violation of subsection (b)(1)A. to (b)(6) hereof, or a limit declared or established pursuant to this section has occurred, it shall enter a judgment of conviction under such subsection and dismiss the charge under subsection (d) hereof. If it finds no violation of subsections (b)(1)A. to (b)(6) hereof or a limit declared or established pursuant to this section, it shall then consider whether the evidence supports a conviction under subsection (d) hereof.

(g) Points shall be assessed for violation of a limitation under subsection (d) hereof in accordance with Ohio R.C. 4510.036.

(h) Whenever, in accordance with Ohio R.C. 4511.21 or this section, the speed limitations as established herein have been altered, either higher or lower, and the appropriate signs giving notice have been erected as required, operators of motor vehicles shall be governed by the speed limitations set forth on such signs. It is prima-facie unlawful for any person to exceed the speed limits posted upon such signs.

(i) As used in this section:

- (1) "Interstate system" has the same meaning as in 23 U.S.C.A. 101.
- (2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation.
- (3) "Noncommercial bus" includes but is not limited to a school bus, or a motor vehicle operated solely for the transportation of persons associated with a charitable or nonprofit organization.
- (4) "Outerbelt" means a portion of a freeway that is part of the interstate system and is located in the outer vicinity of a major municipal corporation or group of municipal corporations, as designated by the Director.
- (5) "Rural" means an area outside urbanized areas and outside of a business or urban district, and areas that extend within urbanized areas where the roadway characteristics remain mostly unchanged from those outside the urbanized areas.
- (6) "Urbanized area" has the same meaning as in 23 U.S.C. 101.
- (7) "Divided" means a roadway having two or more travel lanes for vehicles moving in opposite directions and that is separated by a median of more than four feet, excluding turn lanes.

- (j) (1) A violation of any provision of this section is one of the following:
- A. Except as otherwise provided in subsections (j)(1)B., (1)C., (2) and (3) of this section, a minor misdemeanor;
 - B. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of Ohio R.C. 4511.21 or a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;

- C. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of this section or of any provision of Ohio R.C. 4511.21 or a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.
- (2) If the offender has not previously been convicted of or pleaded guilty to a violation of any provision of Ohio R.C. 4511.21 or of any provision of a municipal ordinance that is substantially similar to Ohio R.C. 4511.21 and operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster than thirty-five miles an hour in a school zone during recess or while children are going to or leaving school during the school's opening or closing hours, a misdemeanor of the fourth degree.
- (3) Notwithstanding subsection (j)(1) of this section, if the offender operated a motor vehicle in a construction zone where a sign was then posted in accordance with Ohio R.C. 4511.98, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender if the offender alleges, in an affidavit filed with the court prior to the offender's sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this subsection and if the court determines that the offender is an indigent person and unable to pay the fine.
- (4) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.21)

333.031 APPROACHING A STATIONARY PUBLIC SAFETY, EMERGENCY OR ROAD SERVICE VEHICLE.

(a) The driver of a motor vehicle, upon approaching a stationary public safety vehicle, emergency vehicle, road service vehicle, waste collection vehicle, vehicle used by the Public Utilities Commission to conduct motor vehicle inspections in accordance with Ohio R.C. 4923.04 and 4923.06 or a highway maintenance vehicle that is displaying the appropriate visual signals by means of flashing, oscillating or rotating lights, as prescribed in Section 337.16, shall do either of the following:

- (1) If the driver of the motor vehicle is traveling on a street or highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary public safety vehicle, emergency vehicle, road service vehicle, waste collection vehicle, vehicle used by the Public Utilities Commission to conduct motor vehicle inspections in accordance with Ohio R.C. 4923.04 and 4923.06 or a highway maintenance vehicle.
- (2) If the driver is not traveling on a street or highway of a type described in subsection (a)(1) of this section, or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle, and maintain a safe speed for the road, weather and traffic conditions.

- (4) "Commercial tractor," "passenger car," and "commercial car" have the same meanings as provided in Ohio R.C. 4501.01.
 - (5) "Vehicle" and "motor vehicle", as used in the definitions of the terms set forth in subsection (a)(4) hereof, have the same meanings as provided in Chapter 301.
 - (6) "Tort action" means a civil action for damages for injury, death, or loss to person or property. "Tort action" includes a product liability claim, as defined in Ohio R.C. 2307.71 and an asbestos claim, as defined in Ohio R.C. 2307.91, but does not include a civil action for damages for breach of contract or another agreement between persons.
- (b) No person shall do either of the following:
- (1) Operate an automobile on any street or highway unless that person is wearing all of the available elements of a properly adjusted occupant restraining device, or operate a school bus that has an occupant restraining device installed for use in its operator's seat unless that person is wearing all of the available elements of the device, as properly adjusted;
 - (2) Operate an automobile on any street or highway unless each passenger in the automobile who is subject to the requirement set forth in subsection (b)(3) hereof is wearing all of the available elements of a properly adjusted occupant restraining device;
 - (3) Occupy, as a passenger, a seating position on the front seat of an automobile being operated on any street or highway unless that person is wearing all of the available elements of a properly adjusted occupant restraining device;
 - (4) Operate a taxicab on any street or highway unless all factory-equipped occupant restraining devices in the taxicab are maintained in usable form.
- (c)
- (1) Subsection (b)(3) hereof does not apply to a person who is required by Section 337.26 to be secured in a child restraint device or booster seat.
 - (2) Subsection (b)(1) hereof does not apply to a person who is an employee of the United States Postal Service or of a newspaper home delivery service, during any period in which the person is engaged in the operation of an automobile to deliver mail or newspapers to addressees.
 - (3) Subsections (b)(1) and (3) hereof do not apply to a person who has an affidavit signed by a physician licensed to practice in this State under Ohio R.C. Chapter 4731 or a chiropractor licensed to practice in this State under Ohio R.C. Chapter 4734 that states the following:
 - A. That the person has a physical impairment that makes use of an occupant restraining device impossible or impractical;
 - B. Whether the physical impairment is temporary, permanent or reasonably expected to be permanent;
 - C. If the physical impairment is temporary, how long the physical impairment is expected to make the use of an occupant restraining device impossible or impractical.
 - (4) Subsections (b)(1) and (3) of this section do not apply to a person who has registered with the Registrar of Motor Vehicles in accordance with subsection (c)(5) of this section.

- (5) A person who has received an affidavit under subsection (c)(3) of this section stating that the person has a permanent or reasonably expected to be permanent physical impairment that makes use of an occupant restraining device impossible or impracticable may register with the Registrar attesting to that fact. Upon such registration, the Registrar shall make that information available in the law enforcement automated data system. A person included in the database under subsection (c)(5) of this section is not required to have the affidavit obtained in accordance with subsection (c)(3) of this section in their possession while operating or occupying an automobile.
- (6) A physician or chiropractor who issues an affidavit for the purposes of subsection (c)(3) or (4) of this section is immune from civil liability arising from any injury or death sustained by the person who was issued the affidavit due to the failure of the person to wear an occupant restraining device unless the physician or chiropractor, in issuing the affidavit, acted in a manner that constituted willful, wanton or reckless misconduct.
- (7) The Registrar shall adopt rules in accordance with Ohio R.C. Chapter 119, establishing a process for a person to be included in the database under subsection (c)(5) of this section. The information provided and included in the database under subsection (c)(5) of this section is not a public record subject to inspection or copying under Ohio R.C. 149.43.

(d) Notwithstanding any provision of law to the contrary, no law enforcement officer shall cause an operator of an automobile being operated on any street or highway to stop the automobile for the sole purpose of determining whether a violation of subsection (b) hereof has been or is being committed or for the sole purpose of issuing a ticket, citation or summons for a violation of that nature or causing the arrest of or commencing a prosecution of a person for a violation of that nature, and no law enforcement officer shall view the interior or visually inspect any automobile being operated on any street or highway for the sole purpose of determining whether a violation of that nature has been or is being committed.

(e) All fines collected for violations of subsection (b) hereof shall be forwarded to the Treasurer of State for deposit as provided in Ohio R.C. 4513.263.

- (f) (1) Subject to subsection (f)(2) of this section, the failure of a person to wear all of the available elements of a properly adjusted occupant restraining device in violation of subsection (b)(1) or (3) or the failure of a person to ensure that each minor who is a passenger of an automobile being operated by that person is wearing all of the available elements of a properly adjusted occupant restraining device, in violation of subsection (b)(2) of this section, shall not be considered or used by the trier of fact in a tort action as evidence of negligence or contributory negligence. But the trier of fact may determine based on evidence admitted consistent with the Ohio rules of evidence that the failure contributed to the harm alleged in the tort action and may diminish a recovery of compensatory damages that represents noneconomic loss, as defined in Ohio R.C. 2307.011 in a tort action that could have been recovered but for the plaintiff's failure to wear all of the available elements of a properly adjusted occupant restraining device. Evidence of that failure shall not be used as a basis for a criminal prosecution of the person other than a prosecution for a violation of this section; and shall not be admissible as evidence in a criminal action involving the person other than a prosecution for a violation of this section.

- (2) If, at the time of an accident involving a passenger car equipped with occupant restraining devices, any occupant of the passenger car who sustained injury or death was not wearing an available occupant restraining device, was not wearing all of the available elements of such a device, or was not wearing such a device as properly adjusted, then, consistent with the Rules of Evidence, the fact that the occupant was not wearing the available occupant restraining device, was not wearing all of the available elements of such a device, or was not wearing such a device as properly adjusted is admissible in evidence in relation to any claim for relief in a tort action to the extent that the claim for relief satisfies all of the following:
- A. It seeks to recover damages for injury or death to the occupant.
 - B. The defendant in question is the manufacturer, designer, distributor or seller of the passenger car.
 - C. The claim for relief against the defendant in question is that the injury or death sustained by the occupant was enhanced or aggravated by some design defect in the passenger car or that the passenger car was not crashworthy.
- (g) (1) Whoever violates subsection (b)(1) of this section shall be fined thirty dollars (\$30.00).
- (2) Whoever violates subsection (b)(3) of this section shall be fined twenty dollars (\$20.00).
- (3) Except as otherwise provided in this subsection, whoever violates subsection (b)(4) of this section is guilty of a minor misdemeanor. If the offender previously has been convicted of or pleaded guilty to a violation of subsection (b)(4) of this section, whoever violates subsection (b)(4) of this section is guilty of a misdemeanor of the third degree. (ORC 4513.263)

337.31 USE OF SUNSCREENING, NONTRANSPARENT AND REFLECTORIZED MATERIALS.

(a) Requirements.

- (1) No person shall operate, on any highway or other public or private property open to the public for vehicular travel or parking, lease, or rent any motor vehicle that is required to be registered in this State with any suncreening material, or other product or material which has the effect of making the windshield or windows nontransparent or would alter the windows' color, increase its reflectivity, or reduce its light transmittance, unless the product or material satisfies one of the following exceptions:
- A. Any manufacturer's tinting or glazing of motor vehicle windows or windshields that is otherwise in compliance with or permitted by "Federal Motor Vehicle Safety Standard Number 205" (FMVSS 205) in effect at the time of the manufacture of the motor vehicle until such standard is subsequently repealed or reduced. In "Federal Motor Vehicle Safety Standard Number 205" (FMVSS 205) "manufacturer" means any person engaged in the manufacturing or assembling of motor vehicles or motor vehicle equipment, including any person importing motor vehicles or motor vehicle equipment for resale. "Federal Motor Vehicle Safety Standard Number 205" (FMVSS), Code of Federal Regulations, Title 49, Part 571, can be obtained online at web site <http://www.gpo.gov>.
 - B. Any sunscreening material or other product or material applied to the windshield when used in conjunction with the safety glazing materials of such window, has a light transmittance of not less than seventy per cent plus or minus three per cent and is not red or yellow in color.

- C. Any sunscreening material or other product or material applied to the side windows to the immediate right or left of the driver, so long as such material, when used in conjunction with the safety glazing materials of such windows, has a light transmittance of not less than fifty per cent plus or minus three per cent and is not red or yellow in color.
 - D. Any sunscreening material or other product or material applied to a window not otherwise listed in subsections (a)(1)A. to C. or E. of this section, except that outside left and right rear view mirrors are required if the sunscreening material is applied to the rear window and the sunscreening material, when used in conjunction with the safety glazing material of such window, has a light transmittance of less than fifty per cent plus or minus three per cent.
 - E. Any sunscreening material or other product or material applied along the top of the windshield and that does not extend downward beyond the AS-1 line or five inches from the top of the windshield, whichever is closer to the top, is not regulated by this section.
- (2) No person shall install in any motor vehicle any glass or other material that fails to conform to the specifications of this section.
 - (3) No used motor vehicle dealer or new motor vehicle dealer, as defined in Ohio R.C. 4517.01, shall sell any motor vehicle that fails to conform to the specifications of this section.
 - (4) No reflectorized materials shall be permitted upon or in any front windshield, side windows, sidewings or rear window.
 - (5) No person shall operate on any highway or other public or private property open to the public for vehicular travel or parking, lease, or rent any motor vehicle that is required to be registered in this State that is equipped with privacy drapes, louvers, curtains or blinds unless the drapes, louvers, curtains or blinds are open and secure during vehicle operation.
 - (6) All motor vehicles, beginning with the 1990 model year, must be equipped with labels identifying sunscreening material. All sunscreening material must indicate the manufacturer's name and the percentage level of light transmission of the material permanently installed between the material and the surface to which the material is applied or affixed. Such label must be legible and must be placed in the lower left-hand corner of the vehicle window when viewed from the outside. (OAC 4501-41-03)
- (b) Exemptions. The provisions of this section do not apply to:
- (1) A motor vehicle registered in this State in the name of a person, or the person's parent, legal guardian or spouse who has an affidavit signed by a physician licensed to practice in this State under Ohio R.C. Chapter 4731 or an affidavit signed by an optometrist licensed to practice in this State under Ohio R.C. Chapter 4725 that states that the person has a physical condition that makes it necessary to equip such motor vehicle with sunscreening material which would be of a light transmittance and/or luminous reflectance in violation of this section. Such affidavit shall be in the possession of the person so afflicted or the driver at all times while in the motor vehicle;
 - (2) The windows to the rear of the driver in chauffeured limousines as defined herein;
 - (3) The windows to the rear of the driver in those vehicles designed and used to transport corpses which include hearses and other vehicles adapted for such use; and

- (4) The manufacturer's tinting or glazing of motor vehicle windows or windshields that is otherwise in compliance with or permitted by "Federal Motor Vehicle Safety Standard Number 205" (FMVSS 205) in effect at the time of the manufacture of the motor vehicle as provided in subsection (a) hereof. "Federal Motor Vehicle Safety Standard Number 205" (FMVSS 205), Code of Federal Regulations, Title 49, Part 571, can be obtained online at web site <http://www.gpo.gov>. (OAC 4501-41-05)
- (c) **Definitions.** As used in this section, certain terms are defined as follows:
- (1) "Motor vehicle" has the same meaning as specified in Section 301.20.
 - (2) "Sunscreening material" means products or materials, including film, glazing and perforated sunscreening, which, when applied to the windshield or windows of a motor vehicle, reduce the effects of the sun with respect to light reflectance or transmittance.
 - (3) "Transmittance" means the ratio of the amount of total light, expressed in percentages, which is allowed to pass through the product or material, including glazing, to the amount of total light falling on the product or material and the glazing.
 - (4) "Windshield" means the front exterior viewing device of a motor vehicle.
 - (5) "Window" means any device designed for exterior viewing from a motor vehicle, except the windshield or any roof-mounted viewing device.
 - (6) "Manufacturer" unless otherwise specified in this section, means any person who engages in the manufacturing or assembling of sunscreening products or materials or any person who fabricates, laminates or tempers a safety glazing material, incorporating, during the manufacturing process, the capacity to reflect or reduce the transmission of light.
 - (7) "Chauffeured limousine" means a motor vehicle that is designed to carry nine or fewer passengers and is operated for hire on an hourly basis pursuant to a prearranged contract for the transportation of passengers on public roads and highways along a route under the control of the person hiring the vehicle and not over a defined and regular route. "Prearranged contract" means an arrangement, made in advance of boarding, to provide transportation from a specific location in a chauffeured limousine at a fixed rate per hour or trip. "Chauffeured limousine" does not include any vehicle that is used exclusively in the business of funeral directing.
(OAC 4501-41-02)
- (d) **Penalty.** Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.241)

337.32 PROHIBITION OF CERTAIN VEHICLES AND EQUIPMENT IN THE MUNICIPAL PARKING GARAGE.

- (a) No person shall push, pull, operate or move any vehicle in any manner within the Municipal Parking Garage when either of the following apply:
- (1) The vehicle is equipped with studded tires, chains or any other similar protruding object attached to its tires;
 - (2) Aside from its tires, the vehicle has any object or attachment which protrudes from the vehicle in such a manner as to come into contact with or drag upon the pavement or ceiling of the garage when the vehicle is in motion. (Ord. 90-1-9. Passed 1-24-90.)

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

337.33 BUMPER HEIGHTS.

(a) Definitions.

- (1) "Passenger car" means any motor vehicle with motive power, designed for carrying ten persons or less, except a multipurpose passenger vehicle or motorcycle.
- (2) "Multipurpose passenger vehicle" means a motor vehicle with motive power, except a motorcycle, designed to carry ten persons or less, that is constructed either on a truck chassis or with special features for occasional off-road operation.
- (3) "Truck" means every motor vehicle, except trailers and semitrailers, designed and used to carry property and having a gross vehicle weight rating of 10,000 pounds or less.
- (4) "Manufacturer" has the same meaning as in Ohio R.C. 4501.01.
- (5) "Gross vehicle weight rating" means the manufacturer's gross vehicle weight rating established for the vehicle.
- (6) "Body floor height" means the vertical distance between top of the frame rail and the bottom of the passenger compartment (cab) floor. In the event that the vehicle is a truck body, floor height will be measured by the vertical distance between the passenger compartment (cab) floor and the floor of the truck bed.
- (7) "Bumper height" means the vertical distance between the ground and the highest point of the bottom of the bumper, measured when the vehicle is laden on a level surface with the vehicle tires inflated to the manufacturer's recommended pressure.
- (8) "Frame" means the main longitudinal structural members of the chassis of the vehicle or, for vehicles with unitized body construction, the lowest main longitudinal structural members of the body of the vehicle.
- (9) "Wheel track distance" means the distance on the ground between the center of the tire tread on one side of the vehicle, and the center of the tire tread on the opposite side. (OAC 4501-43-02)

(b) Prohibitions; Application.

- (1) No person shall operate upon a street or highway any passenger car, multipurpose passenger vehicle, or truck registered in this State that does not conform to the requirements of this section.
- (2) No person shall modify any motor vehicle registered in this State in such a manner as to cause the vehicle body or chassis to come in contact with the ground, expose the fuel tank to damage from collision, or cause the wheels to come in contact with the body under normal operation, and no person shall disconnect any part of the original suspension system of the vehicle to defeat the safe operation of that system including the installation of inverted, altered or modified suspension system component parts which results in elevation of the height of the vehicle bumper or frame unit which is not in compliance with this section.
- (3) No person shall operate upon a street or highway any passenger car, multipurpose passenger vehicle or truck registered in this State without a bumper on the front and rear of the vehicle if such vehicle was equipped with bumpers as standard equipment by the manufacturer.

- (4) No person shall operate upon a street or highway any passenger car, multipurpose passenger vehicle or truck registered in this State if the difference in height between the body floor and the top of the frame exceeds four inches.
- (5) Nothing contained in this section shall be construed to prohibit either of the following:
 - A. The installation upon a passenger car, multipurpose passenger vehicle or truck registered in this State of heavy duty equipment, including shock absorbers and overload springs as long as such equipment does not cause the vehicle to be in violation of this section;
 - B. The operation on a street or highway of a passenger car, multipurpose passenger vehicle or truck registered in this State with normal wear to the suspension system if the normal wear does not adversely affect the control of the vehicle.
- (6) This section does not apply to any specially designed or modified passenger car, multipurpose passenger vehicle or truck when operated off a street or highway in races and similar events.
- (7) A specially designed or modified passenger car, multipurpose passenger vehicle or truck which does not conform to this section shall not be operated on a street or highway.
(OAC 4501-43-03)

(c) Specifications.

- (1) The horizontal bumper shall be at least 4.5 inches in vertical height, centered on the vehicle's centerline, and extend no less than the width of the respective wheel track distances. Bumpers shall be horizontal load bearing bumpers and attached to the vehicle frame to effectively transfer impact when engaged.
- (2) Maximum bumper heights shall be determined by the type of vehicle at time of manufacture. If other than a passenger vehicle, the maximum bumper height shall be determined by the gross vehicle weight rating (GVWR) at the time of manufacture. The height shall be measured in terms of the vertical distance between the ground and the bottom of the bumper. Maximum bumper heights are as follows:

	<u>Front (inches)</u>	<u>Rear (inches)</u>
Passenger Vehicles	22	22
All Other Vehicles:		
4,500 lbs. and under GVWR	24	26
4,501 lbs. to 7,500 lbs. GVWR	27	29
7,501 lbs. to 10,000 lbs. GVWR	28	31

- (3) If the body and/or truck bed height is altered the difference in height between the body floor and/or the truck bed floor to the top of the frame rail shall not exceed four inches.
- (4) For any vehicle with bumpers or attaching components which have been modified or altered from the original manufacturer's design in order to conform with the maximum bumper requirements of this section, the bumper height shall be measured from a level surface to the bottom of the vehicle frame rail at the most forward and rearward points of the frame rail. Frame rail height if bumper modified or altered:

	<u>Front (inches)</u>	<u>Rear (inches)</u>
Passenger Vehicles	22	22
All Other Vehicles:		
4,500 lbs. and under GVWR	24	26
4,501 lbs. to 7,500 lbs. GVWR	27	29
7,501 lbs. to 10,000 lbs. GVWR	28	31

(5) The height restriction in this subsection (c) applies to the distance from the ground to the bottom of the frame rail under any one or more of the following conditions:

- A. A motor vehicle is not equipped with a front and rear bumper.
- B. The bumper height relative to the frame rails has been altered.
- C. A supplemental bumper has been installed or an addition to the original or replacement has been made. (OAC 4501-43-04)

(d) Whoever violates this section is guilty of a minor misdemeanor. (ORC 4513.99)

337.34 DIRECTIONAL SIGNALS REQUIRED.

(a) (1) No person shall operate any motor vehicle manufactured or assembled on or after January 1, 1954, unless the vehicle is equipped with electrical or mechanical directional signals.

(2) No person shall operate any motorcycle or motor-driven cycle manufactured or assembled on or after January 1, 1968, unless the vehicle is equipped with electrical or mechanical directional signals.

(b) "Directional signals" means an electrical or mechanical signal device capable of clearly indicating an intention to turn either to the right or to the left and which shall be visible from both the front and rear.

(c) All mechanical signal devices shall be self-illuminating devices when in use at the times mentioned in Section 337.02.

(d) Whoever violates this section is guilty of a minor misdemeanor. (ORC 4513.261)

- (m) "Fatality" means the death of a person as the result of a motor vehicle accident occurring not more than three hundred sixty-five days prior to the date of a death.
- (n) "Felony" means any offense under federal or state law that is punishable by death or specifically classified as a felony under the law of this State, regardless of the penalty that may be imposed.
- (o) "Foreign jurisdiction" means any jurisdiction other than a state.
- (p) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.
- (q) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73, as amended.
- (r) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, except that such term does not include a vehicle, machine, tractor, trailer or semitrailer operated exclusively on a rail.
- (s) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, local, Canadian or Mexican jurisdiction declaring that a driver, commercial motor vehicle or commercial motor carrier operation is out of service as defined in 49 C.F.R. 390.5.
- (t) "Public safety vehicle" has the same meaning as in divisions (E)(1) and (3) of Ohio R.C. 4511.01.
- (u) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in Ohio R.C. 4501.01 and is used exclusively for purposes other than engaging in business for profit.
- (v) "School bus" has the same meaning as in Ohio R.C. 4511.01.
- (w) "State" means a state of the United States and includes the District of Columbia.
- (x) "Tester" means a person or entity acting pursuant to a valid agreement entered into pursuant to Ohio R.C. 4506.09.
- (y) "United States" means the fifty states and the District of Columbia.
- (z) "Vehicle" has the same meaning as in Ohio R.C. 4511.01.
(ORC 4506.01)

341.02 EXEMPTIONS.

Section 341.02 has been deleted from the Codified Ordinances. Former Ohio R.C. 4506.02 from which Section 341.02 was derived was repealed by Am. Sub. H.B. No. 68, effective June 29, 2005. The exemptions are now contained in Section 341.03.

341.03 PREREQUISITES TO OPERATION OF A COMMERCIAL MOTOR VEHICLE.

- (a) Except as provided in subsections (b) and (c) of this section, the following shall apply:
 - (1) No person shall drive a commercial motor vehicle on a highway in this Municipality unless the person holds, and has in the person's possession, any of the following:
 - A. A valid commercial driver's license with proper endorsements for the motor vehicle being driven, issued by the Registrar of Motor Vehicles, or by another jurisdiction recognized by this State;
 - B. A valid examiner's commercial driving permit issued under Ohio R.C. 4506.13;

- C. A valid restricted commercial driver's license and waiver for farm-related service industries issued under Ohio R.C. 4506.24;
- D. A valid commercial driver's license temporary instruction permit issued by the Registrar, provided that the person is accompanied by an authorized state driver's license examiner or tester or a person who has been issued and has in the person's immediate possession a current, valid commercial driver's license and who meets the requirements of Ohio R.C. 4506.06(B).

- (2) No person who has been a resident of this State for thirty days or longer shall drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction.

(b) Nothing in subsection (a) of this section applies to any qualified person when engaged in the operation of any of the following:

- (1) A farm truck;
- (2) Fire equipment for a fire department, volunteer or nonvolunteer fire company, fire district, joint fire district or the Ohio Fire Marshal;
- (3) A public safety vehicle used to provide transportation or emergency medical service for ill or injured persons;
- (4) A recreational vehicle;
- (5) A commercial motor vehicle within the boundaries of an eligible unit of local government, if the person is employed by the eligible unit of local government and is operating the commercial motor vehicle for the purpose of removing snow or ice from a roadway by plowing, sanding, or salting, but only if either the employee who holds a commercial driver's license issued under Ohio R.C. Chapter 4506 and ordinarily operates a commercial motor vehicle for these purposes is unable to operate the vehicle, or the employing eligible unit of local government determines that a snow or ice emergency exists that requires additional assistance;
- (6) A vehicle operated for military purposes by any member or uniformed employee of the armed forces of the United States or their reserve components, including the Ohio national guard. This exception does not apply to United States reserved technicians.
- (7) A commercial motor vehicle that is operated for nonbusiness purposes. "Operated for nonbusiness purposes" means that the commercial motor vehicle is not used in commerce as "commerce" is defined in 49 C.F.R. 383.5, as amended, and is not regulated by the Public Utilities Commission pursuant to Ohio R.C. Chapter 4905, 4921, or 4923.
- (8) A motor vehicle that is designed primarily for the transportation of goods and not persons, while that motor vehicle is being used for the occasional transportation of personal property by individuals not for compensation and not in the furtherance of a commercial enterprise.
- (9) A police SWAT team vehicle.
- (10) A police vehicle used to transport prisoners.

(c) Nothing contained in subsection (b)(5) of this section shall be construed as preempting or superseding any law, rule, or regulation of this State concerning the safe operation of commercial motor vehicles.

(d) Whoever violates this section is guilty of a misdemeanor of the first degree.
(ORC 4506.03)

- (5) The equipment has no fixed connections to electric, water, gas, or sewer facilities;
- (6) The equipment is kept in good repair and carries a current year's license and/or registration; and
- (7) The equipment is being loaded or unloaded, in which case it may be parked in the driveway for a period of not more than forty-eight hours.

No person shall park or keep an inhabited mobile home in any other zoning district of the City except in a duly licensed mobile home park. (Ord. 2001-7-81. Passed 7-11-01.)

351.15 FIRE LANES.

(a) The Traffic Engineer is hereby authorized to designate fire lanes on privately owned property which is devoted to public use. The Traffic Engineer shall keep a record of all such fire lanes designated by him and a copy of the record, when certified by him, shall be competent evidence of the designation in all courts.

(b) Any fire lane established in accordance with subsection (a) hereof shall be so identified by the placement of appropriate signs and markings adjacent thereto.

(c) Any such fire lane so established in accordance with subsection (a) hereof shall be certified by the Traffic Engineer to the City Clerk for inclusion in the traffic control schedule.

(d) No person shall stop, stand or park a motor vehicle, or place any other obstruction within a designated fire lane. (Ord. 77-10-81. Passed 10-12-77.)

351.16 PRIVATE TOW-AWAY ZONES.

(a) If an owner of private property posts on the property, in a conspicuous manner, a prohibition against parking on the property or conditions and regulations under which parking is permitted, no person shall do either of the following:

- (1) Park a vehicle on the property without the owner's consent;
- (2) Park a vehicle on the property in violation of any condition or regulation posted by the owner.

(b) Except as provided in Ohio R.C. 4513.60 to 4513.65 and subject to the requirements of this section, the owner of private property or his authorized agent may remove, or cause to be removed, any vehicle parked on the property in violation of a posted parking prohibition, condition or regulation.

(c) The owner of private property may create a private tow-away zone only if all of the following conditions are satisfied:

- (1) The owner posts on his property a sign that is at least eighteen inches by twenty-four inches in size, that is visible from all entrances to the property and that contains at least all of the following information:
 - A. A notice that the property is a private tow-away zone and that vehicles not authorized to park on the property shall be towed away;
 - B. The telephone number of the person from whom a towed-away vehicle can be recovered, and the address of the place to which the vehicle will be taken and from which it may be recovered;
 - C. A statement that the vehicle may be recovered at any time during the day or night upon the submission of proof of ownership and the payment of a towing charge in an amount not to exceed ninety dollars (\$90.00) and a storage charge in an amount not to exceed twelve dollars (\$12.00) per twenty-four hour period; except that the charge for towing shall not exceed one hundred fifty dollars

(\$150.00), and the storage charge shall not exceed twenty dollars (\$20.00) per twenty-four-hour period, if the vehicle has a manufacturer's gross vehicle weight rating in excess of ten thousand pounds and is a truck, bus or a combination of a commercial tractor and trailer or semi-trailer. (Ord. 2002-6-51. Passed 6-26-02.)

- (2) The place to which the towed vehicle is taken and from which it may be recovered is conveniently located, is well lighted and is on or within a reasonable distance of a regularly scheduled route of one or more modes of public transportation, if any public transportation is available in the Municipality.

(d) If a vehicle is parked on private property that is established as a private tow-away zone in accordance with subsection (c) hereof, without the consent of the owner of the property, the owner and the operator of the vehicle shall be deemed to have consented to the removal and storage of the vehicle, and to the payment of the towing and storage charges specified in subsection (c)(1)C. hereof, and the owner may recover the vehicle only upon submission of proof of ownership and the payment of such charges. However, if the owner or operator of the vehicle arrives after the vehicle has been prepared for removal but prior to its actual removal from the zone, the owner or operator shall be given the opportunity to pay a fee of no more than one-half of the normal towing charge of the person who has prepared the vehicle for removal in order to obtain release of the vehicle. Upon payment of this fee, the vehicle shall be released to the owner or operator and upon release of the vehicle, the owner or operator immediately shall move the vehicle so that it is not parked on the private property established as a private tow-away zone without the consent of the owner.

(e) No owner of private property shall remove, or shall cause the removal and storage of, any vehicle pursuant to this section by a tow truck or tow truck operator in violation of any other municipal ordinance regulating such truck or operator.

(f) Except as provided in Ohio R.C. 4513.60 to 4513.65 and Section 303.08 of this Traffic Code, no person shall remove, or cause to be removed, any vehicle from private property other than in accordance with this section.

(g) If an owner of private property, or his authorized agent, removes or causes the removal of a vehicle from that property pursuant to this section the owner or agent shall notify the police of the removal and of the vehicle's license plate number.

351.17 NO PARKING OF MOTOR VEHICLES IN YARDS.

No person, operator, or owner of a vehicle, motor vehicle, motorcycle, motorized bicycle, commercial tractor, bus, trailer or semi-trailer shall park the same or permit the same to be parked between the building line of a building or structure and the public right-of-way of the abutting street or alley unless the same is parked on a driveway which is surfaced in accordance with Section 1137.33 of the City of Hamilton Zoning Ordinance. (Ord. 2005-7-75. Passed 7-27-05; Ord. 2019-9-103. Passed 9-25-19.)

351.99 PENALTY.

(EDITOR'S NOTE: See Section 303.99 for misdemeanor classifications and penalties.)

(a) Penalties for Parking Violations.

- (1) Effective March 13, 2020, every person who violates Sections 311.06(b), 351.06, 351.10(a) and 353.032 shall be fined twenty-five dollars (\$25.00) if paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight on the date of the violation but within twenty-four hours of the time at which the violation occurred, the fine shall be fifty dollars (\$50.00). If the fine is paid after twenty-four hours from the time of the violation, the fine shall be seventy-five dollars (\$75.00).
- (2) Effective March 13, 2020, every person who violates Sections 351.03(a) through (s), 351.09, 351.10(b), 351.04(a), 351.04(c), 351.11, 353.04, 353.08, 353.12 and 355.02 shall be fined fifteen dollars (\$15.00) if paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight of the date of the violation but within twenty-four hours of the violation, the fine shall be thirty dollars (\$30.00). If the fine is paid after twenty-four hours from the time of the violation, the fine shall be fifty dollars (\$50.00).
- (3) Effective April 10, 1995, every person who violates Section 351.03(u), 351.13, 351.131, 351.15, 351.14, 351.17 and 353.071 shall be fined fifty dollars (\$50.00) if paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight of the date of violation but within twenty-four hours of the violation, the fine shall be seventy-five dollars (\$75.00). If the fine is paid after twenty-four hours from the time of the violation, the fine shall be one hundred dollars (\$100.00).
- (4) Whoever violates Section 351.03(t) shall be fined not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00).
 - A. An offender who violates Section 351.03(t) shall be fined not more than one hundred dollars (\$100.00) if the offender, prior to sentencing, proves either of the following to the satisfaction of the court:
 1. At the time of the violation of Section 351.03(t), the offender or the person for whose transport the motor vehicle was being operated had been issued a removable windshield placard that then was valid or special license plates that then were valid but the offender or the person neglected to display the placard or license plates as described in subsection (f)(1)A. of Section 351.04.
 2. At the time of the violation of subsection (f)(1)B. of this section, the offender or the person for whose transport the motor vehicle was being operated had been issued a parking card that then was valid or special handicapped license plates that then were valid but the offender or the person neglected to display the card or license plates as described in subsection (f)(1)B. of Section 351.04.

- (5) Effective March 13, 2020, every person who violates Section 351.06.1 shall be fined twenty-five dollars (\$25.00) if paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight on the date of the violation but within twenty-four hours of the time at which the violation occurred, the fine shall be fifty dollars (\$50.00). If the fine is paid after twenty-four hours from the time of the violation, the fine shall be seventy-five dollars (\$75.00).
- (6) Whoever violates Section 351.03(w) shall be fined two hundred fifty dollars (\$250.00).
- (b) Penalties for Parking Meter Violations. Effective March 13, 2020, whoever violates Section 353.06 relative to parking in violation of a metered parking space on the streets and parking lots operated by the City shall be fined five dollars (\$5.00) if the fine is paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight but within twenty-four hours of the time of the violation, the fine shall be ten dollars (\$10.00). If the fine is paid after twenty-four hours of the time of the violation, the fine shall be fifteen dollars (\$15.00).
- (c) Penalties for Parking Violations in the Municipal Parking Garage. Whoever violates Section 337.32 or Section 353.161 hereof shall be guilty of a fourth degree misdemeanor. In addition to any other penalty imposed by the Court according to law, every person convicted of a violation of Section 337.32 or Section 353.161 shall be mandatorily fined the sum of one hundred dollars (\$100.00) and shall be ordered to make restitution for the full amount of any damage which the court finds from the evidence that the offender caused to the Municipal Parking Garage's special surface material.
- (d) Penalties for Parking Beyond One-Hour Limit on High Street between Monument Avenue and Martin Luther King, Jr. Boulevard. Effective March 13, 2020, whoever violates Section 353.02(a) or 353.08(b) relative to the parking of motor vehicles in violation of the parking provisions established for parking in the unmetered, marked and posted parking spaces on High Street between Monument Avenue and Martin Luther King, Jr. Boulevard shall be fined fifteen dollars (\$15.00) if the fine is paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight but within twenty-four hours of the time of the violation, the fine shall be thirty dollars (\$30.00). If the fine is paid after twenty-four hours of the time of the violation, the fine shall be fifty dollars (\$50.00). (Ord. 2020-2-15. Passed 2-12-20.)

- (h) (1) Except as provided in subsection (h)(2) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. Except as provided in subsection (i)(3) of this section, no person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing "novice" designation that is currently in effect as provided in Ohio R.C. 4507.13, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States Department of Transportation-approved protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses or other protective eye device shall conform with rules adopted by the Ohio Director of Public Safety. The provisions of this subsection or a violation thereof shall not be used in the trial of any civil action.
- (2) Subsection (h)(1) of this section does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.
- (i) (1) No person shall operate a motorcycle with a valid temporary permit and temporary instruction permit identification card issued by the Ohio Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States Department of Transportation that conforms with rules adopted by the Director.
- (2) No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar pursuant to Ohio R.C. 4507.05 in any of the following circumstances:
- A. At any time when lighted lights are required by Section 337.02(a)(1);
- B. While carrying a passenger;
- C. On any limited access highway or heavily congested roadway.
- (3) Subsections (i)(1) and (i)(2)A. of this section do not apply to a person who operates or is a passenger in an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.
- (j) Nothing in this section shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle or electric bicycle.
- (k) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.53)

373.03 ATTACHING BICYCLE OR SLED TO VEHICLE.

- (a) No person riding upon any motorcycle, bicycle, electric bicycle, coaster, roller skates, sled, skateboard or toy vehicle shall attach the same or self to any vehicle upon a roadway.

No operator shall knowingly permit any person riding upon any motorcycle, bicycle, electric bicycle, coaster, roller skates, sled, skateboard or toy vehicle to attach the same or self to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.54)

373.04 RIDING BICYCLES AND MOTORCYCLES ABREAST.

(a) Persons riding bicycles, electric bicycles, or motorcycles upon a roadway shall ride not more than two abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles, electric bicycles, or motorcycles.

(b) Persons riding bicycles upon a roadway shall ride single file except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
(Ord. 6325. Passed 9-20-61.)

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.55)

373.05 SIGNAL DEVICE ON BICYCLE.

(a) A bicycle may be equipped with a device capable of giving an audible signal, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
(ORC 4511.56)

373.06 LIGHTS AND REFLECTOR ON BICYCLE; BRAKES.

(a) Every bicycle or electric bicycle when in use at the times specified in Section 337.02, shall be equipped with the following:

- (1) A lamp mounted on the front of either the bicycle or electric bicycle or the operator that shall emit a white light visible from a distance of at least five hundred feet to the front; and three hundred feet to the sides. A generator-powered lamp that emits light only when the bicycle or electric bicycle is moving may be used to meet this requirement.
- (2) A red reflector on the rear that shall be visible from all distances from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
- (3) A lamp emitting either flashing or steady red light visible from a distance of five hundred feet to the rear shall be used in addition to the red reflector; If the red lamp performs as a reflector in that it is visible as specified in subsection (a)(2) of this section, the red lamp may serve as the reflector and a separate reflector is not required.

(b) Additional lamps and reflectors may be used in addition to those required under subsection (a) of this section, except that red lamps and red reflectors shall not be used on the front of the bicycle or electric bicycle and white lamps and white reflectors shall not be used on the rear of the bicycle or electric bicycle.

(c) Every bicycle or electric bicycle shall be equipped with an adequate brake when used on a street or highway.

(d) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.56)

373.07 RIDING BICYCLE ON RIGHT SIDE OF ROADWAY; OBEDIENCE TO TRAFFIC RULES; PASSING.

(a) Every person operating a bicycle or electric bicycle upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) This section does not require a person operating a bicycle or electric bicycle to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it otherwise is unsafe or impracticable to do so, including if the lane is too narrow for the bicycle or electric bicycle and an overtaking vehicle to travel safely side by side within the lane.

(c) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.55(A))

373.08 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.

- (a) No person shall operate a bicycle or electric bicycle:
- (1) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;
 - (2) Without exercising reasonable and ordinary control over such bicycle or electric bicycle;
 - (3) In a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law;
 - (4) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in Section 373.02(d);
 - (5) At a speed greater than is reasonable and prudent under the conditions then existing.

(b) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.09 PARKING OF BICYCLE.

(a) No person shall park a bicycle or electric bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic or upon a roadway so as to unduly interfere with vehicular traffic.

(b) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.10 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

(a) Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(b) Whenever authorized signs are erected indicating that no right or left turn, or "U" turn, is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.
(Ord. 6325. Passed 9-20-61.)

(c) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.11 EMERGING FROM ALLEY OR DRIVEWAY.

(a) The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk area extending across any alleyway, stop and yield the right of way to all pedestrians approaching on such sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on the roadway. (Ord. 6325. Passed 9-20-61.)

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.12 RIDING ON SIDEWALKS.

(a) No person shall ride a bicycle upon a sidewalk within a business district.

(b) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

(c) Whenever in the judgment of the City Manager the riding of bicycles on any sidewalk, roadway or public property creates an undue hazard to pedestrians, bicyclists or vehicular traffic, the City Manager may prohibit the riding of bicycles on such sidewalk, roadway or public place and shall erect and maintain, or cause to be maintained, appropriate signs indicating such prohibition.

(d) When signs are erected giving notice thereof, no person shall ride a bicycle at any time upon any of the streets, sidewalks or public places designated under subsection (c) hereof and on file in the office of Clerk of Council. (Ord. 6325. Passed 9-20-61.)

(e) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.13 UNICYCLES.

(a) No person shall operate a unicycle or one wheel cycle on the public streets and on sidewalks in business districts. (Ord. 7391. Passed 4-27-70.)

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.21 BICYCLE DEALERS.

(a) Every person engaged in the business of buying or selling new or secondhand bicycles shall make a report to the Director of Public Safety of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number hereof, and the number of license plate, if any, found thereon. (Ord. 7309. Passed 8-6-69.)

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.22 PARENTAL CONTROL.

(a) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any provision of this chapter. (Ord. 6325. Passed 9-20-61.)

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

373.23 MOTORIZED BICYCLE OPERATION, EQUIPMENT AND LICENSE.

(a) No person shall operate a motorized bicycle upon any street or highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:

- (1) The person is fourteen or fifteen years of age and holds a valid probationary motorized bicycle license issued after the person has passed the test provided for in Ohio R.C. 4511.521, or the person is sixteen years of age or older and holds either a valid commercial driver's license issued under Ohio R.C. Chapter 4506, or a driver's license issued under Ohio R.C. Chapter 4507, or a valid motorized bicycle license issued after the person has passed the test provided for in Ohio R.C. 4511.521, except that if a person is sixteen years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, the person is not required to comply with the testing requirements provided for in Ohio R.C. 4511.521;
- (2) The motorized bicycle is equipped in accordance with rules adopted by the Ohio Director of Public Safety and is in proper working order;
- (3) The person, if under eighteen years of age, is wearing a protective helmet on the person's head with the chin strap properly fastened, and the motorized bicycle is equipped with a rear-view mirror;
- (4) The person operates the motorized bicycle when practicable within three feet of the right edge of the roadway obeying all traffic rules applicable to vehicles; and
- (5) The motorized bicycle displays on the rear of such bicycle the current license plate or validation sticker furnished by the Ohio Director of Public Safety under Ohio R.C. 4503.191.

(b) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(c) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4511.521)

373.24 PROHIBITION OF MOTOR VEHICLES AND MOTORIZED BICYCLES ON MUNICIPAL BIKE PATH.

(a) No person shall operate, or be in physical control of, a motor vehicle or a motorized bicycle upon any portion of the bicycle path located along the Great Miami River between Monument Park and Joyce Park. (Ord. 2007-6-49. Passed 6-13-07.)

(b) The provisions of this section shall not apply to the following:

- (1) Motorized wheelchairs or similar apparatus used by and for the transportation of the physically handicapped, disabled or other debilitated persons; or
- (2) Motor vehicles or motorized bicycles used by law enforcement officials or by emergency medical personnel.

(c) Whoever violates the provisions of this section shall be guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense. (Ord. 92-9-92. Passed 9-23-92.)

373.25 ELECTRIC BICYCLES.

- (a) (1) The operation of a class 1 electric bicycle and a class 2 electric bicycle is permitted on a path set aside for the exclusive use of bicycles or on a shared-use path, unless the Municipality by resolution, ordinance, or rule prohibits the use of a class 1 electric bicycle or class 2 electric bicycle on such a path.
- (2) No person shall operate a class 3 electric bicycle on a path set aside for the exclusive use of bicycles or a shared-use path unless that path is within or adjacent to a highway or the Municipality by resolution, ordinance, or rule authorizes the use of a class 3 electric bicycle on such a path.
- (3) No person shall operate a class 1 electric bicycle, a class 2 electric bicycle or a class 3 electric bicycle on a path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use, unless the Municipality by resolution, ordinance or rule authorizes the use of a class 1 electric bicycle, a class 2 electric bicycle, or a class 3 electric bicycle on such a path.
- (b) (1) No person under sixteen years of age shall operate a class 3 electric bicycle; however, a person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.
- (2) No person shall operate or be a passenger on a class 3 electric bicycle unless the person is wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.
- (c) (1) Except as otherwise provided in this subsection, whoever operates an electric bicycle in a manner that is prohibited under subsection (a) of this section and whoever violates subsection (b) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
- (2) The offenses established under subsection (c)(1) of this section are strict liability offenses and strict liability is a culpable mental state for purposes of Ohio R.C. 2901.20. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense. (ORC 4511.522)

TITLE ELEVEN - Watercraft
 Chap. 381. Watercraft and Waterways.

CHAPTER 381
Watercraft and Waterways

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| <p>381.01 Definitions.</p> <p>381.02 Operation of vessels.</p> <p>381.03 Administrative rules and regulations.</p> <p>381.04 Flashing lights prohibited.</p> <p>381.05 Siren prohibited except for emergency.</p> <p>381.06 Child operators prohibited.</p> <p>381.07 Reckless operation.</p> <p>381.08 Marking of restricted areas; no wake areas.</p> <p>381.09 Prohibitions on mooring, anchoring and tying up.</p> <p>381.10 Operator to stop and furnish information upon accident or collision.</p> <p>381.11 Operating under influence of alcohol or drugs prohibited; test analysis.</p> <p>381.111 Implied consent.</p> <p>381.12 Incapacitated operators prohibited.</p> <p>381.13 Failure to comply with law enforcement order; fleeing.</p> <p>381.131 Duty upon approach of law enforcement vessel.</p> <p>381.14 Water skiing confined to ski zones.</p> <p>381.15 Observer required when towing skier.</p> <p>381.16 Water skiing after dark prohibited.</p> <p>381.17 Personal flotation device required for skiers.</p> | <p>381.18 Ski jumps prohibited.</p> <p>381.19 Permission for conducting special water events.</p> <p>381.20 Sale of single celled inflatable vessel prohibited.</p> <p>381.21 Sitting, standing or walking on moving vessel restricted.</p> <p>381.22 Engine warm-up required.</p> <p>381.23 Children under ten to wear personal flotation device.</p> <p>381.24 Operation without personal flotation device prohibited.</p> <p>381.241 Distress signal or flag required.</p> <p>381.25 Anchor required; exception.</p> <p>381.26 Fire extinguishers required on powercraft.</p> <p>381.27 Backfire arrestor required.</p> <p>381.28 Ventilation required on powercraft.</p> <p>381.29 Storage of vessel or motor left on private property.</p> <p>381.291 Storage of vessel or motor left in sunken, beached, drifting or docked condition.</p> <p>381.292 Disposal of unclaimed vessel or motor.</p> <p>381.293 Disposal of abandoned vessel or motor.</p> <p>381.294 Abandonment of vessel or motor without notice prohibited.</p> <p>381.30 Exhaust muffler required.</p> <p>381.31 Vessel dwelling unlawful if a nuisance; exception.</p> |
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| <p>381.32 Sink, toilet or sanitary system restrictions.</p> <p>381.33 Rental of improperly equipped vessel prohibited.</p> <p>381.34 Capacity plate required; manufacturer defined.</p> <p>381.35 Exceeding capacity plate figures; absence of plate.</p> | <p>381.36 Tampering with navigation aid or vessel prohibited.</p> <p>381.37 Littering prohibited.</p> <p>381.38 Failure to secure dangerous ordnance; signaling devices.</p> <p>381.99 Penalty.</p> |
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CROSS REFERENCES

Watercraft and navigation - see Ohio R.C. Ch.1547
 Prohibited swimming places - see GEN. OFF. 521.10

381.01 DEFINITIONS.

As used in this chapter:

- (a) "Watercraft" means any of the following when used or capable of being used for transportation on the water:
- (1) A boat operated by machinery either permanently or temporarily affixed;
 - (2) A sailboat other than a sailboard;
 - (3) An inflatable, manually propelled boat having a hull identification number assigned by and meeting the requirements of the United States Coast Guard;
 - (4) A canoe or rowboat.
- "Watercraft" does not include ferries as referred to in Ohio R.C. Chapter 4583. Watercraft subject to the provisions of this chapter shall be divided into four classes as follows:
- Class A: Less than sixteen feet in length;
 Class 1: At least sixteen feet but less than twenty-six feet in length;
 Class 2: At least twenty-six feet but less than forty feet in length;
 Class 3: At least forty feet but not more than sixty-five feet in length.
- Any vessel over sixty-five feet in length shall comply with federal regulations.
- (b) "Rowboat" means any vessel designed to be rowed and which is propelled by human muscular effort by oars or paddles and upon which no mechanical propulsion device, electric motor, internal combustion engine or sail has been affixed, or is used for the operation of such vessel.
- (c) "Sailboat" means any vessel, equipped with mast and sails, dependent upon the wind to propel it in the normal course of operation.
- (1) Any sailboat equipped with an inboard engine is deemed a powercraft with auxiliary sail;

381.31 VESSEL DWELLING UNLAWFUL IF A NUISANCE; EXCEPTION.

No person shall use any vessel for the purpose of establishing or maintaining a dwelling which creates a nuisance of either a permanent or temporary nature on any of the waters in this City.

(Ord. 91-9-119. Passed 9-25-91.)

381.32 SINK, TOILET OR SANITARY SYSTEM RESTRICTIONS.

No person shall launch, moor, dock, use or operate on any of the waters in this City any vessel that contains a sink, toilet or sanitary system that is capable of discharging urine, fecal matter, contents of a chemical commode, kitchen wastes, laundry waste, slop sink drainage or other household wastes into the waters in this City. Such sink, toilet or sanitary system shall be removed or sealed or made to drain into a tank or reservoir that can be carried or pumped ashore for disposal in a sewage treatment works approved by the Director of the Environmental Protection Agency of the State.

(Ord. 91-9-119. Passed 9-25-91.)

381.33 RENTAL OF IMPROPERLY EQUIPPED VESSEL PROHIBITED.

No person who lets vessels for hire, or the agent or employee thereof, shall rent, lease, charter or otherwise permit the use of such vessel, unless the person provides the vessel with the equipment required under Sections 381.24, 381.241, 381.25, 381.26, 381.27, 381.28, 381.30, 381.34, 381.35 and 381.36 and rules adopted under them and complies with the requirements of Sections 381.23 and 381.37 and rules adopted under them.

(Ord. 91-9-119. Passed 9-25-91.)

381.34 CAPACITY PLATE REQUIRED; MANUFACTURER DEFINED.

(a) No person shall, after January 1, 1977, manufacture, sell or offer for sale any vessel propelled by machinery as its principal source of power, or vessel designed to be manually propelled, less than twenty feet in length and designed to carry two or more persons, manufactured after that date, unless a capacity plate containing the correct information, as prescribed by regulations adopted by the United States Coast Guard, is firmly attached to the vessel, in such location that the capacity plate is clearly legible from the position designed or intended to be occupied by the operator when underway.

(b) No person shall operate a vessel for which a capacity plate is required under this section unless the capacity plate is attached.

(c) No person shall alter, remove or deface any information contained on the capacity plate unless the manufacturer has altered the vessel in such a way that would require a change in the information contained on the capacity plate.

(d) As used in this section, "manufacture" means to construct or assemble a vessel, or to alter a vessel in such a manner as to affect or change its weight capacity or occupant capacity.

(Ord. 91-9-119. Passed 9-25-91.)

381.35 EXCEEDING CAPACITY PLATE FIGURES; ABSENCE OF PLATE.

(a) No person shall operate a vessel to which a capacity plate is attached, if the total load exceeds the weight capacity indicated on the capacity plate, if the number of persons aboard exceeds the occupant capacity indicated on the capacity plate, or if the horsepower of any attached outboard motor exceeds the maximum horsepower indicated on the capacity plate.

(b) When no capacity plate exists, no person shall operate a vessel if a reasonably prudent person would believe that either of the following circumstances applies:

- (1) The total load aboard the vessel has associated with it a risk of physical harm to persons or property;
- (2) The total horsepower of any inboard engine or attached outboard motor has associated with it a risk of physical harm to persons or property.

(Ord. 91-9-119. Passed 9-25-91.)

381.36 TAMPERING WITH NAVIGATION AID OR VESSEL PROHIBITED.

No person shall knowingly:

- (a) Damage, remove or tamper with any signal, buoy or other aid to navigation; nor
- (b) Sever the mooring lines of, set adrift or tamper with any vessel that is moored or tied up on the waters in this City.

(Ord. 91-9-119. Passed 9-25-91.)

381.37 LITTERING PROHIBITED.

(a) As used in this section, "litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, vessel parts, vehicle parts, furniture, glass or anything else of an unsightly or unsanitary nature.

(b) No operator or occupant of a vessel shall, regardless of intent, throw, drop, discard or deposit litter from any vessel in operation or control upon or in any waters in this City, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

(c) No operator of a vessel in operation upon any waters in this City shall allow litter to be thrown, dropped, discarded or deposited from the vessel, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

(Ord. 91-9-119. Passed 9-25-91.)

381.38 FAILURE TO SECURE DANGEROUS ORDNANCE; SIGNALING DEVICES.

(a) As used in this section:

- (1) "Dangerous ordnance" has the same meaning as in Ohio R.C. 2923.11.

(b) No person, in acquiring, possessing, carrying or using any dangerous ordnance, shall negligently fail to take proper precautions:

- (1) To secure the dangerous ordnance against theft, or against its acquisition or use by any unauthorized or incompetent person;
- (2) To insure the safety of persons and property.



(c) Subsection (b) hereof does not apply to the possession or discharge of a United States Coast Guard approved signaling device required to be carried aboard a vessel under Ohio R.C. 1547.251 (1547.25.1) when the signaling device is possessed or used for the purpose of giving a visual distress signal. No person shall knowingly transport or possess any such signaling device in or on a vessel in a loaded condition at any time other than immediately prior to the discharge of the signaling device for the purpose of giving a visual distress signal.

(d) This section does not apply to officers, agents or employees of this or any other state or of the United States or to law enforcement officers when authorized to carry or have loaded or accessible firearms in a vessel and acting within the scope of their duties. (Ord. 91-9-119. Passed 9-25-91; Ord. 2019-12-142. Passed 12-11-19.)

381.99 PENALTY.

(a) Whoever violates Section 381.10, 381.111(i) or 381.13 is guilty of a misdemeanor of the first degree. (Ord. 92-5-46. Passed 5-27-92.)

(b) Whoever violates Section 381.07 or 381.12 without causing injury to persons or damage to property is guilty of a misdemeanor of the fourth degree.

(c) Whoever violates Section 381.07 or 381.12 causing injury to persons or damage to property is guilty of a misdemeanor of the third degree. (Ord. 91-9-119. Passed 9-25-91.)

(d) Whoever violates Sections 381.32, 381.38, 381.29(g), 383.131, 381.24, 381.33, 381.34, 381.35 or 381.36 is guilty of a misdemeanor of the fourth degree. (Ord. 92-5-46. Passed 5-27-92.)

(e) Whoever violates Section 381.294 of this chapter is guilty of a misdemeanor of the fourth degree and also shall be assessed any costs incurred by the City in disposing of an abandoned junk vessel or outboard motor, less any money accruing to the City from such disposal.

(f) Whoever violates a provision of this chapter or rule adopted thereunder, for which no penalty is otherwise provided, is guilty of a minor misdemeanor.

(g) Whoever violates Section 381.11 is guilty of a misdemeanor of the first degree and shall be punished as provided in subsection (g)(1), (2) or (3) of this section.

(1) Except as otherwise provided in subsection (g)(2) or (3) of this section, the court shall sentence the offender to a jail term of three consecutive days and may sentence the offender pursuant to Ohio R.C. 2929.24 to a longer jail term. In addition, the court shall impose upon the offender a fine of not less than one hundred fifty nor more than one thousand dollars. The court may suspend the execution of the mandatory jail term of three consecutive days that it is required to impose by subsection (g)(1) of this section if the court, in lieu of the suspended jail term, places the offender under a community control sanction pursuant to Ohio R.C. 2929.25 and requires the offender to attend, for three consecutive days, a drivers' intervention program that is certified pursuant to Ohio R.C. 3793.10. The court also may suspend the execution of any part of the mandatory jail term of three consecutive days that it is required to impose by subsection (g)(1) of this section if the court places the offender under a community control sanction pursuant to Ohio R.C. 2929.25 for part of the three consecutive days; requires the offender to attend, for that part of the three consecutive days, a drivers' intervention program that is certified pursuant to Ohio R.C. 3793.10; and sentences the offender to a jail term equal to the remainder of the three consecutive days that the offender does not spend attending the drivers' intervention program. The court may require the offender, as a condition of community control, to attend and satisfactorily complete any treatment or education programs, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and to report periodically to the court on the offender's progress in the programs. The court also may impose any other conditions of community control on the offender that it considers necessary.

(2) If, within six years of the offense, the offender has been convicted of or pleaded guilty to one violation of Ohio R.C. 1547.11, of a municipal ordinance relating to operating a watercraft or manipulating any water skis, aquaplane, or similar device while under the influence of alcohol, a drug of abuse, or a combination of them, of a municipal ordinance relating to operating a watercraft or manipulating any water skis, aquaplane or similar device with a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath or urine, of division (A)(1) of Ohio R.C. 2903.06, or of division (A)(2), (3) or (4) of Ohio R.C. 2903.06 or Ohio R.C. 2903.06 or 2903.07 as they existed prior to March 23, 2000, in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or a combination of them, the court shall sentence the offender to a jail term of ten consecutive days and may sentence the offender pursuant to Ohio R.C. 2929.24 to a longer jail term. In addition, the court shall impose upon the offender a fine of not less than one hundred fifty nor more than one thousand dollars.

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to Ohio R.C. 3793.10.

505.05 BARKING OR HOWLING DOGS.

(a) No person shall keep or harbor any dog within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such dog.

(b) Whoever violates this section is guilty of a minor misdemeanor.

505.06 HUNTING PROHIBITED.

(a) No person, without privilege to do so, shall hunt, kill or attempt to kill any animal or fowl by any means within the corporate limits of the Municipality other than the lawful use of a firearm as defined in Ohio R.C. 2923.11 and in compliance with all relevant provisions of law.

(b) Whoever violates this section is guilty of a minor misdemeanor.

(c) Under this section, privilege may be granted exclusively by the City Manager and/or his or her designee.

(Ord. 2014-9-88. Passed 9-24-14; Ord. 2019-12-142. Passed 12-11-19.)

505.07 COLORING RABBITS OR BABY POULTRY; SALE OR DISPLAY OF POULTRY.

(a) No person shall dye or otherwise color any rabbit or baby poultry, including, but not limited to, chicks and ducklings. No person shall sell, offer for sale, expose for sale, raffle or give away any rabbit or poultry which has been dyed or otherwise colored. No poultry younger than four weeks of age may be sold, given away or otherwise distributed to any person in lots of less than six. Stores, shops, vendors and others offering young poultry for sale or other distribution shall provide and operate brooders or other heating devices that may be necessary to maintain poultry in good health, and shall keep adequate food and water available to the poultry at all times. (ORC 925.62)

(b) Whoever violates this section is guilty of a minor misdemeanor.

505.08 REPORT OF ESCAPE OF EXOTIC OR DANGEROUS ANIMAL.

(a) The owner or keeper of any member of a species of the animal kingdom that escapes from his custody or control and that is not indigenous to this State or presents a risk of serious physical harm to persons or property, or both, shall, within one hour after he discovers or reasonably should have discovered the escape, report it to:

- (1) A law enforcement officer of the Municipality and the sheriff of the county where the escape occurred; and
- (2) The Clerk of the Municipal Legislative Authority.

(b) If the office of the Clerk of the Legislative Authority is closed to the public at the time a report is required by subsection (a) hereof, then it is sufficient compliance with subsection (a) hereof if the owner or keeper makes the report within one hour after the office is next open to the public.

(c) Whoever violates this section is guilty of a misdemeanor of the first degree.
(ORC 2927.21)

505.09 PROHIBITION OF HORSES ON MUNICIPAL BIKE PATH.

(a) No person, being the owner, harbinger, keeper or person having control of any horse, shall permit, allow, ride or lead such horse to enter upon or into any Municipal park or the Municipal bicycle path located along the Great Miami River between Monument Park and Joyce Park.

(b) The provisions of this section shall not apply to any law enforcement official using a horse for civic, patrol or educational purposes.

(c) Whoever violates the provisions of this section shall be guilty of a misdemeanor of the fourth degree. (Ord. 92-11-109. Passed 11-11-92.)

505.10 REMOVAL OF ANIMAL FECES FROM PUBLIC AND PRIVATE PROPERTY.

(a) The owner, harbinger, keeper or person having control of any animal shall immediately remove any animal feces deposited on public or private property, which is not owned by such person, and shall dispose of such animal feces into a waste receptacle.

(b) Upon notice to the owner, harbinger, keeper or person having control of any animal, that his or her animal has fouled another's property, no such owner, harbinger, keeper or person having control of such animal shall fail to immediately remove such animal feces from such property, nor fail to dispose of the animal feces into a waste receptacle.

(c) The provisions of this section shall not apply to the owner, harbinger, keeper or person having control of any animal which has been expressly invited to enter upon public or private property by the owner or person in control of such property. The City shall not be deemed to have invited any person or animal on public property for purposes of this section.

(d) Whoever violates the provisions of this section shall be guilty of a minor misdemeanor. (Ord. 92-9-91. Passed 9-23-92.)

505.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)

Upon receipt of the written correspondence from the alarm user, the Fire Chief, in his discretion and with the concurrence of the City Manager, may waive, modify, or set aside the calculation of the number of false alarms received by the City from the alarm premises in order to avoid any injustice to the alarm user as a result of receipt of alarm signals which do not constitute false alarms pursuant to the definition set forth in subsection (a)(2) herein.

(d) Excessive False Alarms - Violations.

- (1) No alarm user, having been sent each of the written notice and having received the telephone contact and personal notification as set forth in subsection (b)(1) to (5) herein for the third through seventh false alarms during a calendar year, shall permit an eighth false alarm to occur during the same calendar year. This subsection shall be construed to impose strict liability for all false alarms occurring after the notices issued pursuant to subsection (b)(1) to (5) have been sent.

In a prosecution for a violation of this subsection, the occurrence or nonoccurrence of the false alarms giving rise to the notices listed in subsections (b)(1) to (5) herein shall not be collaterally attacked by an alarm user, unless that alarm user had, within 30 days of the false alarm, previously notified the Police Division of the reasons why such previous activation should not be considered to be a false alarm.

A violation of this subsection is a minor misdemeanor.

- (2) No alarm user shall permit nine or more false alarms to occur during the same calendar year. This subsection shall be construed to impose strict liability for all false alarms occurring after the notices in subsections (b)(1) to (5) have been sent.

In a prosecution for a violation of this subsection, the occurrence or nonoccurrence of the false alarms giving rise to the notices listed in subsections (b)(1) to (5) herein shall not be collaterally attacked by an alarm user, unless that alarm user had, within 30 days of the false alarm, previously notified the Police Division of the reasons why such previous activation should not be considered to be a false alarm.

A violation of this subsection is a fourth degree misdemeanor.

- (3) No alarm user, having been sent each of the written notices as set forth in subsections (c)(1) and (2) herein for the third false alarm during a calendar year, shall permit a fourth false alarm to occur during the same calendar year. This subsection shall be construed to impose strict liability for all false alarms occurring after the notices issued pursuant to subsections (c)(1) and (2) have been sent.

In a prosecution for a violation of this subsection, the occurrence or nonoccurrence of the false alarms giving rise to the notices listed in subsections (c)(1) and (2) herein shall not be collaterally attacked by an alarm user, unless that alarm user had, within 30 days of the false alarm, previously notified the Fire Division of the reasons why such previous activation should not be considered to be a false alarm.

A violation of this subsection is a minor misdemeanor.

- (4) No alarm user shall permit five or more false alarms to occur during the same calendar year. This subsection shall be construed to impose strict liability for all false alarms occurring after the notices in subsections (c)(1) and (2) have been sent.

In a prosecution for a violation of this subsection, the occurrence or nonoccurrence of the false alarms giving rise to the notices listed in subsections (c)(1) and (2) herein shall not be collaterally attacked by an alarm user, unless that alarm user had, within 30 days of the false alarm, previously notified the Fire Division of the reasons why such previous activation should not be considered to be a false alarm.

A violation of this subsection is a fourth degree misdemeanor.
(Ord. 2004-7-62. Passed 7-14-04.)

509.09 INFORMATION LEADING TO ARREST OF OFFENDERS.

The City Manager has authority to offer a reward of one hundred dollars (\$100.00) or less for information leading to the arrest, apprehension and conviction of any person who shall wilfully give or cause to be given any of the false calls mentioned in the preceding sections, the costs or payment of reward to be charged to the Contingent Fund.
(Ord. 4935. Passed 1-19-49.)

509.10 STATE OF EMERGENCY.

(a) Proclamation. When there is a tumult, riot, mob or body of people acting together with intent to commit a felony or to do or offer violence to person or property or by force and violence to break or resist the law or in the event of a disaster affecting life and property and which substantially impairs the functioning of the City government and its ability to protect the lives and property of the people, any of the following named officers, acting in the order herein designated when the previously named officer or officers are absent from the City or are unavailable or incapable of doing so, are authorized and directed to proclaim the existence of a state of emergency in the City, or within any prescribed area or areas thereof: the Mayor, the Vice Mayor, or the City Manager or designated acting City Manager.
(Ord. 7041. Passed 9-6-67.)

(b) Issuance of Proclamations. When a state of emergency has been proclaimed as provided in subsection (a) hereof, any of the officers named therein, acting in the order designated, are authorized and directed to issue such proclamations as they deem necessary to protect life and property. The proclamations may include, but are not limited to, the establishment of curfew; prohibiting the sale of beer or intoxicating liquor, prohibiting the sale, offering for sale, dispensing, and regulating of controlling the transportation of deadly weapons, dynamite and other dangerous explosives, incendiary devices and any necessary ingredient thereof; prohibiting the sale of gasoline other than directly into vehicle gasoline tanks; restricting or prohibiting movement into, out of, or within the affected area or areas; or prohibiting or limiting the assemblage of persons. In no instance shall the terms set forth in this subsection mean any firearm as defined in Ohio R.C. 2923.11, part of a firearm, its components, or its ammunition.
(Ord. 2019-12-142. Passed 12-11-19.)

(c) Failure to Obey Police Officer or Militiaman. No person shall fail to obey the lawful order of any police officer, militiaman or other authorized person, and no person shall in any way intentionally interfere with any person in the protection or preservation of life or property during the existence of a state of emergency as proclaimed, as provided in subsection (b) hereof.
(Ord. 7041. Passed 9-6-67.)

(d) Misdemeanor Classification. Whoever violates any proclamation issued in accordance with subsection (b) hereof or violates subsection (c) hereof is guilty of a misdemeanor of the first degree.

509.11 ANNOYING NOISES.

(a) No person shall cause any great annoying noise in the streets or elsewhere within the City, by the blowing of horns or sirens, the ringing of bells, by outcry of any kind, or by any other means, whether for the purpose of crying wares or for any other purpose, in such a way as to disturb the quiet or to annoy other persons. (1931 Code §91.3121)

(b) Whoever violates this section is guilty of a minor misdemeanor.

509.12 MISCONDUCT AT FIRES.

(a) The Fire Chief or such other fire officer as may be in command at a fire shall have power to establish fire lines, which shall thereupon be maintained by the police, within which fire lines no person who is not a fireman or policeman, member of a salvage corps, owner of property within such lines, or an authorized newspaper reporter, shall be admitted. (1931 Code § 78. 8212)

(b) No person, not authorized by ordinance or by the officer in charge of fighting any fire, shall go within the fire lines established as provided by subsection (a) hereof. (1931 Code §78.8291)

(c) No person shall in any way interfere with or obstruct the use of any fire hydrant, or impede the access thereto of any firemen or fire apparatus. (1931 Code §78.9121)

(d) Whoever violates this section is guilty of a minor misdemeanor.

509.13 LOUD NOISE INSIDE AND OUTSIDE ENTERTAINMENT PLACES.

(a) No person operating a restaurant, hotel, motel, liquor establishment or other place of refreshment or entertainment venue shall, or permit any person to, play any radio, music player, audio system or musical instrument in such a manner or at such volume as to annoy or disturb the peace and quiet of the surrounding neighborhood, having due regard for the proximity of residences, hospitals, or other residential institutions, and to any other conditions affected by such noises.

(b) In order to accommodate an outdoor performance or other outdoor special event, the City Manager may authorize a person to play, or authorize that person to permit another person to play, a radio, music player, audio system or musical instrument in such a manner that would otherwise violate division (a) of this section.

(c) Evidence that a person is or is permitting the playing of a radio, music player, audio system or musical instrument within a restaurant, hotel, motel, liquor establishment or other place of refreshment, or entertainment venue after 1:00 a.m. shall constitute prima facie evidence of a violation of division (a) of this section.

(d) Unless otherwise authorized according to division (b) of this section, evidence that a person is or is permitting the playing of a radio, music player, audio system or musical instrument outside a restaurant, hotel, motel, liquor establishment or other place of refreshment, or entertainment venue after 11:00 p.m. on Fridays and Saturdays or after 10:00 p.m. on any other day shall constitute prima facie evidence of a violation of division (a) of this section.

(e) In every charge of violation of this section the affidavit shall state the time of day at which the offense is alleged to have occurred.

(f) Where persons are participating in a course of action in violation of Section 509.13, a law enforcement officer or other public official may order the participants and such other persons to disperse. No person shall knowingly fail to obey such order.

(g) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 2012-9-75. Passed 9-7-12; Ord. 2017-8-94. Passed 8-23-17.)

509.14 EXCESSIVE SOUND FROM MOTOR VEHICLES PROHIBITED.

(EDITOR'S NOTE: Former Section 509.14 was renumbered as Section 337.271 by Ordinance 2000-11-130, passed November 20, 2000.)

509.15 PICKETING AND OTHER PROTECT ACTIVITIES AT SITE OF FUNERAL OR BURIAL SERVICE.

(a) Every citizen may freely speak, write, and publish the person's sentiments on all subjects, being responsible for the abuse of the right, but no person shall picket or engage in other protest activities, nor shall any association or corporation cause picketing or other protest activities to occur, within 300 feet of any residence, cemetery, funeral home, church, synagogue, or other establishment during or within one hour before or one hour after the conducting of an actual funeral or burial service at that place. No person shall picket or engage in other protest activities, nor shall any association or corporation cause picketing or other protest activities to occur, within 300 feet of any funeral procession.

As used in this section, "other protest activities" means any action that is disruptive or undertaken to disrupt or disturb a funeral or burial service or a funeral procession.

- (b) (1) Whoever, being an association, violates this section, is guilty of a misdemeanor of the fourth degree.
- (2) Whoever, being a natural person, violates this section is guilty of a misdemeanor of the third degree. (Ord. 2006-8-91. Passed 8-9-06.)

509.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)

**CHAPTER 513
Drug Abuse Control**

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| <p>513.01 Definitions.</p> <p>513.02 Gift of marihuana.</p> <p>513.03 Drug abuse; controlled substance possession or use.</p> <p>513.04 Possessing drug abuse instruments.</p> <p>513.05 Permitting drug abuse.</p> <p>513.06 Illegal cultivation of marihuana.</p> <p>513.07 Possessing or using harmful intoxicants.</p> <p>513.08 Illegally dispensing drug samples.</p> <p>513.09 Controlled substance or prescription labels.</p> | <p>513.10 Hypodermic possession, display and dispensing.</p> <p>513.11 Harmful intoxicants; possessing nitrous oxide in motor vehicle.</p> <p>513.12 Drug paraphernalia.</p> <p>513.121 Marihuana drug paraphernalia.</p> <p>513.13 Counterfeit controlled substances.</p> <p>513.14 Interference with pedestrian or automobile traffic to aid a controlled substance law violation.</p> <p>513.15 Soliciting a controlled substance transaction.</p> <p>513.99 Penalty.</p> |
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CROSS REFERENCES

- See sectional histories for similar State law
- Federal prosecution bar to local prosecution - see Ohio R.C. 2925.50, 3719.19
- Analysis report and notarized statement as evidence - see Ohio R.C. 2925.51
- Criteria for granting probation - see Ohio R.C. 3719.70(B)
- Adulterating food with drug of abuse - see GEN. OFF. 537.13
- Using weapons while under the influence - see GEN. OFF. 549.03.

513.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words, terms and phrases and their derivatives used in this chapter which are not defined in this section shall have the meanings given to them in the Ohio Revised Code.

- (a) "Administer." Has the same meaning as in Ohio R.C. 3719.01.
- (b) "Adulterate." To cause a drug to be adulterated as described in Ohio R.C. 3715.63.
- (c) "Bulk amount." Of a controlled substance, means any of the following:
 - (1) For any compound, mixture, preparation, or substance included in Schedule I, Schedule II, or Schedule III, with the exception of any controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in subsection (c)(2), (5), or (6) of this definition, whichever of the following is applicable:

- A. An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation or substance that is or contains any amount of a Schedule I opiate or opium derivative;
 - B. An amount equal to or exceeding ten grams of a compound, mixture, preparation or substance that is or contains any amount of raw or gum opium;
 - C. An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation or substance that is or contains any amount of a Schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a Schedule I stimulant or depressant;
 - D. An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule II opiate or opium derivative;
 - E. An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation or substance that is or contains any amount of phencyclidine;
 - F. An amount equal to or exceeding 120 grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule II stimulant that is in a final dosage form manufactured by a person authorized by the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq., as amended) and the federal drug abuse control laws, as defined in this section, that is or contains any amount of a Schedule II depressant substance or a Schedule II hallucinogenic substance;
 - G. An amount equal to or exceeding three grams of a compound, mixture, preparation, or substance that is or contains any amount of a Schedule II stimulant, or any of its salts or isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq., as amended) and the federal drug abuse control laws;
- (2) An amount equal to or exceeding 120 grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule III or IV substance other than an anabolic steroid or a Schedule III opiate or opium derivative;
 - (3) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation or substance that is or contains any amount of a Schedule III opiate or opium derivative;
 - (4) An amount equal to or exceeding 250 milliliters or 250 grams of a compound, mixture, preparation or substance that is or contains any amount of a Schedule V substance;
 - (5) An amount equal to or exceeding 200 solid dosage units, sixteen grams, or sixteen milliliters of a compound, mixture, preparation or substance that is or contains any amount of a Schedule III anabolic steroid;

- (6) For any compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and any other compound, mixture, preparation, or substance included in Schedule III, Schedule IV, or Schedule V, if the defendant is charged with a violation of Ohio R.C. 2925.11 and the sentencing provisions set forth in Ohio R.C. 2925.11(C)(10)(b) and (C)(11) will not apply regarding the defendant and the violation, the bulk amount of the controlled substance for purposes of the violation is the amount specified in division (1), (2), (3), (4), or (5) of this definition for the other Schedule III, Schedule IV, or Schedule V controlled substance that is combined with the fentanyl-related compound.
- (d) "Certified grievance committee." A duly constituted and organized committee of the Ohio State Bar Association or of one or more local bar associations of the state that complies with the criteria set forth in Rule V, Section 6 of the Rules for the Government of the Bar of Ohio.
- (e) "Cocaine." Any of the following:
- (1) A cocaine salt, isomer or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine.
 - (2) Coca leaves or a salt, compound, derivative or preparation of coca leaves, including ecgonine, a salt, isomer or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine.
 - (3) A salt, compound, derivative or preparation of a substance identified in subsection (e)(1) or (2) of this definition that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.
- (f) "Committed in the vicinity of a juvenile." An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within 100 feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within 100 feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.
- (g) "Committed in the vicinity of a school." An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within 1,000 feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within 1,000 feet of the boundaries of any school premises.
- (h) "Controlled substance." Has the same meaning as in Ohio R.C. 3719.01.
- (i) "Controlled substance analog." Has the same meaning as in Ohio R.C. 3719.01.
- (j) "Counterfeit controlled substance." Any of the following:
- (1) Any drug that bears, or whose container or label bears, a trademark, trade name or other identifying mark used without authorization of the owner of rights to the trademark, trade name or identifying mark.
 - (2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed or distributed by a person other than the person that manufactured, processed, packed or distributed it.
 - (3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance.
 - (4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size and color, or its markings, labeling, packaging, distribution or the price for which it is sold or offered for sale.

- (k) "Cultivate." Includes planting, watering, fertilizing or tilling.
- (l) "Dangerous drug." Has the same meaning as in Ohio R.C. 4729.01.
- (m) "Deception." Has the same meaning as in Ohio R.C. 2913.01.
- (n) "Disciplinary counsel." The disciplinary counsel appointed by the Board of Commissioners on Grievances and Discipline of the Ohio Supreme Court under the Rules for the Government of the Bar of Ohio.
- (o) "Dispense." Has the same meaning as in Ohio R.C. 3719.01.
- (p) "Distribute." Has the same meaning as in Ohio R.C. 3719.01.
- (q) "Drug." Has the same meaning as in Ohio R.C. 4729.01.
- (r) "Drug abuse offense." Any of the following:
 - (1) A violation of Ohio R.C. 2913.02(A) that constitutes theft of drugs, or any violation of Ohio R.C. 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36 or 2925.37.
 - (2) A violation of an existing or former law of any municipality, state or of the United States, that is substantially equivalent to any section listed in subsection (r)(1) of this definition.
 - (3) An offense under an existing or former law of any municipality, state or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using or otherwise dealing with a controlled substance is an element.
 - (4) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit, any offense under subsection (r)(1), (2) or (3) of this definition.
- (s) "Drug dependent person." Has the same meaning as in Ohio R.C. 3719.011.
- (t) "Drug of abuse." Has the same meaning as in Ohio R.C. 3719.011.
- (u) "Felony drug abuse offense." Any drug abuse offense that would constitute a felony under the laws of this state, any other state or the United States.
- (v) "Fentanyl-related compound." Any of the following:
 - (1) Fentanyl;
 - (2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
 - (3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
 - (4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N-phenylpropanamide);
 - (5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);
 - (6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);
 - (7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);
 - (8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide);
 - (9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
 - (10) Alfentanil;
 - (11) Carfentanil;
 - (12) Remifentanil;
 - (13) Sufentanil;

- (14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and
- (15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:
- A. A chemical scaffold consisting of both of the following:
 - 1. A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;
 - 2. An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.
 - B. A polar functional group attached to the chemical scaffold, including but not limited to a hydroxyl, ketone, amide, or ester;
 - C. An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and
 - D. The compound has not been approved for medical use by the United States food and drug administration.
- (w) "Harmful intoxicant." Does not include beer or intoxicating liquor, but means any of the following:
- (1) Any compound, mixture, preparation or substance the gas, fumes or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation or other harmful physiological effects, and includes but is not limited to any of the following:
 - A. Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline or other preparation containing a volatile organic solvent.
 - B. Any aerosol propellant.
 - C. Any fluorocarbon refrigerant.
 - D. Any anesthetic gas.
 - (2) Gamma Butyrolactone;
 - (3) 1,4 Butanediol.
- (x) "Hashish." The resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract or liquid distillate form.
- (y) "Hypodermic." Has the same meaning as in Ohio R.C. 3719.01.
- (z) "Juvenile." A person under eighteen years of age.
- (aa) "Licensed health professional authorized to prescribe drugs." Has the same meaning as in Ohio R.C. 4729.01.
- (bb) "L.S.D." Lysergic acid diethylamide.
- (cc) "Major drug offender." Has the same meaning as in Ohio R.C. 2929.01.
- (dd) "Mandatory prison term." Has the same meaning as in Ohio R.C. 2929.01.
- (ee) "Manufacture." To plant, cultivate, harvest, process, make, prepare or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis or compounding, or any combination of the same, and includes packaging, repackaging, labeling and other activities incident to production.
- (ff) "Manufacturer." Has the same meaning as in Ohio R.C. 3719.01.

- (gg) "Marihuana." Has the same meaning as in Ohio R.C. 3719.01, except that it does not include hashish.
- (hh) "Methamphetamine." Methamphetamine, any salt, isomer or salt of an isomer of methamphetamine, or any compound, mixture, preparation or substance containing methamphetamine or any salt, isomer or salt of an isomer of methamphetamine.
- (ii) "Minor drug possession offense." Either of the following:
- (1) A violation of Ohio R.C. 2925.11, as it existed prior to July 1, 1996, or a substantially equivalent municipal ordinance.
 - (2) A violation of Ohio R.C. 2925.11, as it exists on and after July 1, 1996, or a substantially equivalent municipal ordinance, that is a misdemeanor or a felony of the fifth degree.
- (jj) "Official written order." Has the same meaning as in Ohio R.C. 3719.01.
- (kk) "Person." Has the same meaning as in Ohio R.C. 3719.01.
- (ll) "Pharmacist." Has the same meaning as in Ohio R.C. 3719.01.
- (mm) "Pharmacy." Has the same meaning as in Ohio R.C. 3719.01.
- (nn) "Possess" or "possession." Having control over a thing or substance but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.
- (oo) "Prescription." Has the same meaning as in Ohio R.C. 4729.01.
- (pp) "Presumption for a prison term" or "presumption that a prison term shall be imposed." A presumption as described in Ohio R.C. 2929.13(D) that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under Ohio R.C. 2929.11.
- (qq) "Professional license." Any license, permit, certificate, registration, qualification, admission, temporary license, temporary permit, temporary certificate or temporary registration that is described in Ohio R.C. 2925.01(W)(1) to (W)(37) and that qualifies a person as a professionally licensed person.
- (rr) "Professionally licensed person." Any of the following:
- (1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Ohio R.C. Chapter 4701 and who holds an Ohio permit issued under that chapter;
 - (2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Ohio R.C. Chapter 4703;
 - (3) A person who is registered as a landscape architect under Ohio R.C. Chapter 4703 or who holds a permit as a landscape architect issued under that chapter;
 - (4) A person licensed under Ohio R.C. Chapter 4707;
 - (5) A person who has been issued a certificate of registration as a registered barber under Ohio R.C. Chapter 4709;
 - (6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Ohio R.C. Chapter 4710;
 - (7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Ohio R.C. Chapter 4713;

- (8) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license or a dental hygienist's teacher's certificate under Ohio R.C. Chapter 4715;
- (9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Ohio R.C. Chapter 4717;
- (10) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Ohio R.C. Chapter 4723;
- (11) A person who has been licensed to practice optometry or to engage in optical dispensing under Ohio R.C. Chapter 4725;
- (12) A person licensed to act as a pawnbroker under Ohio R.C. Chapter 4727;
- (13) A person licensed to act as a precious metals dealer under Ohio R.C. Chapter 4728;
- (14) A person licensed under Ohio R.C. Chapter 4729 as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;
- (15) A person licensed under Ohio R.C. Chapter 4729 as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;
- (16) A person who is authorized to practice as a physician assistant under Ohio R.C. Chapter 4730;
- (17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Ohio R.C. Chapter 4731 or has been issued a certificate to practice a limited branch of medicine under that chapter;
- (18) A person licensed as a psychologist or school psychologist under Ohio R.C. Chapter 4732;
- (19) A person registered to practice the profession of engineering or surveying under Ohio R.C. Chapter 4733;
- (20) A person who has been issued a license to practice chiropractic under Ohio R.C. Chapter 4734;
- (21) A person licensed to act as a real estate broker or real estate salesperson under Ohio R.C. Chapter 4735;
- (22) A person registered as a registered sanitarian under Ohio R.C. Chapter 4736;
- (23) A person licensed to operate or maintain a junkyard under Ohio R.C. Chapter 4737;
- (24) A person who has been issued a motor vehicle salvage dealer's license under Ohio R.C. Chapter 4738;

- (25) A person who has been licensed to act as a steam engineer under Ohio R.C. Chapter 4739;
- (26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Ohio R.C. Chapter 4741;
- (27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Ohio R.C. Chapter 4747;
- (28) A person who has been issued a class A, class B or class C license or who has been registered as an investigator or security guard employee under Ohio R.C. Chapter 4749;
- (29) A person licensed to practice as a nursing home administrator under Ohio R.C. Chapter 4751;
- (30) A person licensed to practice as a speech-language pathologist or audiologist under Ohio R.C. Chapter 4753;
- (31) A person issued a license as an occupational therapist or physical therapist under Ohio R.C. Chapter 4755;
- (32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Ohio R.C. Chapter 4757;
- (33) A person issued a license to practice dietetics under Ohio R.C. Chapter 4759;
- (34) A person who has been issued a license or limited permit to practice respiratory therapy under Ohio R.C. Chapter 4761;
- (35) A person who has been issued a real estate appraiser certificate under Ohio R.C. Chapter 4763;
- (36) A person who has been issued a home inspector license under Ohio R.C. Chapter 4764;
- (37) A person who has been admitted to the bar by order of the Ohio Supreme Court in compliance with its prescribed and published rules.
- (ss) "Public premises." Any hotel, restaurant, tavern, store, arena, hall or other place of public accommodation, business, amusement or resort.
- (tt) "Sale." Has the same meaning as in Ohio R.C. 3719.01.
- (uu) "Sample drug." A drug or pharmaceutical preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.
- (vv) "Schedule I", "Schedule II", "Schedule III", "Schedule IV" or "Schedule V." Have the same meaning as in Ohio R.C. 3719.01.
- (ww) "School." Any school operated by a board of education, any community school established under Ohio R.C. Chapter 3314, or any nonpublic school for which the State Board of Education prescribes minimum standards under Ohio R.C. 3301.07, whether or not any instruction, extracurricular activities or training provided by the school is being conducted at the time a criminal offense is committed.

- (xx) "School building." Any building in which any of the instruction, extracurricular activities or training provided by a school is conducted, whether or not any instruction, extracurricular activities or training provided by the school is being conducted in the school building at the time a criminal offense is committed.
- (yy) "School premises." Either of the following:
- (1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed.
 - (2) Any other parcel of real property that is owned or leased by a board of education of a school, the governing authority of a community school established under Ohio R.C. Chapter 3314, or the governing body of a nonpublic school for which the State Board of Education prescribes minimum standards under Ohio R.C. 3301.07 and on which some of the instruction, extracurricular activities or training of the school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.
- (zz) "Standard Pharmaceutical Reference Manual." The current edition, with cumulative changes if any, of references that are approved by the State Board of Pharmacy.
- (aaa) "Unit dose." An amount or unit or a compound, mixture or preparation containing a controlled substance that is separately identifiable and in a form that indicates that it is the amount or unit by which the controlled substance is separately administered to or taken by an individual.
- (bbb) "Wholesaler." Has the same meaning as in Ohio R.C. 3719.01.
(ORC 2925.01; A.O.)
- (ccc) (1) "Controlled substance analog" means, except as provided in subsection (oo)(2) of this section, a substance to which both of the following apply:
- A. The chemical structure of the substance is substantially similar to the structure of a controlled substance in Schedule I or II.
 - B. One of the following applies regarding the substance:
 1. The substance has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.

2. With respect to a particular person, that person represents or intends the substance to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.
- (2) “Controlled substance analog” does not include any of the following:
- A. A controlled substance;
 - B. Any substance for which there is an approved new drug application;
 - C. With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption;
 - D. Any substance to the extent it is not intended for human consumption before the exemption described in division (oo)(2)B. of this section takes effect with respect to that substance.
(Ord. 2011-8-75. Passed 8-24-11.)

513.02 GIFT OF MARIHUANA.

(a) No person shall knowingly give or offer to make a gift of twenty grams or less of marihuana.

(b) Whoever violates this section is guilty of trafficking in marihuana. Trafficking in marihuana is a minor misdemeanor for the first offense and, for any subsequent offense, it is a misdemeanor of the third degree. If the offense was committed in the vicinity of a school or the vicinity of a juvenile, trafficking in marihuana is a misdemeanor of the third degree.

(c) The court may by order suspend for not more than five years the driver’s or commercial driver’s license or permit of any person who is convicted of or pleads guilty to any violation of this section. However, if the offender pleaded guilty to or was convicted of a violation of Ohio R.C. 4511.19 or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender’s driver’s or commercial driver’s license or permit in accordance with Ohio R.C. 2925.03(G). If an offender’s driver’s or commercial driver’s license or permit is suspended pursuant to this subsection, the offender, at any time after the expiration of two years from the day on which the offender’s sentence was imposed, may file a motion with the sentencing court requesting termination of the suspension; upon the filing of such a motion and the court’s finding of good cause for the termination, the court may terminate the suspension.
(ORC 2925.03)

513.03 DRUG ABUSE; CONTROLLED SUBSTANCE POSSESSION OR USE.

(a) No person shall knowingly obtain, possess or use a controlled substance or a controlled substance analog.

CHAPTER 521
Health, Safety and Sanitation

<p>521.01 Abandoned refrigerators and airtight containers.</p> <p>521.02 Venting of heaters and burners.</p> <p>521.03 Barricades and warning lights; abandoned excavations.</p> <p>521.04 Sidewalk obstructions; damage or injury.</p> <p>521.05 Notice to fill lots, remove putrid substances.</p>	<p>521.06 Duty to keep sidewalks in repair and clean.</p> <p>521.07 Nuisances.</p> <p>521.08 Littering and deposit of garbage, rubbish, junk, etc.</p> <p>521.09 Noxious or offensive odors.</p> <p>521.10 Prohibited swimming places.</p> <p>521.11 Obstruction of gutters.</p> <p>521.12 Removal of personal property after eviction.</p> <p>521.13 Unsolicited written materials.</p> <p>521.99 Penalty.</p>
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CROSS REFERENCES

See sectional histories for similar State law
 Flagpole installation in sidewalk - see Ohio R.C. 723.012
 Excavation liability - see Ohio R.C. 723.49 et seq.
 Removal of noxious weeds or litter - see Ohio R.C. 731.51 et seq.
 Nuisances - see Ohio R.C. Ch. 3767
 Tampering with safety devices - see GEN. OFF. 541.04

521.01 ABANDONED REFRIGERATORS AND AIRTIGHT CONTAINERS.

(a) No person shall abandon, discard, or knowingly permit to remain on premises under his control, in a place accessible to children, any abandoned or discarded icebox, refrigerator or other airtight or semi-irtight container which has a capacity of one and one-half cubic feet or more and an opening of fifty square inches or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering such equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein. This section shall not apply to an icebox, refrigerator or other airtight or semi-irtight container located in that part of a building occupied by a dealer, warehouseman or repairman. (ORC 3767.29)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

521.02 VENTING OF HEATERS AND BURNERS.

(a) A brazier, salamander, space heater, room heater, furnace, water heater or other burner or heater using wood, coal, coke, fuel oil, kerosene, gasoline, natural gas, liquid petroleum gas or similar fuel, and tending to give off carbon monoxide or other harmful gas:

- (1) When used in living quarters, or in any enclosed building or space in which persons are usually present, shall be used with a flue or vent so designed, installed and maintained as to vent the products of combustion outdoors; except in storage, factory or industrial buildings which are provided with sufficient ventilation to avoid the danger of carbon monoxide poisoning;
- (2) When used as a portable or temporary burner or heater at a construction site, or in a warehouse, shed or structure in which persons are temporarily present, shall be vented as provided in subsection (a) hereof, or used with sufficient ventilation to avoid the danger of carbon monoxide poisoning.

(b) This section does not apply to domestic ranges, laundry stoves, gas logs installed in a fireplace with an adequate flue, or hot plates, unless the same are used as space or room heaters.

(c) No person shall negligently use, or, being the owner, person in charge, or occupant of premises, negligently permit the use of a burner or heater in violation of the standards for venting and ventilation provided in this section.

(d) Subsection (a) hereof does not apply to any kerosene-fired space or room heater that is equipped with an automatic extinguishing tip-over device, or to any natural gas-fired or liquid petroleum gas-fired space or room heater that is equipped with an oxygen depletion safety shutoff system, and that has its fuel piped from a source outside of the building in which it is located, that are approved by an authoritative source recognized by the State Fire Marshal in the State Fire Code adopted by him under Ohio R.C. 3737.82.

(e) The State Fire Marshal may make rules to ensure the safe use of unvented kerosene, natural gas or liquid petroleum gas heaters exempted from subsection (a) hereof when used in assembly buildings, business buildings, high hazard buildings, institutional buildings, mercantile buildings and type R-1 and R-2 residential buildings, as these groups of buildings are defined in rules adopted by the Board of Building Standards under Ohio R.C. 3781.10. No person shall negligently use, or, being the owner, person in charge or occupant of premises, negligently permit the use of a heater in violation of any rules adopted under this subsection.

(f) The State Fire Marshal may make rules prescribing standards for written instructions containing ventilation requirements and warning of any potential fire hazards that may occur in using a kerosene, natural gas, or liquid petroleum gas heater. No person shall sell or offer for sale any kerosene, natural gas or liquid petroleum gas heater unless the manufacturer provides with the heater written instructions that comply with any rules adopted under this subsection.

(g) No product labeled as a fuel additive for kerosene heaters and having a flash point below one hundred degrees fahrenheit or thirty-seven and eight-tenths degrees centigrade shall be sold, offered for sale or used in any kerosene space heater.

(h) No device that prohibits any safety feature on a kerosene, natural gas or liquid petroleum gas space heater from operating shall be sold, offered for sale or used in connection with any kerosene, natural gas or liquid petroleum gas space heater.

(i) No person shall sell or offer for sale any kerosene-fired, natural gas or liquid petroleum gas-fired heater that is not exempt from subsection (a) hereof unless it is marked conspicuously by the manufacturer on the container with the phrase "Not Approved For Home Use."

(j) No person shall use a cabinet-type, liquid petroleum gas-fired heater having a fuel source within the heater, inside any building, except as permitted by the State Fire Marshal in the State Fire Code adopted by him under Ohio R.C. 3737.82. (ORC 3701.82)

(k) Whoever violates this section is guilty of a misdemeanor of the first degree. (ORC 3701.99(C))

521.03 BARRICADES AND WARNING LIGHTS; ABANDONED EXCAVATIONS.

(a) No person shall abandon or knowingly permit to remain on public or private property, any excavation, well, cesspool or structure which is in the process of construction, reconstruction, repair or alteration unless the same is adequately protected by suitable barricades and guarded by warning devices or lights at night so that the condition will not reasonably prove dangerous to life or limb.

(b) No person shall destroy, remove, damage or extinguish any barricade or warning light that is placed for the protection of the public so as to prevent injury to life or limb.

(c) Any owner or agent in control of a premises upon which a basement, cellar, well or cistern has been abandoned due to demolition, failure to build or any other reason shall cause the same to be filled to the ground surface with rock, gravel, earth or other suitable material.

(d) Whoever violates this section is guilty of a minor misdemeanor.

521.04 SIDEWALK OBSTRUCTIONS; DAMAGE OR INJURY.

(a) No person shall place or knowingly drop upon any part of a sidewalk, playground or other public place any tacks, bottles, wire, glass, nails or other articles which may damage property of another or injure any person or animal traveling along or upon such sidewalk or playground.

(b) No person shall walk on, or allow any animal upon, or injure or deface in any way, any soft or newly laid sidewalk pavement.

(c) No person shall place, deposit or maintain any merchandise, goods, material or equipment upon any sidewalk so as to obstruct pedestrian traffic thereon except for such reasonable time as may be actually necessary for the delivery or pickup of such articles. In no such case shall the obstruction remain on such sidewalk for more than one hour.

(d) No person shall unload upon, or transport any heavy merchandise, goods, material or equipment over or across any sidewalk or curb without first placing some sufficient protection over the pavement to protect against damage or injury. The affected area shall be rendered safe and free from danger.

(e) No person shall allow any cellar or trap door, coal chute or elevator or lift opening in any sidewalk to remain open without providing suitable safeguards to protect and warn pedestrian traffic of the dangerous condition.

(f) Whoever violates this section is guilty of a minor misdemeanor.

521.05 NOTICE TO FILL LOTS, REMOVE PUTRID SUBSTANCES.

(a) No person shall fail to comply with the following requirements within the lawful time after service or publication of the notice or resolution is made as required by law:

To fill or drain any lot or land or remove all putrid substances therefrom, or remove all obstructions from culverts, covered drains or natural watercourses as provided in Ohio R.C. 715.47.

(b) Whoever violates this section is guilty of a minor misdemeanor.

521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.

(a) For purpose of this section, the following definitions apply:

- (1) "Driveway" means an area on private property where automobiles and other vehicles are operated or allowed to stand.
- (2) "Driveway approach" means an area, construction or improvement between the roadway of a public street to a definite area of the private property, such as parking area, a driveway or a door at least seven feet wide, intended and used for the ingress and egress of vehicles. The component parts of the driveway approach are termed the apron, the end slopes or the curb return, and the sidewalk section.
- (3) "Apron" means that portion of the driveway approach extending from the back of the sidewalk section to the right-of-way line or a designated length, lying between the end slopes of the driveway approach.

(b) No owner or occupant of abutting lands shall fail to keep the sidewalks, curbs driveway approaches and aprons, or gutters in repair and free from snow, ice or any nuisance.

(c) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 2020-2-14. Passed 2-12-20.)

521.07 NUISANCES.

(a) No person shall cause, maintain or permit to exist any thing or condition which amounts to or is declared by law or ordinance to be a nuisance. (1931 Code §79.0911)

(b) No owner or person in charge of any premises shall cause or permit any condition to exist thereon which amounts to a nuisance, or to fail or neglect to abate or remove the same upon being so required to do by any competent authority. (1931 Code § 79.0913)

(c) No person, being the owner, occupant or person in charge of any premises, shall permit any stagnant water or noisome liquid, or filthy or offensive substance which might tend to pollute the atmosphere, to injure the health of persons in the vicinity, or to attract or breed flies or other noxious insects or vermin, to be or remain on such premises or in or about any building or structure on or in connection therewith. (1931 Code § 79.1250)

(d) In case the owner or person in charge of any premises upon which any nuisance exists cannot be found, or in case such person neglects or refuses to comply with the notice given in respect thereof by the Director of Public Health or the City Manager, or in case it is necessary in the opinion of the Health Director or the City Manager to abate such nuisance without giving notice, the Health Director or the City Manager, as the case may be, shall have power to abate or remove such nuisance, and the cost of any such abatement or removal shall be charged to the owner or person in charge of and responsible for such premises, and may be recovered by any appropriate action in any court of competent jurisdiction. (1931 Code § 79.8125)

(e) Whenever there exists upon any premises any nuisance other than those contemplated by Section 1767.02, the City Manager shall have like powers to require or cause its abatement as are given to the Health Director by the terms of Chapter 1767. (1931 Code §79. 8121)

(f) Whoever violates this section is guilty of a minor misdemeanor.

521.08 LITTERING AND DEPOSIT OF GARBAGE, RUBBISH, JUNK, ETC.

(a) The definitions contained in Section 1735.02 of the Health Code shall be applicable to this section.

(b) No person shall deposit any garbage, litter, refuse or rubbish on any public or private property in the City which is not licensed or designated as an authorized dumping site by the City.

(c) If enforcement action is taken by the Director of Public Health in any situation instead of police agency enforcement, in addition to the prosecution hereinafter provided, shall send or cause to be sent written notice to a violator of this section to remove and properly dispose of any garbage, litter, refuse or rubbish deposited by such violator in violation of subsection (b) hereof. If the violator fails to comply with such notice within forty-eight hours, the City may remove and dispose of such materials and recover the cost of such removal and disposition from the violator.

(d) Whoever violates subsection (b) hereof is guilty of a misdemeanor of the third degree. (Ord. 2010-9-82. Passed 9-22-10.)

521.09 NOXIOUS OR OFFENSIVE ODORS.

(a) No person shall erect, continue, use or maintain a dwelling, building, structure or place for a residence or for the exercise of a trade, employment or business, or for the keeping or feeding of an animal which, by occasioning noxious exhalations or noisome or offensive smells, becomes injurious to the health, comfort or property of individuals or of the public. (ORC 3767.13)

(b) Whoever violates this section is guilty of a misdemeanor of the third degree.

521.10 PROHIBITED SWIMMING PLACES.

(a) No person shall swim, wade or bathe in the Miami River, Ford Canal or in any other stream in the City except for emergency purposes.

(b) Whoever violates this section is guilty of a minor misdemeanor.

521.11 OBSTRUCTION OF GUTTERS.

(a) No person shall permit any gutter or downspout to become stopped, obstructed, or out of repair. (1931 Code §79.2915)

(b) Whoever violates this section is guilty of a minor misdemeanor.

521.12 REMOVAL OF PERSONAL PROPERTY AFTER EVICTION.

(a) No person, after execution of the Writ of Restitution issued by the Hamilton Municipal Court or other court of competent jurisdiction and executed by the bailiff or other court representative, shall place or cause to be placed personal property upon the private property which is the subject of eviction proceedings or within the public right of way.

(b) No person, being the owner or person in charge of rental property, or the former tenant, or the owner of personal property or of any garbage, rubbish or trash which has been placed on public or private property as a result of the execution of the Writ of Restitution issued by the Hamilton Municipal Court or other court of competent jurisdiction and executed by the bailiff or other court representative shall fail to remove said property. Personal property or any garbage, rubbish or trash that has not been removed as required herein shall be deemed to be litter, garbage, rubbish or trash as defined in Chapters 1709 and 1735 of the Health Code, and shall constitute a public nuisance.

(c) Any personal property which has been removed from rental property as a result of the execution of the Writ of Restitution issued by the Hamilton Municipal Court or other court of competent jurisdiction and executed by the bailiff or other court representative and which remains on any private or public property, or any personal property which is permitted to remain upon or within the rental property after execution of the Writ of Restitution shall be deemed to have been abandoned by the former tenant or the owner of such personal property, if not the tenant.

(d) In addition to any other penalties provided by law or ordinance, a violation of subsections (a) or (b) shall cause the Director of Public Health to cause such accumulated items to be removed and properly disposed of, and he shall charge the cost of such removal and disposal, together with the administrative costs incurred with regard to such removal and disposal, to the property owner or person in charge of the premises. If such cost is not paid by the property owner or person in charge of the premises within thirty days after having been billed for the same, the sum may be certified by the proper City official to the Auditor of Butler County, Ohio, and placed upon the tax duplicate for collection, to be collected as other taxes are collected, and shall be a lien against such premises until paid. The City may also collect such costs through a civil action in the appropriate court of law having jurisdiction thereof. (Ord. 2005-8-83. Passed 8-23-05.)

521.13 UNSOLICITED WRITTEN MATERIALS.

(a) As used in this section:

- (1) "Front door" means the street-facing entrance(s) to a principal structure. In the event no door faces the street, then any other door of a principal structure nearest the street shall be considered a front door for purpose of this section.
- (2) "Person" means any person, firm, corporation, limited liability company, association, club, society or other organization.

- (3) "Porch" means an exterior appendage to a principal structure leading to a doorway, including any stairway attached thereto.
- (4) "Premises" means a lot, plot, or parcel of land including any structure, driveways, or other impervious surfaces thereon.
- (5) "Principal structure" means a structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.
- (6) "Unsolicited written materials" means any written materials delivered to any premises without the express invitation or permission, in writing or otherwise, by the owner, occupant, or lessee of such premises.

(b) No person shall deliver, place, or distribute unsolicited written materials to any premises other than in the following locations and manners: (1) on a porch, if one exists, nearest the front door; or (2) so that such, materials are securely attached to the front door; or (3) through a mail slot on the front door or principal structure, if one exists, as permitted by the United States Postal Service Domestic Mail Manual, Section 408 Recipient Services, Subsection 3.1.2; or (4) where permitted, in a distribution box located on or adjacent to the premises; or (5) securely attached to a hook or within some other receptacles used for the delivery of non-U.S. Mail packages or materials, attached to the mailbox post for the premises, if it exists; or (6) personally to the owner, occupant, and/or lessee of the premises.

(c) Notwithstanding subsection (b), an owner, lessee, or occupant maintains the right to restrict entry to his or her premises. Where the owner, lessee, occupant, or person legally in charge of the premises has posted at the entry to the premises, or at the entry to the principal building on the premises, a sign bearing the words "No Solicitors" or words of similar import, no person shall cause to be delivered, placed, or distributed unsolicited written materials to said premises.

(d) Organizational Liability. It is the intent of the City Council to jointly impose organizational liability for violation of this section by any officer, agent (including but not limited to an independent contractor), or employee of a business or organization while acting on behalf of the business or organization and within the scope of the officer's, employee's or agent's office or employment.

(e) Timestamped photographic evidence of unsolicited written materials located upon premises, other than as permitted pursuant to subsection (b), creates a rebuttable presumption that the materials were placed at the premises by the owner, officer, agent (including but not limited to an independent contractor), or employee of the business, product, good, service, or message which is being advertised, promoted, endorsed, or conveyed in such materials. Where the materials are delivered as a package relate to multiple businesses, products, goods, services, or messages, the presumption shall apply to the identified distributor of the package of materials, if any. Violation of this section is a strict liability offense and the prosecution of an offense under this section is relieved from proof of any other culpable mental state under the Codified Ordinances.

(f) The provisions of this section do not apply to the United States Postal Service.

(g) Severability. If any provision, clause, sentence, or paragraph of this section or the application thereof to any person or circumstances shall be held invalid, that invalidation shall not affect the other provisions of this section which can be given effect without the invalid provision or application, and to this end, the provisions of this section are declared to be severable.

(h) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor on a first offense. Any subsequent offense shall be charged as a third degree misdemeanor if the defendant has previously been convicted individually or under organizational liability. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. (Ord. 2019-11-124. Passed 11-13-19.)

521.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)

- B. As used in subsection (c)(6)A. of this section:
1. "Racing event" means a motor vehicle racing event sanctioned by one or more motor racing sanctioning organizations.
 2. "Outdoor motorsports facility" means an outdoor racetrack to which all of the following apply:
 - a. It is two and four-tenths miles or more in length.
 - b. It is located on two hundred acres or more of land.
 - c. The primary business of the owner of the facility is the hosting and promoting of racing events.
 - d. The holder of a D-1, D-2 or D-3 permit is located on the property of the facility.
- (7) A. A person may have in the person's possession an opened container of beer or intoxicating liquor at an outdoor location within an outdoor refreshment area created under Ohio R.C. 4301.82, if the opened container of beer or intoxicating liquor was purchased from an A-1, A-1-A, A-1c, A-2, A-2f, D class or F class permit holder to which both of the following apply:
1. The permit holder's premises is located within the outdoor refreshment area.
 2. The permit held by the permit holder has an outdoor refreshment area designation.
- B. Subsection (c)(7) of this section does not authorize a person to do either of the following:
1. Enter the premises of an establishment within an outdoor refreshment area while possessing an opened container of beer or intoxicating liquor acquired elsewhere;
 2. Possess an opened container of beer or intoxicating liquor while being in or on a motor vehicle within an outdoor refreshment area, unless the possession is otherwise authorized under subsection (d) or (e) of this section.
- C. As used in subsection (c)(7) of this section, "D class permit holder" does not include a D-6 or D-8 permit holder.
- (8) A. A person may have in the person's possession on the property of a market, within a defined F-8 permit premises, an opened container of beer or intoxicating liquor that was purchased from a D permit premises that is located immediately adjacent to the market if both of the following apply:
1. The market grants permission for the possession and consumption of beer and intoxicating liquor within the defined F-8 permit premises;
 2. The market is hosting an event pursuant to an F-8 permit and the market has notified the Division of Liquor Control about the event in accordance with division (A)(3) of Ohio R.C. 4303.208.
- B. As used in subsection (c)(8) of this section, market means a market, for which an F-8 permit is held, that has been in operation since 1860.

(d) This section does not apply to a person who pays all or a portion of the fee imposed for the use of a chauffeured limousine pursuant to a prearranged contract, or the guest of such a person, when all of the following apply:

- (1) The person or guest is a passenger in the limousine;
 - (2) The person or guest is located in the limousine, but is not occupying a seat in the front compartment of the limousine where the operator of the limousine is located;
 - (3) The limousine is located on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.
- (e) An opened bottle of wine that was purchased from the holder of a permit that authorizes the sale of wine for consumption on the premises where sold is not an opened container for the purposes of this section if both of the following apply:
- (1) The opened bottle of wine is securely resealed by the permit holder or an employee of the permit holder before the bottle is removed from the premises. The bottle shall be secured in such a manner that it is visibly apparent if the bottle has been subsequently opened or tampered with.
 - (2) The opened bottle of wine that is resealed in accordance with subsection (e)(1) of this section is stored in the trunk of a motor vehicle or, if the motor vehicle does not have a trunk, behind the last upright seat or in an area not normally occupied by the driver or passengers and not easily accessible by the driver.
- (f) (1) Except if an ordinance or resolution is enacted or adopted under subsection (f)(2) of this section, this section does not apply to a person who, pursuant to a prearranged contract, is a passenger riding on a commercial quadricycle when all of the following apply:
- A. The person is not occupying a seat in the front of the commercial quadricycle where the operator is steering or braking.
 - B. The commercial quadricycle is being operated on a street, highway or other public or private property open to the public for purposes of vehicular travel or parking.
 - C. The person has in their possession on the commercial quadricycle an opened container of beer or wine.
 - D. The person has in their possession on the commercial quadricycle not more than either thirty-six ounces of beer or eighteen ounces of wine.
- (2) The legislative authority of a municipal corporation or township may enact an ordinance or adopt a resolution, as applicable, that prohibits a passenger riding on a commercial quadricycle from possessing an opened container or beer or wine.
- (3) As used in this section, "commercial quadricycle" means a vehicle that has fully-operative pedals for propulsion entirely by human power and that meets all of the following requirements:
- A. It has four wheels and is operated in a manner similar to a bicycle.
 - B. It has at least five seats for passengers.
 - C. It is designed to be powered by the pedaling of the operator and the passengers.
 - D. It is used for commercial purposes.
 - E. It is operated by the vehicle owner or an employee of the owner.
- (g) This section does not apply to a person that has in the person's possession an opened container of beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market.
- As used in subsection (g) of this section, "market" means an establishment that:

CHAPTER 549
Weapons and Explosives

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|--------|---|--------|---|
| 549.01 | Definitions. | 549.10 | Sale of fireworks. (Repealed) |
| 549.02 | Carrying concealed weapons. | 549.11 | Fireworks display permits. (Repealed) |
| 549.03 | Using weapons while intoxicated. | 549.12 | Discharging firearms. |
| 549.04 | Improperly handling firearms in a motor vehicle. | 549.13 | Identifying marks on weapons. |
| 549.05 | Unlawful possession of dangerous ordnance. (Repealed) | 549.14 | Balloons with attached flame. (Repealed) |
| 549.06 | Failure to secure dangerous ordnance. | 549.15 | Underage purchase of firearm. |
| 549.07 | Unlawful transactions in weapons. | 549.16 | Throwing or shooting missiles. |
| 549.08 | Improperly furnishing firearms to a minor. (Repealed) | 549.17 | Possessing replica firearm in school. |
| 549.09 | Sale of explosives to minors. (Repealed) | 549.18 | Defacing identification marks of a firearm; possessing a defaced firearm. |
| | | 545.99 | Penalty. |

CROSS REFERENCES

See sectional histories for similar State law

License or permit to possess dangerous ordnance - see Ohio R.C. 2923.18

Hunting prohibited - see GEN. OFF. 505.06

Reporting gunshot and stab wounds - see GEN. OFF. 525.05(b)

Property destruction by tear gas device, etc. - see GEN. OFF. 541.04

549.01 DEFINITIONS.

As used in this chapter:

- (a) "Deadly weapon" means any instrument, device or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried or used as a weapon.
- (b) (1) "Firearm" means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an unloaded firearm, and any firearm that is inoperable but that can readily be rendered operable.
- (2) When determining whether a firearm is capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant, the trier of fact may rely upon circumstantial evidence, including, but not limited to, the representations and actions of the individual exercising control over the firearm.
- (c) "Handgun" means any of the following:
 - (1) Any firearm that has a short stock and is designed to be held and fired by the use of a single hand;
 - (2) Any combination of parts from which a firearm of a type described in subsection (c)(1) of this section can be assembled.

- (d) "Semi-automatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.
- (e) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.
- (f) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall. "Sawed-off firearm" does not include any firearm with an overall length of at least twenty-six inches that is approved for sale by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives under the "Gun Control Act of 1968", 82 Stat. 1213, 18 U.S.C. 921(a)(3), but that is found by the Bureau not to be regulated under the "National Firearms Act", 68A Stat. 725 (1934), 26 U.S.C. 5845(a).
- (g) "Zip-gun" means any of the following:
 - (1) Any firearm of crude and extemporized manufacture;
 - (2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm;
 - (3) Any industrial tool, signalling device or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried or used as a firearm.
- (h) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of an explosion, and consisting of an explosive substance or agency and a means to detonate it. "Explosive device" includes without limitation any bomb, any explosive demolition device, any blasting cap or detonator containing an explosive charge, and any pressure vessel that has been knowingly tampered with or arranged so as to explode.
- (i) "Incendiary device" means any firebomb, and any device designed or specially adapted to cause physical harm to persons or property by means of fire, and consisting of an incendiary substance or agency and a means to ignite it.
- (j) "Ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism.
- (k) "Dangerous ordnance" means any of the following, except as provided in subsection (l) hereof:
 - (1) Any automatic or sawed-off firearm, zip-gun or ballistic knife;
 - (2) Any explosive device or incendiary device;
 - (3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid and other high explosives; amatol, tritonal, tetrytol, pentolite, pecretol, cyclotol and other high explosive compositions; plastic explosives; dynamite, blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, liquid-oxygen blasting explosives, blasting powder and other blasting agents; and any other explosive substance having sufficient brisance or power to be particularly suitable for use as a military explosive, or for use in mining, quarrying, excavating or demolitions;
 - (4) Any firearm, rocket launcher, mortar, artillery piece, grenade, mine, bomb, torpedo or similar weapon, designed and manufactured for military purposes, and the ammunition for that weapon;
 - (5) Any firearm muffler or suppressor;
 - (6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.
- (l) "Dangerous ordnance" does not include any of the following:
 - (1) Any firearm, including a military weapon and the ammunition for that weapon, and regardless of its actual age, that employs a percussion cap or other obsolete ignition system, or that is designed and safe for use only with black powder;

- (2) Any pistol, rifle or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition for that weapon unless the firearm is an automatic or sawed-off firearm;
 - (3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;
 - (4) Black powder, priming quills and percussion caps possessed and lawfully used to fire a cannon of a type defined in subsection (1)(3) hereof during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;
 - (5) Dangerous ordnance that is inoperable or inert and cannot readily be rendered operable or activated, and that is kept as a trophy, souvenir, curio or museum piece.
 - (6) Any device that is expressly excepted from the definition of a destructive device pursuant to the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations issued under that Act.
 - (7) Any firearm with an overall length of at least twenty-six inches that is approved for sale by the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives under the "Gun Control Act of 1968", 82 Stat. 1213, 18 U.S.C. 921(a)(3), but that is found by the Bureau not to be regulated under the "National Firearms Act", 68A Stat. 725 (1934), 26 U.S.C. 5845(a).
- (m) "Explosive" means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. "Explosive" includes all materials that have been classified as division 1.1, division 1.2, division 1.3, or division 1.4 explosives by the United States Department of Transportation in its regulations and includes, but is not limited to, dynamite, black powder, pellet powders, initiating explosives, blasting caps, electric blasting caps, safety fuses, fuse igniters, squibs, cordeau detonant fuses, instantaneous fuses, and igniter cords and igniters. "Explosive" does not include "fireworks", as defined in Ohio R.C. 3743.01, or any substance or material otherwise meeting the definition of explosive set forth in this section that is manufactured, sold, possessed, transported, stored or used in any activity described in Ohio R.C. 3743.80, provided the activity is conducted in accordance with all applicable laws, rules and regulations, including, but not limited to, the provisions of Ohio R.C. 3743.80, and the rules of the Fire Marshal adopted pursuant to Ohio R.C. 3737.82.
- (n) (1) "Concealed handgun license" or "license to carry a concealed handgun" means, subject to subsection (n)(2) of this section, a license or temporary emergency license to carry a concealed handgun issued under Ohio R.C. 2923.125 or 2923.1213 or a license to carry a concealed handgun issued by another state with which the Attorney General has entered into a reciprocity agreement under Ohio R.C. 109.69.
- (2) A reference in any provision of the Ohio Revised Code to a concealed handgun license issued under Ohio R.C. 2923.125 or a license to carry a concealed handgun issued under Ohio R.C. 2923.125 means only a license of the type that is specified in that section. A reference in any provision of the Ohio Revised Code to a concealed handgun license issued under Ohio R.C. 2923.1213, a license to carry a concealed handgun issued under Ohio R.C. 2923.1213, or a license to carry a concealed handgun on a temporary emergency basis means only a license of the type that is

specified in Ohio R.C. 2923.1213. A reference in any provision of the Ohio Revised Code to a concealed handgun license issued by another state or a license to carry a concealed handgun issued by another state means only a license issued by another state with which the Attorney General has entered into a reciprocity agreement under Ohio R.C. 109.69.

- (o) “Valid concealed handgun license” or “valid license to carry a concealed handgun” means a concealed handgun license that is currently valid, that is not under a suspension under division (A)(1) of Ohio R.C. 2923.128, under Ohio R.C. 2923.1213, or under a suspension provision of the state other than this State in which the license was issued, and that has not been revoked under division (B)(1) of Ohio R.C. 2923.128, under Ohio R.C. 2923.1213 or under a revocation provision of the state other than this State in which the license was issued.
- (p) “Misdemeanor punishable by imprisonment for a term exceeding one year” does not include any of the following:
 - (1) Any federal or state offense pertaining to antitrust violations, unfair trade practices, restraints of trade or other similar offenses relating to the regulation of business practices;
 - (2) Any misdemeanor offense punishable by a term of imprisonment of two years or less.
- (q) “Alien registration number” means the number issued by the United States Citizenship and Immigration Services Agency that is located on the alien’s permanent resident card and may also be commonly referred to as the “USCIS number” or the “alien number”.
- (r) “Active duty” has the same meaning as defined in 10 U.S.C. 101. (ORC 2923.11)

549.02 CARRYING CONCEALED WEAPONS.

(a) No person shall knowingly carry or have, concealed on the person’s person or concealed ready at hand, any of the following:

- (1) A deadly weapon other than a handgun;
- (2) A handgun other than a dangerous ordnance;
- (3) A dangerous ordnance.

(b) No person who has been issued a concealed handgun license, shall do any of the following:

- (1) If the person is stopped for a law enforcement purpose, and is carrying a concealed handgun, fail to promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a concealed handgun license and that the person then is carrying a concealed handgun;
- (2) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly fail to keep the person’s hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;
- (3) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the person is stopped, including, but not limited to, a specific order to the person to keep the person’s hands in plain sight.

(b) Whoever violates this section is guilty of failure to secure dangerous ordnance, a misdemeanor of the second degree. (ORC 2923.19)

549.07 UNLAWFUL TRANSACTIONS IN WEAPONS.

(a) No person shall do any of the following:

- (1) Manufacture, possess for sale, sell or furnish to any person other than a law enforcement agency for authorized use in police work, any brass knuckles, cestus, billy, blackjack, sandbag, switchblade knife, springblade knife, gravity knife or similar weapon;
- (2) When transferring any dangerous ordnance to another, negligently fail to require the transferee to exhibit such identification, license or permit showing the transferee to be authorized to acquire dangerous ordnance pursuant to Ohio R.C. 2923.17, or negligently fail to take a complete record of the transaction and forthwith forward a copy of such record to the sheriff of the county or safety director or police chief of the municipality where the transaction takes place;
- (3) Knowingly fail to report to law enforcement authorities forthwith the loss or theft of any firearm or dangerous ordnance in the person's possession or under the person's control.

(b) Whoever violates this section is guilty of unlawful transactions in weapons. Violation of subsections (a)(1) or (2) hereof is a misdemeanor of the second degree. Violation of subsection (a)(3) hereof is a misdemeanor of the fourth degree. (ORC 2923.20)

549.08 IMPROPERLY FURNISHING FIREARMS TO A MINOR.

(EDITOR'S NOTE: Former Section 549.08 which was derived from Ohio R.C. 2923.21 has been removed from the Codified Ordinances. Ohio R.C. 2923.21 has been reclassified as a felony offense. Therefore each charge for improperly furnishing firearms to a minor should now be filed under Ohio R.C. 2923.21.)

549.09 SALE OF EXPLOSIVES TO MINORS.

(EDITOR'S NOTE: The provisions of this section are no longer included since the Ohio Legislature pursuant to House Bill 590 (effective July 1, 1979) repealed Ohio R.C. 3743.02 upon which former Section 549.09 was based.)

549.10 SALE OF FIREWORKS.

(EDITOR'S NOTE: Former Ohio R.C. 3743.27 and 3743.32, from which this section was derived, were repealed by Amended Senate Bill 61, effective May 30, 1986.)

549.11 FIREWORKS DISPLAY PERMITS.

(EDITOR'S NOTE: Former Ohio R.C. 3743.33 from which this section was derived was repealed by Amended Senate Bill 61, effective May 30, 1986.)

549.12 DISCHARGING FIREARMS.

(a) No person shall unlawfully discharge any air gun, rifle, shotgun, revolver, pistol or other firearm within the corporate limits of the Municipality.

(b) This section does not apply when firearms are used in self defense, in the discharge of official duty, to abate or mitigate a wildlife hazard at the Hamilton-Fairfield Regional Airport, or when otherwise lawfully authorized.
(Ord. 95-9-99. Passed 9-13-95; Ord. 2019-12-142. Passed 12-11-19.)

(c) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

549.13 IDENTIFYING MARKS ON WEAPONS.

(a) No person shall change, alter, remove or destroy the name of maker, model, manufacturer's number or other mark of identification or sell any dangerous weapon, or keep or have in possession a dangerous weapon capable of use, on which any such mark of identification has been changed, altered, removed or destroyed to the knowledge of the person having or selling such weapon. (1931 Code §99.3121)

(b) Whoever violates this section is guilty of a misdemeanor of the first degree.

549.14 BALLOONS WITH ATTACHED FLAME.

(EDITOR'S NOTE: Former Section 549.14 was determined to be obsolete and has been removed from the Codified Ordinances.)

549.15 UNDERAGE PURCHASE OF FIREARM.

(a) No person under eighteen years of age shall purchase or attempt to purchase a firearm.

(b) No person under twenty-one years of age shall purchase or attempt to purchase a handgun, provided that this subsection does not apply to the purchase or attempted purchase of a handgun by a person eighteen years of age or older and under twenty-one years of age if either of the following apply:

- (1) The person is a law enforcement officer who is properly appointed or employed as a law enforcement officer and has received firearms training approved by the Ohio Peace Officer Training Council or equivalent firearms training.
- (2) The person is an active or reserve member of the armed services of the United States or the Ohio national guard, or was honorably discharged from military service in the active or reserve armed services of the United States or the Ohio national guard, and the person has received firearms training from the armed services or the national guard or equivalent firearms training.

(c) Whoever violates subsection (a) hereof is guilty of underage purchase of a firearm, a delinquent act that would be a felony of the fourth degree if it could be committed by an adult. Whoever violates subsection (b) hereof is guilty of underage purchase of a handgun, a misdemeanor of the second degree. (ORC 2923.211)

549.16 THROWING OR SHOOTING MISSILES.

(a) No person shall throw, shoot or propel an arrow, missile, pellet, stone, metal or other similar substance capable of causing physical harm to persons or property, in or on any public place, in or on the property of another, or from any private property into or onto any public place or the property of another. This restriction shall not apply to firearms as defined in Ohio R.C. 2923.11, any part of a firearm, its components or its ammunition. This section does not apply to supervised archery ranges or instruction nor when otherwise lawfully authorized.

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree. (Ord. 2019-12-142. Passed 12-11-19.)

549.17 POSSESSING REPLICIA FIREARM IN SCHOOL.

(a) No person shall knowingly possess an object in a school safety zone if both of the following apply:

- (1) The object is indistinguishable from a firearm, whether or not the object is capable of being fired.

- (2) The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

(b) Subsection (a) hereof does not apply to premises upon which home schooling is conducted. Subsection (a) hereof also does not apply to a school administrator, teacher, or employee who possesses an object that is indistinguishable from a firearm for legitimate school purposes during the course of employment, a student who uses an object that is indistinguishable from a firearm under the direction of a school administrator, teacher, or employee, or any other person who with the express prior approval of a school administrator possesses an object that is indistinguishable from a firearm for a legitimate purpose, including the use of the object in a ceremonial activity, a play, reenactment, or other dramatic presentation, or a ROTC activity or another similar use of the object.

(c) Whoever violates subsection (a) hereof is guilty of illegal possession of an object indistinguishable from a firearm in a school safety zone. Except as otherwise provided in this subsection, illegal possession of an object indistinguishable from a firearm in a school safety zone is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of Ohio R.C. 2923.122, illegal possession of an object indistinguishable from a firearm in a school safety zone is a felony and shall be prosecuted under appropriate State law.

- (d) (1) In addition to any other penalty imposed upon a person who is convicted of or pleads guilty to a violation of this section and subject to subsection (d)(2) of this section, if the offender has not attained nineteen years of age, regardless of whether the offender is attending or is enrolled in a school operated by a board of education or for which the State Board of Education prescribes minimum standards under Ohio R.C. 3301.07, the court shall impose upon the offender a class four suspension of the offender's probationary driver's license, restricted license, driver's license, commercial driver's license, temporary instruction permit, or probationary commercial driver's license that then is in effect from the range specified in division (A)(4) of Ohio R.C. 4510.02 and shall deny the offender the issuance of any permit or license of that type during the period of the suspension.

If the offender is not a resident of this State, the court shall impose a class four suspension of the nonresident operating privilege of the offender from the range specified in division (A)(4) of Ohio R.C. 4510.02.

- (2) If the offender shows good cause why the court should not suspend one of the types of licenses, permits, or privileges specified in subsection (d)(1) of this section or deny the issuance of one of the temporary instruction permits specified in that subsection, the court in its discretion may choose not to impose the suspension, revocation, or denial required in that subsection, but the court, in its discretion, instead may require the offender to perform community service for a number of hours determined by the court.

(e) As used in this section, "object that is indistinguishable from a firearm" means an object made, constructed, or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm. (ORC 2923.122)

**549.18 DEFACING IDENTIFICATION MARKS OF A FIREARM;
POSSESSING A DEFACED FIREARM.**

- (a) No person shall do either of the following:
 - (1) Change, alter, remove, or obliterate the name of the manufacturer, model, manufacturer's serial number, or other mark or identification on a firearm.

- (2) Possess a firearm knowing or having reasonable cause to believe that the name of the manufacturer, model, manufacturer's serial number, or other mark of identification on the firearm has been changed, altered, removed, or obliterated.
- (b)
 - (1) Whoever violates subsection (a)(1) of this section is guilty of defacing identification marks of a firearm. Except as otherwise provided in this subsection, defacing identification marks of a firearm is a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to a violation of subsection (a)(1) of this section, defacing identification marks of a firearm is a felony and shall be prosecuted under appropriate State law.
 - (2) Whoever violates subsection (a)(2) of this section is guilty of possessing a defaced firearm. Except as otherwise provided in this subsection, possessing a defaced firearm is a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to a violation of subsection (a)(2) of this section, possessing a defaced firearm is a felony and shall be prosecuted under appropriate State law.
(ORC 2923.201)

549.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)

CODIFIED ORDINANCES OF HAMILTON
PART SEVEN - BUSINESS REGULATION CODE

- Chap. 701. General License Provisions.**
- Chap. 705. Ambulance Service.**
- Chap. 709. Billiard and Pool Rooms.**
- Chap. 711. Amusement Devices and Arcades.**
- Chap. 713. Circuses, Carnivals and Carrouseles.**
- Chap. 717. City Market.**
- Chap. 719. City-Wide Garage or Yard Sales.**
- Chap. 720. Cultivators, Processors and Retail Dispensaries of Medical Marijuana.**
- Chap. 721. Dances and Dance Halls.**
- Chap. 725. Distress Merchandise Sales.**
- Chap. 733. Firearms Dealers. (Repealed)**
- Chap. 735. Swap Shops/Second-Hand Dealers.**
- Chap. 737. Scrap Metal Facilities.**
- Chap. 741. Laundries.**
- Chap. 745. Mechanical Musical Devices.**
- Chap. 747. Motor Coaches.**
- Chap. 749. Pawnbrokers.**
- Chap. 753. Peddlers, Solicitors, Itinerant Vendors and Canvassers.**
- Chap. 754. Street Vending.**
- Chap. 755. Banners and City Show Wagons.**
- Chap. 756. Sweepstakes/Internet Cafes.**
- Chap. 757. Price Gouging.**
- Chap. 761. Taxicabs.**

CHAPTER 757
Price Gouging

757.01	Definitions.	757.04	Enforcement.
757.02	Purpose.	757.98	Severability.
757.03	Price gouging prohibited.	757.99	Penalty.

757.01 DEFINITIONS.

For the purposes of this chapter, the following terms have the following meanings:

- (a) "State of emergency" means a natural or manmade emergency resulting from an earthquake, flood, fire, riot, storm, drought, plant or animal infestation, disease, or other natural or manmade disaster for which a state of emergency has been declared by the President of the United States or the Governor.
- (b) "Local emergency" means a natural or manmade emergency resulting from an earthquake, flood, fire, riot, storm, drought, plant or animal infestation, disease, or other natural or manmade disaster for which a local emergency has been declared.
- (c) "Consumer food item" means any article that is used or intended for use for food, drink, confection, or condiment by a person or animal.
- (d) "Emergency supplies" includes, but is not limited to, water, flashlights, radios, batteries, candles, blankets, soaps, diapers, temporary shelters, tape, toiletries, plywood, nails, and hammers.
- (e) "Medical supplies" includes, but is not limited to, prescription and nonprescription medications, bandages, gauze, isopropyl alcohol, and antibacterial products.
- (f) "Building materials" means lumber, construction tools, windows, and anything else used in the building or rebuilding of property.
- (g) "Goods" has the same meaning as defined in subdivision (A)(8) of section 1302.01 of the Ohio Revised Code.
- (h) "Petroleum products" includes, but is not limited to, petroleum, as defined in subdivision (J) of section 3737.87 of the Ohio Revised Code, and heating oil and kerosene, as defined in subdivisions (G) and (H) of section 4901 :5-29 of the Ohio Administrative Code. (Ord. 2020-4-43. Passed 4-22-20.)

757.02 PURPOSE.

During a state of emergency or local emergency, including, but not limited to, an earthquake, flood, fire, riot, storm, drought, plant or animal infestation, disease, or other natural or manmade disaster, some merchants have taken unfair advantage of consumers by greatly increasing prices for essential consumer goods and services. While the pricing of consumer goods and services is generally best left to the marketplace under ordinary conditions, when a declared state of emergency or local emergency results in abnormal disruptions of the market, the public interest requires that excessive and unjustified increases in the prices of essential consumer goods and services be prohibited. It is the intent of the City in enacting this Chapter to protect residents from excessive and unjustified increases in the prices charged during or shortly after a declared state of emergency or local emergency for goods and services that are vital and necessary for the health, safety, and welfare of consumers. Further, it is the intent of the City that this chapter be liberally construed so that its beneficial purposes may be served.
(Ord. 2020-4-43. Passed 4-22-20.)

757.03 PRICE GOUGING PROHIBITED.

(a) Upon the proclamation of a state of emergency declared by the President of the United States or the Governor, or upon the declaration of a local emergency by the City, and for a period of thirty (30) days following that proclamation or declaration, it is unlawful for a person, contractor, business, or other entity to sell or offer to sell any consumer food items or goods, goods or services used for emergency cleanup, emergency supplies, medical supplies, or building materials, or petroleum products for a price of more than ten percent (10%) greater than the price charged by that person for those goods or services immediately prior to the proclamation or declaration of emergency. However, a greater price increase is not unlawful if that person can prove that the increase in price was directly attributable to additional costs imposed on it by the supplier of the goods, or directly attributable to additional costs for labor or materials used to provide the services, during the state of emergency or local emergency, and the price is no more than ten percent (10%) greater than the total of the cost to the seller plus the markup customarily applied by the seller for that good or service in the usual course of business immediately prior to the onset of the state of emergency or local emergency.

(b) The prohibitions of this section may be extended for additional 30-day periods, as needed, by the City Council, if deemed necessary to protect the lives, property, or welfare of the residents.

(c) A business offering an item for sale at a reduced price immediately prior to the proclamation or declaration of the emergency may use the price at which it usually sells the item to calculate the price pursuant to subdivision (a) of the section.
(Ord. 2020-4-43. Passed 4-22-20.)

757.04 ENFORCEMENT.

It shall be the duty of the Health Commissioner or Police Chief to enforce the provisions of this chapter. (Ord. 2020-4-43. Passed 4-22-20.)

757.98 SEVERABILITY.

In the event that any provision set forth herein is determined to be unconstitutional or otherwise unenforceable, the remainder of this chapter shall remain in full force and effect.
(Ord. 2020-4-43. Passed 4-22-20.)

757.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of a misdemeanor of the first degree and shall be punished as defined in Section 501.99 of the General Offenses code.
(Ord. 2020-4-43. Passed 4-22-20.)

- (x) "Tree size" means:
 - (1) Utility zone plantings. Any tree reaching a mature height of less than twenty-five (25) feet.
 - (2) Small tree. Any tree reaching a mature height of less than thirty (30) feet.
 - (3) Medium tree. Any tree reaching a mature height of thirty (30) to forty-five (45) feet.
 - (4) Large tree. Any tree reaching a mature height of over forty-five (45) feet.
- (y) "Urban forest" means the sum of all trees, shrubs, and plantings found in and around dense human settlement, including all trees, shrubs, and plantings found in parks, cemeteries, public lands, private lands, and public ways.
- (z) "Utility zone" means the area under, over, and/or adjacent to owned utilities including but not limited to, utility poles, manhole covers, lighting fixtures, transformers, and switch enclosures.
(Ord. 2013-6-52. Passed 6-26-13.)

915.03 ADMINISTRATION OF PLAN.

(a) In the case of trees standing on City grounds or easements, no person shall cut, trim, mutilate, injure or destroy any tree without first having obtained permission to do so from the City Manager, his designee, or from the Director of Public Works. However, nothing in this section shall be construed to prohibit the trimming or cutting by the City of trees or parts thereof on or extending over any street or other ground belonging to the City when such trimming or cutting is necessary to prevent interference with any City-owned utility, or to remove any dangerous condition, or for any other City purpose.

(b) The City Manager shall designate an individual to be responsible for the administration of the comprehensive Tree and Planting Plan. This individual may or may not be an arborist but shall have knowledge of the care and maintenance of urban forests.

(c) In addition to the authority granted the City Manager, his designee, and the Transportation and Traffic Engineer in this chapter, the designee is hereby authorized to enforce Sections 915.04 through and including Section 915.06 of this chapter.
(Ord. 2013-6-52. Passed 6-26-13; Ord. 2019-4-31. Passed 4-24-19.)

915.04 STANDARDS FOR PLANTING AND MAINTENANCE IN THE PUBLIC WAY.

- (a) All plantings shall be subject to the final approval of the City Manager's designee.
- (b) All plantings shall be in a live, healthy condition.
- (c) Specified varieties of any species shall be specimen-type trees or shrubs and shall be graded according to the applicable American National Standards Institute (ANSI) for Nursery Stock or better and shall be first class representatives of their normal species and varieties.
- (d) The approved list is maintained in the City of Hamilton's Landscape Guide for Developers, Businesses, and Home Owners and prohibited species and cultivars for planting in or adjacent to the public way are listed in Section 915.07 hereof. In order to maintain consistency with horticultural practices, the list set forth in Section 915.07 may be reviewed by the Tree Advisory Board and may be revised by the Board without further legislative approval. Any such revision of the list of plantings by the Tree Advisory Board shall be effective only upon the written approval of the City Manager's designee.

(e) Distances and Clearances.

- (1) Plantings within the public ways that impact traffic safety shall be coordinated with and approved by the City Transportation and Traffic Engineer. The following criteria shall be used as guidelines with regard to plantings that impact traffic safety:
 - A. A minimum of thirty-five (35) feet from the nearest street corner measured from the point of the nearest intersecting curbs or curblines.
 - B. A minimum of fifteen (15) feet from driveways.
 - C. A minimum of twenty (20) feet from alleyways.
- (2) Plantings within the Utility Zone shall be installed using the following criteria:
 - A. Only species listed for use in Utility Zones shall be planted under utility lines or within ten (10) lateral feet of said lines.
 - B. A minimum of a fifteen (15) foot clearance from ground operated equipment.
 - C. A minimum of a fifteen (15) foot clearance shall be maintained from streetlight fixtures to any plantings or portion thereof, which obstructs the path of light.
 - D. A minimum of a fifteen (15) foot distance from fire hydrants.
- (3) Trees within the public ways shall be maintained so that:
 - A. Branch clearance above sidewalks shall be eight (8) feet or greater.
 - B. Branch clearance above streets shall be fifteen (15) feet or greater.
- (4) The Utilities are under no obligation to safeguard plantings made in the utility zone. However, compliance with these guidelines should minimize the effects of utility operations on subsequent additions to the urban forest.

(f) Except for plantings planted and maintained by the City or other approved public authority, only the plantings listed in Section 915.07, or any other plantings that may be hereafter approved or prohibited and approved in writing by the City Manager's designee, may be planted in the public ways.

(g) All stumps and remnants of street trees must be removed twelve (12) inches below the ground surface so that the top of the stump/remnant shall not project above the surface of the ground.

(h) Sidewalk street repairs that will potentially endanger street trees shall require prior consultation with the City Manager's designee as to the best way to protect the tree roots where possible in the opinion of the City Manager's designee.

- (i) The City Manager's designee shall approve the tree plan for any city curb lawns.
- (1) Tree spacing. The spacing of public trees will be in accordance with the three (3) species size classes referred to in the arborist's list of street trees and no trees may be planted closer together than the following (except in special plantings designed or approved by the arborist).

Small trees	30 feet
Medium trees	40 feet
Large trees	50 feet

- (2) Distance from curb and sidewalk. The distance public trees may be planted from curbs or curblines and sidewalks will be in accordance with the three (3) species size classes in the arborist's list of street trees and no trees may be planted closer to the curb or sidewalk than the following (except in special plantings designed or approved by the arborist).

Small trees	Two feet (minimum of a four-foot wide treelawn)
Medium trees	Three feet (minimum of a six-foot wide treelawn)
Large trees	Four feet (minimum of an eight-foot wide treelawn)

(Ord. 2013-6-52. Passed 6-26-13; Ord. 2019-4-31. Passed 4-24-19.)

915.05 RESPONSIBILITY FOR MAINTENANCE OF PLANTINGS IN OR OVERHANGING THE PUBLIC WAY.

(a) Plantings shall be established and maintained in and adjacent to the public ways along streets in accordance with the provisions of this chapter. Plantings not so established and/or maintained are hereby declared to be public nuisances, except that existing plantings that are maintained in accordance with ordinances existing on the effective date of adoption of this chapter shall not be considered public nuisances.

(b) It shall be the duty of all property owners and occupants to trim or remove plantings in the public ways abutting their property that are not maintained in accordance with the requirements of this chapter.

(c) The City Manager's designee or any designated member of his staff shall have the authority to enter upon private land at any and all reasonable times to examine any tree, shrub or other planting located upon or over such private land and to carry out the provisions of this chapter.

(d) The City Manager's designee under Section 915.03 shall cause written notice to the property owner(s) and occupant(s) to trim or remove any planting within, or adjacent to, the curb lawn area of the abutting public ways that do not conform with the provisions of this chapter. Such notice shall be sent by certified mail, return receipt requested, to the tax mailing address of the property owner(s) of record with the Butler County, Ohio, Auditor and to the occupant(s) at the address of the property. If certified mail is returned unclaimed, notice will be sent by regular mail.

(e) If the planting is not trimmed or removed within the time period stated in the written notice, not less than ten (10) days from date of receipt of the notice, the City Manager's designee may cause such trimming or removal to be undertaken and the costs thereof shall be the responsibility of the abutting property owner(s) and occupant(s).

(f) In the event that the property owner(s) and occupant(s) fail to remit such costs to the City within thirty (30) days after written notice of the amount of such costs, the City Manager's designee or the Finance Director may certify such costs to the Butler County Auditor to be entered upon the tax duplicate for the abutting property as a lien and collected as other taxes and returned to the applicable City fund.

(g) In the event that a planting within the public way presents imminent danger to public safety, it may be trimmed or removed by the City without written notice to the property owner. The property owner shall be responsible for the costs thereof as provided in subsection (e) hereof. (Ord. 2013-6-52. Passed 6-26-13.)

915.06 PROHIBITIONS.

(a) No person, firm or corporation shall do any of the following:

- (1) Fail to perform any requirement contained in this chapter or commit any act prohibited in this chapter.
- (2) Fail to trim or remove any planting within or abutting the public way to the property after receiving written notice in accordance with Section 915.05(d).
- (3) Fail to pay the costs of trimming or removing any planting within the abutting curb lawn area of public way of the property.
- (4) Excavate or significantly disturb the earth within a radius of ten feet of any tree within the public way or on public land without first obtaining written permission from the City Manager's designee under this chapter.
- (5) Top (de-horn), remove or girdle any healthy tree in the public way or other public land without prior written approval from the City Manager or his designee. Trees severely damaged by storms and needing to be trimmed or removed in the interest of public safety are exempted from this section. Trees damaged by insects, diseases or certain trees under utility wires or other obstructions may be removed with the approval of the City Manager or his designee. Contractors involved in utility line pruning are exempted from this section; however, line pruning must be done in accordance with the guidelines set forth in the publication standard.
- (6) Recklessly cause direct or indirect damage to a tree or other planting in the public way or on public land through any of the following means: cutting, carving, transplanting, removing, attaching rope, wire or nails or advertising posters; pouring harmful liquids or harmful chemicals on the tree or other planting or in or near CRZ; setting fire to or near a tree or other planting; impeding water, air or fertilizer to a tree or other planting.

(b) This section does not apply to political subdivisions or their agents, employees or subcontractors. (Ord. 2013-6-52. Passed 6-26-13.)

915.07 APPROVED AND PROHIBITED PLANTINGS IN OR ADJACENT TO THE PUBLIC WAY.

(a) The following are the plant forms approved for planting in and adjacent to the public way:

- (1) Lawn grass, not to exceed 8".
- (2) Ornamental grasses or flowers not to exceed 18".

(b) The species and varieties of deciduous shade trees approved are listed in the City of Hamilton's Landscape Guide for Developers, Businesses, and Home Owners. The prohibited list for planting in and adjacent to the public way are listed below in Section 915.07(c) and (d).

(c) Trees Prohibited in Public Way Areas (Prohibited Street Trees)
 (These are weak, messy, destructive, disease or insect prone, and/or are invasive pests).

Botanical Name	Common Name
Acer Saccharinum	Silver Maple
Acer negundo	Boxelder
Aesculus species	Horse Chestnut and Buckeye
Ailanthus altissima	Tree of Heaven
Albizia julibrissin	Mimosa Tree
Betula species	Birch species except for River Birch (Betula nigra)
Catalpa species	All Catalpa
Elaeagnus angustifolia	Russian Olive
Elaeagnus umbellata	Autumn Olive
Fraxinus Species	Native Ash
Fruit Trees	Cultivars bred for fruit production
Ginkgo biloba	Female
Juglans nigra	Black Walnut
Lonicera maackii	Bush Honeysuckle
Morus species	All Mulberry
Paulownia tomentosa	Princess Tree
Phellodendron amurense	Amur Cork Tree
Platanus occidentalis	Sycamore
Populus species	All Poplar/Cottonwood
Pryus calleryana	All flowering pear cultivars
Rhamnus cathartica	European Buckthorn
Robinia pseudoacacia	Black Locust
Salix species	All Willow
Sorbus aucuparia	European Mountain Ash
Ulmus species	Susceptible to Dutch Elm Disease
Ulmus pumilia	Siberian Elm

- (d) Prohibited manipulations of plantings in or adjacent to the public way include:
- (1) Espaliers or topiary: Forms achieved through trimming or pruning that are distorted or contrary to the natural shape of the species.
 - (2) Shrubs: Shrubs that typically grow taller than three feet, yet not tall enough to be under trimmed to a height of six feet.
 - (3) Topped or dehorned trees: Trees with most of or the entire crown removed.

(e) The plantings listed in paragraph (a) through (d) above may be modified or revised from time to time upon the approval of the Tree Advisory Board and the written approval of the City Manager's designee.
(Ord. 2013-6-52. Passed 6-26-13; Ord. 2019-4-31. Passed 4-24-19.)

915.08 GUIDELINES FOR REMOVAL OF TREES IN PUBLIC RIGHT OF WAY (CURB LAWNS).

(a) A form, "Request for Removal of Live Tree(s) Located in the Public Way," must be completed with the necessary details for the City Manager's designee to do an inspection and render a decision. A form may be obtained from the City Health Department.

(b) A tree that is dead or dying (50% or more) must be removed upon review and approval by the City Manager's designee.

(c) Any tree that has outgrown its planted area and is causing damage to the bordering sidewalk or curb may be removed upon the review and approval of the City Manager's designee, who shall determine the reasonableness of replacing the sidewalk versus removing the tree. Replacement of either is responsibility of the property owner.

(d) A tree that is affecting a sanitary sewer line from a building shall be considered for removal only after all other methods of sewer line maintenance have been attempted (i.e. root pruning, boring the line). Documented proof of such action has to be presented to the City Manager's designee before a request for removal will be considered.

(e) A tree may be considered for removal if it is affecting other trees in such a way that the growth needs to be thinned or if the branches are affecting utility lines, is growing too close to a utility pole, or is growing too close to another immovable obstruction (e.g., a flagpole).

(f) A tree that is a nuisance due to its natural state shall not serve as the basis for removal, subject to the appeals procedure set forth in Section 915.081.
(Ord. 2013-6-52. Passed 6-26-13.)

915.081 APPEALS.

(a) Any person aggrieved (the "appellant") may appeal the denial of the request referenced in Section 915.08 to the Deputy City Manager/Managing Director of Operations by filing a written notice of appeal with the Deputy City Manager/Managing Director of Operations no later than ten days after the date of such denial. The notice of appeal shall include the complete name, address and telephone number of the appellant, the date and description of the denial, and a statement of the grounds for appeal, which shall include the detailed reasons for reconsidering

the request and overturning the denial. Upon receipt of the notice of appeal, the Deputy City Manager shall schedule a hearing to take place no later than thirty days after receipt of the notice of appeal. The Deputy City Manager shall notify the appellant, in writing, of the hearing date. The Deputy City Manager shall hear evidence and argument regarding the appeal and shall thereafter render a decision and so notify the appellant. As part of the hearing process, and in addition to any other witness and evidence, the Deputy City Manager may consult with one or more members of the City of Hamilton Tree Advisory Board. The appellant shall have the opportunity to question any member of the Tree Advisory Board who is present at the hearing for consultation.

(b) The Deputy Manager shall render a written decision within thirty days of the hearing. The decision of the Deputy City Manager shall be final.
(Ord. 2013-6-52. Passed 6-26-13.)

915.09 DESTRUCTION OF SHRUBS, TREES OR CROPS.

(a) No person, without privilege to do so, shall recklessly cut down, destroy, girdle or otherwise injure a vine, bush, shrub, sapling, tree, or crop standing or growing on the land of another or upon public land.

(b) In addition to any penalty provided, whoever violates this section is liable in treble damages for the injury caused.
(Ord. 2013-6-52. Passed 6-26-13.)

915.99 PENALTY.

Whoever violates any provision of this chapter is guilty of an unclassified misdemeanor and shall be fined not more than two hundred and fifty dollars (\$250.00). A separate offense shall be deemed committed each day during or on which an offense occurs or continues.
(Ord. 2013-6-52. Passed 6-26-13.)

(i) Internal Piping and Gas-Burning Equipment and Appliances. The customer shall own and maintain, in an operable and safe order, the internal piping from the outlet of the meter to all gas-burning equipment and appliances. The customer shall own and maintain all gas-burning equipment and appliances.

(j) Standards for Customer's Property. The customer's service line, house lines, fittings, valve connections and appliance venting shall be installed with materials and workmanship which meet the requirements of the City and shall be subject to inspection or test by the City. The City shall have no obligation to establish service until after such inspection and test demonstrates compliance with such requirements of the City with respect to the facilities in place at the time of the test. The first inspection or test at any premises, including service lines and house lines, shall be without charge. In the case of leakage, error, patent defect or other unsatisfactory or unsafe condition resulting in the disapproval of the line(s) by the City, the necessary correction shall be made at the customer's expense and the facilities shall then be inspected and tested again by the City. If the customer's service line, house lines, fittings, valve connections and gas-burning appliances or equipment on the customer's property are damaged, defective or in such condition as to constitute a hazard, the City, upon notice to the customer of such defect or condition, may discontinue gas service until such defect or hazardous condition has been rectified by the customer in compliance with the reasonable requirements of the City. The customer shall notify the City promptly of any additions, changes, alterations, remodeling or reconstruction affecting the gas movement on the customer's property.
(Ord. 2003-3-23. Passed 3-26-03.)

947.12 GAS COST RECOVERY RATE.

(a) Gas Cost Recovery Rate.

- (1) Scope. The City shall recover through the gas cost recovery rate the gas cost component plus the reconciliation adjustment.
- (2) Calculation. The formula for calculating the gas cost recovery rate (GCR) shall be as follows:
$$\text{GCR} = \text{GC} + \text{RA}$$

Where:

GC = Gas cost component as determined below, expressed in dollars per Ccf.

RA = Reconciliation adjustment as determined below expressed in dollars per Ccf.

- (3) Application. The above gas cost recovery rate calculation shall be applicable to all Residential Service - Schedule "R" and General Service - Schedule "G" bills.

- (4) The City shall review and may, at its option, adjust the gas cost recovery rate quarterly or whenever changes in gas acquisition and delivery costs or system operating characteristics cause, or may be reasonably anticipated to cause, an increase or decrease in the gas cost component.

(b) Gas Cost Component.

- (1) Scope. The City shall recover through the gas cost component the annual projected gas costs to be incurred in excess of the amount of gas costs included in the volumetric charge to provide the annual projected gas sales.
- (2) Calculation. The formula for calculating the gas cost component (GC) shall be as follows:

$$GC = \frac{PGC}{PGS} - BGC$$

Where:

PGC = Projected gas costs which shall be equal to the sum of the City's projected gas supply and transportation costs, less amounts projected to be received for such costs from Distribution Delivery Service - Schedule "D", pre-existing self-help contract customers and electric service purchases from gas system for the projected annual period, expressed in dollars.

PGS = Projected gas sales which shall be equal to the projected Residential Service - Schedule "R" and General Service - Schedule "G" customers' billing Ccf for the projected annual period.

BGC = Amount of gas costs included in volumetric charges of \$0.3383 per Ccf effective March 1, 2020 and thereafter.

(c) Reconciliation Adjustment.

- (1) Scope. The City shall, through the reconciliation adjustment, either which is set to \$0.000 per Ccf effective September 1, 2003, either:
- A. Recover the actual gas costs incurred during the preceding annual period which were in excess of the gas cost revenues collected, including the amount of gas costs included in the volumetric charge, during that same period; or
- B. Refund the gas cost revenues collected during the preceding annual period, including the amount of gas costs included in the volumetric charge, which were in excess of the actual gas costs incurred during that same period.
- (2) Calculation. The formula for calculating the reconciliation adjustment (RA) shall be as follows:

$$RA = \frac{AGC - GCC}{PGS} - BGC$$

Where:

AGC = Actual gas cost which shall be equal to the City's actual gas supply and transportation costs; less actual amounts received by the City for such costs from Distribution Delivery Service - Schedule "D", pre-existing self-help contract customers and electric system purchases from gas system for the preceding annual period, expressed in dollars.

GCC = Gas cost charge which shall be equal to the gas cost recovery charges collected during the preceding annual period under the gas cost component, expressed in dollars.

(Ord. 2003-3-23. Passed 3-26-03; Ord. 2020-4-39. Passed 4-8-20.)

947.13 RULES AND REGULATIONS.

All customers shall comply with the Rules and Regulations of the Department of Public Utilities and the Department of Gas and Water as have been or may be promulgated pursuant to Section 927.09 by the Director of Public Utilities of the City, as the same may be amended from time to time.

(Ord. 2003-3-23. Passed 3-26-03.)

947.14 PRE-EXISTING SELF-HELP CONTRACT CUSTOMER PROVISIONS. (REPEALED)

(EDITOR'S NOTE: Former Section 947.14 was repealed by Ordinance 2017-11-123.)

947.15 SERVICE CONTRACTS.

Nothing in this chapter is intended to alter or eliminate the authority contained in Section 927.01 to enter into service contracts or respecting fees and charges for services performed by the City. (Ord. 2003-3-23. Passed 3-26-03.)

947.16 SERVICE FOR PREMISES OUTSIDE CORPORATE LIMITS.

Nothing in this chapter is intended to confer any right to service for premises outside the corporate limits of the City.

(Ord. 2003-3-23. Passed 3-26-03.)

947.17 RATE STABILIZATION FUND ADJUSTMENT.

Should a Rate Stabilization Fund be required by any indenture entered into pursuant to the sale of City gas system revenue bonds or mortgage revenue bonds, then the rates established for Residential Service - Schedule "R" as set forth in Section 947.03, General Service - Schedule "G" as set forth in Section 947.04, Distribution Delivery Service - Schedule "D" as set forth in Section 947.05, pre-existing self-help contract customers as set forth in Section 947.14 and electric system purchases from gas system as set forth in Section 947.18 as they now provide and as they may hereafter be amended shall be increased in any fiscal year by the percentage certified by the City Manager to the Director of Finance and the Director of Gas and Water or the Deputy City Manager/Managing Director of Operations to be necessary to cause there to be appropriated to the credit of the Gas Rate Stabilization Fund in such fiscal year the amount required by the indenture to be credited with respect to such fiscal year, such increase to take effect commencing the month after such certification. (Ord. 2003-3-23. Passed 3-26-03.)

947.18 ELECTRIC SYSTEM PURCHASES FROM GAS SYSTEM.

The monthly charge for Electric System Purchases from Gas System shall be the sum of the charges set forth below:

- (a) Except for the volumetric charges set forth in Section 947.05(b)(2), the provisions contained in Section 947.05 herein apply to distribution delivery services for City financed electric generation facilities that burn natural gas as a source of fuel. The volumetric charge for distribution delivery services for bills rendered on or after the effective date shall be charge per decatherm as follows:

Effective December 1, 2017	Effective December 1, 2018
\$0.21	\$0.22

The City financed electric generation facilities shall reimburse the City’s gas system for all interstate transportation and gas purchase related costs incurred for those facilities.

- (b) Unfunded Governmental and Regulatory Mandates Utility Adjustment (UGRMA) Charge: The URGMA charge for each Ccf commencing (date mandate becomes active) in accordance with Section 947.20.

(Ord. 2009-5-41. Passed 5-27-09; Ord. 2017-11-123. Passed 11-15-17.)

947.19 GAS SERVICE CURTAILMENT.

(a) In the event an emergency condition exists in the Gas Division of the City’s Gas and Water Department, whether physical, economical or otherwise, beyond the control of the Division or Department to immediately remedy and because of which the Division or Department cannot fully satisfy the full gas requirements of its customers, then it shall be necessary for the Director of Gas and Water or his designee, upon authorization of the City Manager or his designee, to:

- (1) Request all customers to voluntarily conserve gas usage by reducing the temperature/thermostat settings of their heating equipment and curtailing other gas usage, if time permits; or
- (2) Implement mandatory curtailment, reduction or interruption of gas service to permit if practicable maintenance of limited gas service to residential properties, hospitals, nursing homes and the like, if the voluntary option set forth in subsection (a)(1) hereof is inadequate to reduce system demand to a level determined by said Director or his designee to be safe or appropriate.

(b) The Director of Gas and Water shall promulgate such rules and procedures as deemed necessary to implement the gas curtailment process as authorized and set forth herein. Additionally, a gas curtailment plan may be applied to all “General Service” customers and to those “Distribution Delivery Service” customers who cannot specifically attest to and guarantee their total gas supply from their independent supplier for each day of the curtailment period.

- (3) No person shall engage in open dumping or open burning of any solid waste material within the corporate limits of the City.
- (4) No person shall dispose of any solid waste materials by burying or in any other fashion except at approved solid waste facilities.

(b) Except as otherwise provided in these Codified Ordinances to the contrary, no non-governmental entity or person owning household or commercial premises which is served by City-arranged waste collection or recycling service and for which a statement is sent to the occupant for that service shall charge the occupant receiving such City-arranged waste collection or recycling service more for that service than if that service were provided directly by the City to such other person.

(c) Any person found guilty of violating this section shall be guilty of a fourth degree misdemeanor and shall be ordered to make restitution for the full amount of any overcharge. (Ord. 93-6-72. Passed 6-23-93.)

973.12 PRIVATE COLLECTION AND DISPOSAL.

No person shall store, accumulate, keep, collect, haul or dispose of any solid waste within the City, except in compliance with the provisions of this chapter and the regulations adopted hereunder. No solid waste shall be collected or transported over or upon City highways, streets or alleys except in vehicles or containers so constructed and operated as to prevent leakage, spilling and scattering of the contents. The use of private disposal sites shall be permitted provided they are not a nuisance and are permitted by and conducted in accordance with Ohio R.C. Title 37.

(Ord. 93-3-27. Passed 3-24-93.)

973.13 LICENSE AND FEE FOR COMMERCIAL SOLID WASTE COLLECTORS.

(a) All persons collecting, transporting or disposing of solid waste within the corporate limits of the City shall be licensed by the Director of Finance. The application for a license shall be made on forms provided by the City. No license shall be issued if the applicant fails to comply with the provisions of this chapter and Ohio R.C. Title 37. The licensee's construction of facilities and use of equipment shall be approved by the Director of Public Works in accordance with the provisions of this chapter. The fee for a solid waste collection, transport and disposal license shall be twenty-five dollars(\$25.00) per year for each vehicle or piece of equipment utilized by the solid waste collector in its operations within the City. Each unit travelling over public streets and highways shall be licensed.

(b) No license shall be required of any person collecting, transporting or disposing of solid waste produced on the premises of such person, nor shall a license be required of any governmental entity collecting, transporting or disposing of its own wastes.

(c) If any person licensed as a commercial solid waste collector fails to comply with or violates the provisions of this chapter, regulations subsequently established, or regulations of the Department of Health, the license of such person shall be revoked. Five days notice shall be given by the City of the intention to revoke such license, during which time the licensee may ask for a hearing. The decision of the City Manager after any such hearing shall be final. (Ord. 93-3-27. Passed 3-24-93.)

973.14 SOLID WASTE FACILITIES.

The following shall apply to all solid waste facilities:

- (a) The City may, but shall not be required to provide one or more solid waste facilities, such as the City Transfer Station, for use by the public. The Director of Public Works shall have authority to establish regulations controlling and limiting the use of each particular solid waste facility. Such regulations shall not be inconsistent with the provisions of this chapter.
- (b) (EDITOR’S NOTE: Former subsection (b) was repealed by Ordinance 99-1-6, passed January 13, 1999.)
- (c) The following materials shall not be accepted at any solid waste facility except on approval of the Director of Public Works:
 - (1) Any materials of any kind of nature, including ashes, that contain any hot live coals or highly inflammable substances that may initiate a fire;
 - (2) All large and bulky materials such as vehicle bodies and parts, tree stumps, logs and elements that may require special preparation and processing for disposal;
 - (3) Large quantities of refuse, liquids or solids of such nature and volume as to interfere with the normal operation of the disposal site.
- (d) Items set forth in Ohio Administrative Code Sections 3745-27-23(o) and (p) shall not be accepted at the transfer station. (Ord. 93-3-27. Passed 3-24-93.)

973.15 FEES.

The following fees are established for household and commercial collection, transportation and disposal of solid waste, and collection of recyclables:

- (a) Householder Solid Waste Disposal Fee: To provide necessary funds for equipment, personnel and other expenses in connection with the collection and disposal of solid waste and also to provide for the recycling of selected solid waste items collected from household customers, a service fee is hereby charged, effective on the dates indicated below, as follows:

Effective Date of Service Fee:					
Households	January 1, 2020	January 1, 2021	January 1, 2022	January 1, 2023	January 1, 2024
Non-low income households with annual household income(s) at or above fifty-one percent (51%) of the City’s annual median household income as the same may from time to time be determined by the United States Census Bureau	\$17.15	\$19.17	\$19.17	\$19.17	\$19.17
Low income households with annual household income(s) at or below fifty percent (50%) of the City’s annual median household income as the same may from time to time be determined by the United States Census Bureau	\$15.15	\$16.93	\$16.93	\$16.93	\$16.93

- (b) Commercial Operator Solid Waste Disposal Fee: To provide necessary funds for equipment, personnel and other expenses in connection with the collection and disposal of solid waste collected from commercial operators, a service fee is hereby charged, effective on the dates indicated below, as follows:

Effective Date of Service Fee:					
Commercial Operators	January 1, 2020	January 1, 2021	January 1, 2022	January 1, 2023	January 1, 2024
One collection per week	\$37.95	\$42.42	\$42.42	\$42.42	\$42.42
Three collections per week	\$60.85	\$68.02	\$68.02	\$68.02	\$68.02
Five collections per week* (Central Business District on High Street only)	\$73.02	\$81.66	\$81.66	\$81.66	\$81.66

(Ord. 2014-11-101. Passed 11-12-14; Ord. 2016-12-128. Passed 12-21-16; Ord. 2017-4-56. Passed 4-26-17; Ord. 2019-11-127. Passed 11-13-19.)

973.151 COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND THE COLLECTION OF RECYCLABLES; BILLING; PENALTY.

Each bill for household or commercial collection, transportation and disposal of solid waste, together with the collection of recyclables, shall be dated as of its date of mailing and the total amount thereof shall be payable within twenty days from such mailing date. The total amount of each bill shall consist of the sum of all charges for such collection, transportation and disposal of solid waste and recyclables during the period between the previous collection, transportation and disposal date and the current collection date of such bill, together with any accumulated arrearage. All charges shall be computed by applying the appropriate rate or charge for the collection, transportation and disposal of solid waste and recyclables as provided by these Codified Ordinances. Each bill shall contain a notice of the last date on which it is payable and a statement setting forth the penalty for delinquent bills as provided herein.

If any bill for the household or commercial collection, transportation and disposal of solid waste, together with the collection of recyclables, is not paid within twenty days from the date of its mailing, a penalty shall be imposed in the amount of five percent (5%) on the current unpaid balance plus an additional penalty of one percent (1%) per month on any accrued unpaid arrearage commencing on the due date, or what would be the due date, for such customer's next solid waste service bill and continuing to accrue on the unpaid arrearage until the bill is paid in full.

If a bill for any solid waste service is not paid within thirty days after a penalty has accrued thereon, it shall be deemed a delinquent bill. The City Manager or his designee shall have the power to terminate any or all solid waste services to the consumer from whom a delinquent bill is due. If any solid waste service is terminated, it shall not be resumed at any other place for the same consumer until all outstanding bills for solid waste services rendered prior to such termination and all applicable arrearages and penalties have been paid in full or satisfactory arrangements made for payment of the same.

Payments made shall first be applied to accrued arrearages and penalties. Moneys received for current payments shall be applied in a manner designated by the City Manager.
(Ord. 94-2-11. Passed 2-9-94.)

973.152 QUALIFIED PAYMENT PLAN FOR CERTAIN CUSTOMERS.

(a) There is hereby established a Qualified Payment Plan for those customers of the City's Collection, Transportation and Disposal of Solid Waste and the Collection of Recyclables System who meet all of the following criteria:

- (1) They are on a fixed income and their only source of income is benefits under Social Security, Supplemental Security Income, Social Security Disability, Railroad Pensions, Veterans' Pension and/or Disability, Disability Black Lung or any other retirement and/or pension program; and
- (2) At the time of application for said Qualified Payment Plan, their service account has a zero balance or a balance consisting of only their current bill which is due but not yet past its final due date.

(b) Any customer of the City's aforesaid Collection, Transportation and Disposal of Solid Waste and the Collection of Recyclables System who qualifies for the Qualified Payment Plan shall make application to the Customer Services Division of the Department of Finance and shall provide proof of his/her eligibility and receipt of benefits under Social Security, Supplemental Security Income, Social Security Disability, Railroad Pensions, Veterans' Pension and/or Disability, Disability Black Lung or any other retirement and/or pension program. All customers under the Qualified Payment Plan shall not incur a penalty for late payment provided that:

- (1) Such customers maintain a zero balance on their account; or
- (2) A balance consisting of only their current bill which is due and such bill is paid in full prior to the date on which the following month's bill is due.

All other provisions of this chapter and the Rules and Regulations of the Department of Public Utilities for the collection of the aforesaid charges shall apply to those customers under the aforesaid Qualified Payment Plan. (Ord. 97-12-145. Passed 12-29-97.)

973.16 REVIEW BOARD.

There is hereby established a Review Board consisting of the Director of Public Works or his designee, the Director of Finance or his designee and the City Manager or his designee, which shall consider complaints from subscribers relative to the classification of a subscriber in accordance with the service fee structure set forth in Section 973.15 hereof. The decision of the Review Board shall be final.
(Ord. 93-3-27. Passed 3-24-93.)

973.99 PENALTY.

Whoever fails to comply with or violates any provision of this chapter or any regulation established pursuant to the provisions hereof shall be fined not more than one hundred dollars (\$100.00). Each separate violation and each day of violation shall be deemed a separate offense.
(Ord. 93-3-27. Passed 3-24-93.)

977.011 RULES AND REGULATIONS FOR USE OF THE MUNICIPAL GOLF COURSES.

The following rules and regulations shall be obeyed by all members of the public using the municipal golf courses and facilities:

(a) Golf Course and Facilities:

- (1) No person, other than golfers who have paid a fee for using the golf course or authorized tournament spectators, shall enter upon or remain on the playing portion of the golf course.
- (2) No person, except municipal employees engaged in golf course duty, shall drive any vehicle, except golf carts, onto the golf course. "Vehicle" means, but is not limited to, automobiles, trucks, motorcycles, minibikes, bicycles, farm tractors and snowmobiles.
- (3) No person shall fish, swim, wade, boat or otherwise enter any water hazard. Municipal employees or contract employees performing maintenance functions in or about a water hazard are exempt from this rule.
- (4) No person shall hunt or trap animals on the golf course except by contract with the City.
- (5) No pets shall be permitted on any golf course or golf course facility.
- (6) No sling shot, bow and arrow, or any other device which propels any object and which is not an item customarily used in the game of golf shall be permitted on any golf course or within any golf course facility. This section does not apply to the lawful use of a firearm as defined in Ohio R.C. 2923.11, any part of a firearm, its components or ammunition for the same.
- (7) All alcoholic beverages consumed on any golf course or golf course facility shall be purchased only from the golf course concession facility.
- (8) No person shall remain on the golf course or facility after closing. Unless an earlier or later closing time is set by the Director of Public Works or his designee, the golf course and golf course facilities shall close no later than one hour after sunset.

(b) Golf Course Players.

- (1) All golfers shall register in the course golf shop and pay the required fees before starting to play.
- (2) No more than four golfers shall be permitted to play golf together as one group.
- (3) While on any golf course or facility, all players and patrons shall wear an opaque shirt and athletic footwear which will not damage the course and golf greens.
- (4) Coolers not belonging to the golf course concession facility shall not be permitted upon the golf course or facility. This rule shall not apply to caterers of special events.
- (5) Golfing practice shall not be permitted except in areas designated for that purpose.
- (6) No person shall play golf on any course when the course is closed.
- (7) Golf carts shall not be driven any closer than thirty feet from any golf green or tee area. Unless otherwise directed by golf course staff, golf carts shall move about on cart paths or in the rough only, and can only cross fairways, at ninety-degree angles to the fairways' length.

- (8) Any golfer or patron who is intoxicated shall be asked to leave any golf course or facility. Any golfer or patron who is damaging any golf course or facility, delaying the play of others or violating any golf course or golf player rule or regulation set forth herein, may be asked to leave, and if so asked, shall leave the golf course and facility.
- (c) Penalty. Whoever violates any provision of subsections (a) or (b) hereof shall be guilty of a minor misdemeanor, except that if the person persists in violating any provision of such subsections after a reasonable warning or request to desist, then the violation shall be a misdemeanor of the fourth degree.
(Ord. 93-2-12. Passed 2-24-93; Ord. 2011-8-79. Passed 8-24-11; Ord. 2019-12-142. Passed 12-11-19.)

977.02 SWIMMING POOL FEES.

The fees for use of the municipal swimming pools shall be as follows:

Daily fees:

Children up to 12 years of age, inclusive	\$0.50
Children 13 to 17 years of age, inclusive	1.00
Adults - 18 years of age and over	1.50

Family pass per season: \$60.00
(Ord. 84-2-18. Passed 2-28-84.)

977.03 COMMUNITY CENTER FEES.

The fees for the use of the Second Ward Community Center and its facilities other than as listed below are established by agreement with interested parties:

Swimming pool fees:

Adults - 18 years and over	\$0.35
Children - to 17 years inclusive	0.20

(Ord. 5295. Passed 4-2-52.)

977.04 BASEBALL DIAMOND FEES; SOCCER FIELD FEES.

- (a) "Resident" means an individual domiciled in the City.
(Ord. 2006-10-128. Passed 10-25-06.)

- (e) Garbage, Yard Waste and Foreign Materials.
(1) No person shall discard or dispose of, on City of Hamilton park property, any household garbage, yard waste or foreign materials generated outside of the park.
(2) Refuse, garbage and other residue of a picnic or other park activity shall be deposited in receptacles provided for that purpose.
- (f) Speed Limit. No person shall operate a motor vehicle within or on City of Hamilton park property at a speed exceeding fifteen miles per hour (15 mph); except that if a different speed is set forth on a sign indicating a different speed limit, that limit shall be permitted.
- (g) Animals.
(1) Dogs, cats and other household pets are permitted on park property only if the animal is controlled at all times, either in a cage or on a leash no longer than eight feet. Dogs and cats are not permitted on playgrounds, picnic areas, and flowerbeds or in buildings.
(2) Dog, cat or household pet feces must be immediately removed from City park, playground, golf courses and recreational facility areas by the person in control of the animal and disposed in a sanitary manner.
(3) No person shall abandon any animal on the City of Hamilton park property.
- (h) Snowmobiles, All-Terrain Vehicles, Dirt Bikes. No person shall operate a snowmobile, all terrain vehicle (ATV), all purpose vehicle (APV), dirt bike, go-cart or any motorized bicycle, scooter or similar device except in areas designated for such purposes on City of Hamilton park property.
(Ord. 2013-7-61. Passed 7-10-13.)
- (i) Hours. The Park shall be open each day from dawn until dusk, with the exception of parks located within the DORA which will close at midnight. No person shall enter onto or remain on park property other than during those hours listed herein without the prior written permission of the City of Hamilton.
(Ord. 2018-3-28. Passed 3-28-18.)
- (j) Rollerskates, Skate Boards, Rollerblades and Bicycles.
(1) No person is permitted to roller-skate, skate board or rollerblade on park drives, playgrounds, tennis courts, walkways or parking lots. This activity is restricted to the bike path and the skate park or other areas designated for such purposes.
(2) No person shall operate a bicycle on park walking trails, playgrounds, tennis courts or walkways. This activity is restricted to park drives, the bike path and the skate park.
- (k) Hiking and Biking Trails.
(1) No person shall drive a motorized vehicle on any walking trail. Except for City of Hamilton employees while on duty, vehicles are restricted to paved roadways or drives and designated park areas except with the permission of the Director of Public Works.
(2) The hiking and biking trails, and adjacent nature trails and other natural areas shall be closed from dusk to dawn, year round. No person shall be on the hiking and biking trails and their adjacent areas during these hours except City of Hamilton employees on duty.
- (l) Commercial Enterprises.
(1) No person shall offer for sale any article, privilege, service or subscription on park lands unless permitted in writing by the Director of Public Works.
(2) No person shall solicit collections or donations nor beg and hawk for any purpose on park property unless permitted in writing by the Director of Public Works.

- (m) Reservation Rules and Regulations.
- (1) Persons holding a reservation for a City of Hamilton Park shelter or building shall have use only for the time period set forth in the permit. The hours reserved shall include set-up and clean-up time.
 - (2) Any person holding a reservation permit for park shelters or buildings shall not invite, welcome, entertain, sponsor or serve host to a party, festivity, meeting or other organized activity where the total number of individuals in attendance exceeds the stated capacity of the facility per the reservation receipt.
 - (3) No person shall use a shelter or building reserved for another party without written permission of the Director of Public Works.
 - (4) Persons holding reservation permits are responsible for the physical condition of the facility reserved and overseeing the conduct of persons in attendance. Any damage to the facility or injury to persons or property during the period of said reservations shall be the responsibility of the person holding the reservation permit.
 - (5) Reservation permit holders' responsibilities involve overseeing the conduct of persons attending the function and condition of the facility reserved. Any damage or injury is the financial responsibility of the reservation holder.
 - (6) No person shall transfer tables and chairs owned by the City of Hamilton, from one room, area, building or shelter to another without written permission of the Director of Public Works.
 - (7) No persons shall misuse and/or abuse any facility of the City of Hamilton. Any violator will receive a written letter governing future reservations, which may include no further permits.
- (n) Fireworks, Explosives, Weapons, Bows and Arrows. Except as otherwise permitted by the City in writing.
- (1) No person, except law enforcement officers, shall carry, possess, discharge or have under their control any of the following on or within any City park, playground or recreational facility; sling shots; fireworks; explosives; bows and arrows or any other dangerous ordnance. In no instance shall the terms referenced in this subsection (n) mean any firearm as defined in Ohio R.C. 2923.11, part of a firearm, its components, or its ammunition.
 - (2) Reservation permit holder shall be liable for any of their guests or invitees who violate provisions of this Section.
- (o) Disorderly Conduct. No person shall engage in disorderly conduct, as defined by Section 509.03 if the Codified Ordinances as may be amended from time to time, within any City park, playground or recreational facility.
(Ord. 2013-7-61. Passed 7-10-13; Ord. 2019-12-142. Passed 12-11-19.)
- (p) (1) Parking. No person shall park a motor vehicle, trailer, motorcycle or any other vehicle on the park property except in locations designated by the Director of Public Works for such purposes.
- (2) Parking Fees for Special Events at City Parks. The City Manager or his designee may, at their discretion, impose a parking fee for parking at special events in City parks as set forth in Section 353.19.
(Ord. 2012-10-83. Passed 10-24-12.)
- (q) Garbage. No person shall deposit, permit, or allow to be deposited, in any part of a City park, playground or recreational facility, any garbage, ashes, sewage, refuse or any waste material whatsoever, other than in receptacles provided for such purposes.

<u>Ordinance No.</u>	<u>Date of Passage</u>
11-9-87	9-14-11
11-12-122	12-28-11
12-1-6	1-25-12
12-2-7	2-8-12
12-2-9	2-22-12
12-4-32	4-25-12
12-7-60	7-11-12
12-8-68	8-22-12
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18-8-79	8-22-18
18-8-84	8-22-18
18-8-89	9-12-18
19-2-7	2-13-19
19-6-44	6-12-19
19-9-85	9-11-19
19-9-86	9-11-19
19-10-114	10-23-19
19-12-134	12-11-19
20-4-37	4-8-20

**CODIFIED ORDINANCES OF HAMILTON
PART THIRTEEN - BUILDING CODE**

Chap. 1305. Building Code.

Chap. 1307. Contractor License Registrations.

Chap. 1309. Fees.

Chap. 1311. Private Residential Swimming Pool Requirements.

CODIFIED ORDINANCES OF HAMILTON
PART THIRTEEN - BUILDING CODE

CHAPTER 1305
Building Code

1305.01 Enforcement of the Ohio Building Code.

1305.01 ENFORCEMENT OF THE OHIO BUILDING CODE.

(a) As used in the Codified Ordinances of the City of Hamilton, "Hamilton Building Code" and "Building Code" shall refer to the Ohio Building Code (OAC Chapters 4101:1-1 to 4101:1-35) and its referenced standards.

(b) The City of Hamilton Building Department shall be primarily responsible for the enforcement of the Ohio Building Code and its referenced standards. Except as otherwise provided by ordinance, the provisions of the Ohio Building Code shall be controlling within the City. The Building Department may proceed under the enforcement and penalty provisions of the Ohio Building Code or Chapters 1307 and 1309 of the Codified Ordinances or both.

(c) The City of Hamilton Building Department shall be primarily responsible for the enforcement of the Ohio Building Code and its referenced standards with regard to medical gas installations, repairs and alterations to the extent that it is certified by the Ohio Board of Building Standards.

(d) Subject to the determination of the Director of Building, assigned Project Coordinator or Executive Director of External Services, no permit for work or occupancy will be issued by the City of Hamilton Building Department unless all approvals have been obtained by each applicable department as required by the Ohio Building Code or Codified Ordinances or both. (Ord. 2018-11-109. Passed 11-14-18; Ord. 2019-4-28. Passed 4-24-19.)

(f) Reinspections: When an additional inspection is required due to a request for inspection before a job is ready, due to faulty work or misinformation, or if the number of inspections for a project is unusually high, a reinspection fee may be charged at the discretion of the Building Official or his appointed representative. The reinspection fee shall be \$50.00 for inspections associated with 1-, 2- or 3-family residences and \$75.00 for all inspections associated with all others. The reinspection fee shall be paid before the reinspection is scheduled.

(g) Additional Plan Review: If the plans cannot be approved after the first plan examination, a fee for additional plan examination shall be charged for each additional review at a rate of \$50.00 per hour or fraction thereof for reviews associated with 1-, 2- or 3-family residences and \$75.00 per hour or fraction thereof for reviews associated with all others. The plan review fee will be added to and collected with the other applicable permit fees described throughout this ordinance.

(h) Permit Extensions: For the extension of any permit in accordance with the requirements of the Ohio Building Code and with the approval of the Building Official, an extension fee of \$50.00 shall be paid for permits associated with 1-, 2- or 3-family residences and \$100.00 for permits associated with all others.

(i) Phased Permits: When an application is submitted for plan review and a phased permit approval as defined in the Ohio Building Code and approved by the Building Official is requested, a phased permit fee shall be added to the cost of the permit in addition to all other applicable fees. The phased permit fee shall be calculated using 25% of the total permit fee, and this amount shall be applied to each phase and paid at the time each phased permit approval is issued. The total permit fee plus a phased permit fee shall be paid when the first phased permit approval is issued.

(j) Penalties:

- (1) No person, firm or corporation shall knowingly violate any provisions of the Ohio Building Code or any order made pursuant to it or its referenced standards or shall knowingly build in violation of any detailed statement or specifications, plans submitted and approved pursuant to the Ohio Building Code or its referenced standards.
- (2) If any work is performed without first obtaining the required permits and approvals from the City, unless reasonable doubt exists as to the requirement of a permit as determined by the Building Official, then a penalty fee shall be applied. Occurrences may be tracked using the owner, contractor, applicant, individual, company or location associated with the offense. Penalty fees shall be calculated as follows:
 - A. Work associated with 1-, 2- and 3-family residences:
 1. First occurrence: Double the permit fee, but not less than \$250.
 2. Repeat occurrence: Triple the permit fee, but not less than \$500.
 - B. Work associated with all others:
 1. First occurrence: Double the permit fee, but not less than \$500.
 2. Repeat occurrence: Triple the permit fee, but not less than \$1,000.

- (3) The payment of penalty fees shall not relieve any person from fully complying with all the requirements of the applicable codes, nor shall such payment exempt the person from any other fee prescribed herein, nor shall the provisions of this section prevent legal action from being taken in any instance against any person, firm or corporation violating or failing to comply with the provisions of the applicable codes.
- (k) Special Plan Review. Inspection or Other Service:
- (1) When any person, firm or corporation requests an inspection, plan review, public record inquiry or other special service not already included elsewhere under this ordinance, a fee shall be charged at the rate of \$50.00 per hour or part thereof for each inspector or person performing the service. This fee may also be applied for inspections performed on the same day that the inspection is requested. Inspections requested to take place during weekends or holidays shall be charged a minimum fee of \$200.
- (2) When a customer requests an expedited plan review to be performed, an additional fee shall be charged for each expedited review. The fee shall be \$100.00 for permits associated with 1-, 2- and 3-family residences and \$500.00 for all others. The fee for each additional hour of plan review shall be charged at the normal rate. The fees charged for expedition are in addition to all other applicable fees described throughout this ordinance.
- (l) Miscellaneous Fees.
- (1) When needed as part of the permit processing operations, the fee for copies of documents associated with the Building Department will be \$.05 per page for black and white, 8 ½" x 11" copies and \$1.00 per page of all other copies.
- (2) When needed as part of the permit processing operations, the fee for scanning documents associated with the Building Department will be \$.03 per page for 8 ½" x 11" pages and \$0.50 per page for all others.
(Ord. 2018-10-100. Passed 10-24-18; Ord. 2019-4-29. Passed 4-24-19.)

1309.02 NEW CONSTRUCTION AND ADDITIONS.

- (a) The permit fee for all new buildings, structures, and additions shall be as follows:
- (1) New single-family residence: \$1,000.
- (2) New 2-family residence: \$1,500.
- (3) New 3-family residence: \$2,000.
- (4) New addition to 1-, 2- or 3-family residence: \$500.
- (5) New residential accessory buildings and structures including decks, porches, covered patios, ramps, carports, detached garages, thermally isolated sunrooms and other residential accessory buildings and accessory additions thereto, either temporary or permanent: \$200.
- (6) New commercial and multifamily buildings, structures, and additions under the jurisdiction of the Ohio Building Code:
- A. Up to and including 10,000 gross square feet of total floor area of all stories and basement: \$500 plus \$0.40 per square foot.
- B. Over 10,000 gross square feet of total floor area of all stories and basement: \$4,500 plus \$0.15 per square foot.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.03 ALTERATIONS, REPAIRS, REMODELING AND OTHER PERMIT FEES BASED ON VALUE OF CONSTRUCTION.

(a) The permit fee for alterations, repairs, and remodeling of all existing buildings and structures and for all other work not specifically listed elsewhere, shall be based on the estimated value of construction as follows:

- (1) Work associated with 1-, 2- and 3-family residences: \$200
- (2) Work associated with all others shall be as follows:

<u>Value of Construction</u>	<u>Permit Fee [see Note (a) below]:</u>
\$1,000 or less	\$250.00
Over \$1,000	\$250.00 plus \$0.01 times the estimated value of construction

Note (a): For the purpose of fee calculation, the estimated value of construction shall not include the cost of any work covered under the fees for a separate permit.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.04 CERTIFICATES OF OCCUPANCY AND CHANGES OF OCCUPANCY.

(a) When all required permits and inspections for a building have been obtained, there is no cost for the Certificate of Occupancy when it is issued at the time the building permit is closed.

(b) For an existing building where there is no change of occupancy or work requiring a permit and a permit for a Certificate of Occupancy is requested because a certificate does not already exist in the records of the Building Department: \$50.00.

(c) For an existing building when there is a change of occupancy requiring a permit but no work requiring a permit: \$100.00.

(d) For a Temporary, Partial or Time-limited Certificate of Occupancy: \$50.00 for 1-, 2- or 3- family residences and \$100.00 for all others.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.05 REROOFING.

(a) Reroofing associated with 1-, 2- or 3-family residence: \$100.00

(b) Reroofing associated with all others: \$200.00
(Ord. 2018-10-100. Passed 10-24-18.)

1309.06 FENCES.

(a) Permit fee for all types of fences: \$100.00.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.07 TENTS.

(a) Permit fee for all types of tents or membrane structures: \$100.00.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.08 SWIMMING POOLS.

(a) Permit fees for all types of swimming pools: \$250.00
(Ord. 2018-10-100. Passed 10-24-18.)

1309.09 PARKING AREAS AND LOTS.

(a) The permit fee for the construction of new or additions to off-street parking (not including parking garages) shall be determined according to the following schedule:

- (1) When approved by the Building Official and constructed concurrent with a new building, structure, addition or alteration to an existing building under a building permit: no fee.
- (2) When constructed separately: \$100.00.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.10 SIGNS, AWNINGS, CANOPIES AND MARQUEES.

(a) Permit fees for all signs, awnings, canopies and marquees: \$150.00

(b) If one or more signs, awnings, canopies or marquees are erected upon one location at one time, only one permit will be required.

(c) When the work associated with a new or replaced pole, monument or similar sign structure that would normally require a building permit is included under the sign permit, a \$100 fee shall be added. (Ord. 2018-10-100. Passed 10-24-18.)

1309.11 DEMOLITION OF BUILDINGS AND STRUCTURES.

(a) Permit fees for the demolition of buildings and structures shall be as follows:

- (1) Demolitions associated with 1-, 2- or 3-family residences and their accessory structures: \$150.00.
- (2) Demolitions associated with all others: \$300.00.
- (3) When a demolition permit includes multiple buildings or structures on the same lot, only one demolition permit is required.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.12 FIRE SUPPRESSION AND PROTECTION SYSTEMS.

(a) The permit fee for fire suppression systems shall be as follows:

- (1) For all new, altered, repaired or replaced systems:
20 heads or less: \$250.00.
Over 20 heads: \$250.00 plus \$2.50 per head.

(b) The permit fee for fire protection alarm systems shall be based on the estimated value of construction of the fire alarm system in accordance with Section 1309.01.03.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.13 ELECTRIC PERMITS.

(a) New single or multi-family residence: \$200.00 plus \$50.00 for each additional dwelling unit after the first one.

(b) Addition to 1-, 2- or 3-family residence: \$100.00.

(c) All other new buildings, additions and structures: \$250.00 plus \$0.07 per square foot of total floor area.

(d) Alterations, repairs or replacement to existing 1-, 2- or 3-family buildings or structures: \$100.00.

(e) Alterations, repairs or replacement to all other existing buildings or structures: \$200.00 plus \$10.00 per circuit associated with the work.
(Ord. 2018-10-100. Passed 10-24-18.)

1309.14 HEATING, VENTILATION AND AIR-CONDITIONING (HVAC), REFRIGERATION AND GAS PERMITS.

(a) The fees for all new and replacement HVAC and refrigeration units shall be as follows:

- (1) New single or multi-family residence: \$200.00 plus \$50.00 for each additional dwelling unit after the first one.
- (2) Addition to 1-, 2- or 3-family residence: \$100.00.
- (3) All other new buildings and structures: \$500.00
- (4) Added or replaced heating, air conditioning or combination units for existing buildings: \$75.00 for each unit being added or replaced.
- (5) New or replaced VAV units: \$25.00 for each unit being added or replaced.
- (6) Fee for ductwork only: \$100.00.
- (7) New or replaced coolers or freezers when refrigeration work is to be performed as part of the installation: \$100.00 for each cooler or freezer being added or replaced.
- (8) New or replaced commercial exhaust hoods: \$200 for each hood being added or replaced.
- (9) Fee for miscellaneous items not listed above or performed in conjunction with any of the HVAC work listed above: \$100.00

(b) The fees for all new and replacement gas piping shall be as follows:

- (1) New single or multi-family residence: \$100.00 plus \$50.00 for each additional dwelling unit after the first one.
- (2) All other new buildings and structures: \$200.00
- (3) Added or replaced gas piping for existing buildings that is not solely associated with a replacement heating unit or water heater where gas lines are already present: \$50.00 per dwelling unit where gas piping is being added or replaced for all residential buildings and \$150.00 for all other buildings and structures.

(Ord. 2018-10-100. Passed 10-24-18; Ord. 2019-4-29. Passed 4-24-19.)

1309.15 WET HEAT (HYDRONICS) PERMITS.

(a) The permit fees for all new and replacement wet heat (hydronics) units shall be as follows:

- (1) Work associated with 1-, 2- or 3-family residences: \$150.00
- (2) All others: \$250.00

(Ord. 2018-10-100. Passed 10-24-18.)

1309.16 PLUMBING/SEWER PERMITS.

(a) The fees for plumbing and sewer permits shall be as follows:

- (1) Inside plumbing work associated with new single or multi-family residences: \$200.00 plus \$50.00 for each unit after the first one.
- (2) Addition to 1-, 2- or 3-family residence: \$150.00
- (3) Inside plumbing work associated with all other new buildings, additions and structures: \$250.00 for all, plus \$0.07 per square foot of total floor area for uses other than warehouses and industrial facilities that only include minor plumbing work.
- (4) Alterations, repairs or replacement to existing 1-, 2- or 3-family buildings or structures: \$100.00.
- (5) Alterations, repairs or replacement to all other existing buildings or structures: \$200.00 plus \$10.00 per plumbing fixture associated with the work.

- (6) Outside plumbing work associated with new or existing single or multi-family residences: \$150.00.
- (7) Outside plumbing work associated with all others: \$500.00 per utility (water, sanitary, storm water).
(Ord. 2018-10-100. Passed 10-24-18; Ord. 2019-4-29. Passed 4-24-19.)

1309.17 MEDICAL GAS PERMITS.

- (a) Medical gas permits:
 - (1) Plan review fee: \$500.00.
 - (2) Fixture fee per room with medical gas outlets and per equipment room: \$25.00.
 - (3) Fee per zone valve assembly: \$25.00.
 - (4) Fee per system: \$25.00.
 - (5) Fee per "tie-in": \$25.00.
- (Ord. 2018-10-100. Passed 10-24-18; Ord. 2019-4-29. Passed 4-24-19.)

CHAPTER 1311
Private Residential Swimming Pool Requirements

1311.01 Application.
1311.02 Definitions.

1311.03 Barrier requirements.

CROSS REFERENCES
Swimming pools - see HLTH. Ch. 1755

1311.01 APPLICATION.

These provisions shall control the design of barriers for private residential swimming pools. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools.
(Ord. 2019-5-36. Passed 5-8-19.)

1311.02 DEFINITIONS.

For purposes of this chapter, the following terms shall have the following meanings:

- (a) "Above-ground Swimming Pool" means any structure intended for swimming or recreational bathing that contains water over twenty-four (24) inches deep, where all sides of the pool structure containing the water or a barrier attached directly to the top of the pool structure project no less than forty-eight (48) inches above the adjacent ground level.
- (b) "In-ground Swimming Pool" means any structure intended for swimming or recreational bathing that contains water over twenty-four (24) inches deep where the sides of the pool structure are entirely or partially below the adjacent ground level.

(Ord. 2019-5-36. Passed 5-8-19.)

1311.03 BARRIER REQUIREMENTS.

All swimming pools shall be provided with a barrier which shall comply with all of the following items:

Exception: Swimming pools meeting the definition of an Above-ground Swimming Pool in Section 1311.02 whose structure and barrier meet the requirements below:

- (a) The top of the barrier shall be at least forty-eight (48) inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two (2) inches measured on the side of the barrier which faces away from the swimming pool.
- (b) Openings in the barrier shall not allow passage of a four (4) inch-diameter sphere.
- (c) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints, so as not to create a "ladder effect".
- (d) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than forty-five (45) inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed two (2) inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed two (2) inches in width.
- (e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is forty-five (45) inches or more, spacing between vertical members shall not exceed four (4) inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed two (2) inches in width.
- (f) Maximum mesh size for chain link fences shall be a two and a quarter (2.25) inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than two (2) inches.
- (g) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than two (2) inches.
- (h) Access gates shall comply with the requirements listed above, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching devices is located less than fifty-four (54) inches from the finished ground level, the release mechanism and openings shall comply with the following:
 - (1) The release mechanism shall be located on the pool side of the gate at least three (3) inches below the top of the gate, and
 - (2) The gate and barrier shall have no opening greater than half (0.5) inch within eighteen (18) inches of the release mechanism.(Ord. 2019-5-36. Passed 5-8-19.)

**CODIFIED ORDINANCES OF HAMILTON
PART FIFTEEN - FIRE PREVENTION CODE**

Chap. 1505. Fire Prevention Code.

Chap. 1507. Registration of Vacant Commercial and Industrial Buildings.

CHAPTER 1507
Registration of Vacant Commercial and Industrial Buildings

<p>1507.01 Purpose. 1507.02 Definitions. 1507.03 Obligations of owners and persons in control. 1507.04 Registration. 1507.05 Registration fees. 1507.06 Refunding of fees. 1507.07 Properties exempt from registration. 1507.08 Inspection. 1507.09 Vacant property plan. 1507.10 Vacant property maintenance standards.</p>	<p>1507.11 Notice of violation. 1507.12 Escrow deposit required prior to sale. 1507.13 Certificates of occupancy. 1507.14 Dispersal of funds by escrow agents. 1507.15 Demolition escrow. 1507.16 Effecting compliance. 1507.17 Appeals. 1507.18 Interpretation of chapter. 1507.99 Penalty; equitable remedy.</p>
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1507.01 PURPOSE.

(a) This Chapter is adopted to establish a program for identifying and registering vacant commercial and industrial buildings within the City that may present a fire hazard, that may provide temporary occupancy by transients, that may detract from private and/or public efforts to rehabilitate or maintain surrounding buildings, and that may present a hazard to the health, safety and welfare of the public.

(b) Through a registration, inspection, and monitoring process, vacant commercial and industrial buildings will be kept weather tight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding buildings and will not otherwise present a public hazard, so that the health, safety and welfare of the public is served by these regulations. (Ord. 2019-10-110. Passed 10-9-19.)

1507.02 DEFINITIONS.

For the purposes of this Chapter, the following definitions shall apply to the following terms unless otherwise expressly stated:

- (a) **AUTHORIZED AGENT.** A person that resides within Butler County, Ohio or a contiguous county who shall be authorized in writing by the Owner or person in control of a vacant commercial or industrial building to be responsible for the security and maintenance of the building and property, who shall have access to the building and property and who shall be available at all times during business and non-business hours in the case that an emergency occurs requiring immediate response and/or to make immediate repairs.

- (b) **CHIEF BUILDING OFFICIAL.** The Chief Building Official for the City of Hamilton or his or her designee.
- (c) **CODE OFFICIAL.** The official who is charged with the administration and enforcement of the City of Hamilton Property Maintenance Code, or his/her duly authorized representative.
- (d) **COMMERCIAL OR INDUSTRIAL BUILDING.** The land and improvements to land which are owned or occupied for general commercial and income producing purposes and where production of income is a factor to be considered in arriving at true value. This definition includes, but is not limited to, the following uses, whether or not the property is legally zoned for such uses: apartment houses; hotels; motels; theaters; office buildings; retail and wholesale stores; bank buildings; commercial garages; commercial parking lots; shopping centers; private or public manufacturing businesses; warehouses; buildings used for other commercial and industrial purposes; buildings that contain both a commercial building and residential building use within the same facility, also known as a mixed-use building, and any other structure of any kind or nature on the lot.
- (e) **EVIDENCE OF VACANCY.** Any condition that on its own or combined with other existing conditions would lead a reasonable person to believe the building is vacant. Such conditions include, but are not limited to: no or significantly below standard utility usage; overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; accumulation of trash, junk or debris; broken or boarded up windows; abandoned or inoperable vehicles; the absence of furnishings or other personal items consistent with habitation or occupation; statement(s) by neighboring property owners, delivery persons, U.S. Postal service employees or government employee(s) that the building is vacant.
- (f) **FIRE CHIEF.** The Fire Chief of the City of Hamilton or his or her designee.
- (g) **FIRE CODE.** Part Fifteen of the City of Hamilton's Codified Ordinances.
- (h) **FIRE DEPARTMENT.** The City of Hamilton Division of Fire.
- (i) **KEY BOX.** A secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.
- (j) **OWNER.** Any person, partnership, corporation or other unincorporated association or entity who, alone or jointly and severally with others, holds legal or equitable title to a property. This definition includes executors, administrators, trustees or guardians of the estate of the Owner. Any individual owner, regardless of whether he or she shares operational responsibility with any other person, any general partner of a partnership and any officer of a corporation or unincorporated association, shall have the direct and personal responsibility and liability for compliance with the provisions of this Chapter.
- (k) **PERSON.** An individual, partnership, association, syndicate, company, firm, trust, corporation, Government Corporation, department, bureau, agency or other entity recognized by law.
- (l) **PERSON IN CONTROL.** The Owner of the property; a mortgagee or vendee in possession; a receiver; an executor; a trustee; and any person, public or private entity, lessee or holder of a lesser estate in the property, and/or its duly authorized agent(s), with the authority to bring the property into compliance with the provisions of this Chapter. This definition includes, but is not limited to, any mortgagee that has filed an action in foreclosure on the property based on breach of, or default under, a mortgage agreement, until title to the property is transferred to a third party.

- (m) **VACANT PROPERTY.** Any commercial or industrial building that is not occupied by its Owner or other Person in Control; or at which substantially all lawful manufacturing, industrial, mixed-use residential or commercial business operations and/or occupancy has ceased; or which is substantially devoid of content. This definition includes all principal manufacturing, industrial, mixed-use residential or commercial buildings on the property; any other structure of any kind or nature on the property; and the entire parcel of land surrounding such buildings and structures, including, but not limited to, fences, walkways, walls and appurtenances.

A structure is deemed a Vacant Property if it is:

- (1) Unoccupied and unsecured;
 - (2) Unoccupied and secured by other than normal means, as determined by the Fire Chief, Code Official or Chief Building Official;
 - (3) An unoccupied commercial or industrial unit within a building, that if occupied would obtain its own certificate of occupancy permit; or
 - (4) Unoccupied and determined to be unsafe as determined by the Fire Chief, Code Official or Chief Building Official;
 - (5) Unoccupied and does not presently receive utilities;
 - (6) Unoccupied and has outstanding property maintenance violations;
 - (7) Illegally occupied due to loitering and vagrancy, and there is no legal occupation of the property;
 - (8) Unoccupied for a period of time exceeding ninety (90) days and has an existing code violation issued by the Department of External Services;
 - (9) Unoccupied, the Owner is known to be deceased and there is no current Owner or Person in Control of the property;
 - (10) Unoccupied and abandoned by the Owner;
 - (11) Occupied and not used for a lawful commercial, industrial or residential/commercial mixed use for more than 180 days.
- (Ord. 2019-10-110. Passed 10-9-19.)

1507.03 OBLIGATIONS OF OWNERS AND PERSONS IN CONTROL.

(a) An Owner or Person in Control of a Vacant Property shall perform all of the following:

- (1) Register the Vacant Property with the Fire Department in accordance with the requirements of this Chapter.
- (2) Designate an Authorized Agent if the Owner or Person in Control of the Vacant Property does not reside within Butler County, or a contiguous county.
- (3) Submit a Vacant Property Plan which shall be approved by the Fire Chief in accordance with Section 1507.09 of this Chapter.
- (4) At all times maintain the property in accordance with the Vacant Property Maintenance Standards set forth in Section 1507.10 of this Chapter.
- (5) Acquire or otherwise maintain general liability insurance covering the Vacant Property in an amount not less than One Million Dollars (\$1,000,000.00). The insurance policy shall provide for written notice to the Fire Chief within thirty (30) days of any lapse, cancellation or change in coverage. (Ord. 2019-10-110. Passed 10-9-19.)

1507.04 REGISTRATION.

(a) Every Vacant Property located within the City shall be registered by the Owner or Person in Control thereof with the Fire Department within sixty (60) days after the effective date of this Chapter. Following this initial registration, every Vacant Property shall be registered on a yearly basis on or before December 31st.

(b) In the event the Fire Department notifies an Owner or Person in Control of property that such property must be registered pursuant to this Chapter based on evidence of vacancy, the Owner or Person in Control shall register the Vacant Property within thirty (30) days of receipt of the Fire Department's notice. Within thirty (30) days of receipt of the Fire Department's notice to register the Vacant Property, the Owner or Person in Control may provide evidence to the Fire Chief that the Vacant Property is entitled to exemption from registration pursuant to Section 1507.07 herein. If no evidence is provided, the property shall be conclusively deemed to be Vacant Property and failure to register the Vacant Property in accordance with this Chapter shall subject the Owner and/or Person in Control to the penalties and remedies set forth in Section 1507.19 herein.

(c) Registration shall be made on forms provided by the Fire Chief and verified by the Owner or Person in Control of the Vacant Property and shall contain all of the following:

- (1) The name, address and telephone number of the Owner or Person in Control;
- (2) The name, address and telephone number of the Authorized Agent, if required;
- (3) The names, addresses and telephone numbers of all known lienholders on, and all other parties with any legal interest in, the Vacant Property;
- (4) If the Vacant Property is for sale, the name, address and telephone number of the company and the realtor or agent responsible for marketing the property;
- (5) The address of the Vacant Property and the permanent parcel tax identification number of the property;
- (6) The date on which the property became vacant or will become vacant;
- (7) The reason for the vacancy and the estimated length of time the property is expected to remain vacant;
- (8) A certificate of general liability insurance in the amount required by Section 1507.03;
- (9) A Vacant Property Plan in accordance with Section 1507.09.

(d) No person shall furnish false information to the Fire Department in the Registration Form. Registration shall be valid for the registering Owner and/or Person in Charge of the Vacant Property until December 31st of the year of registration. No Owner or Person in Control of a Vacant Property shall fail to notify the Fire Department and file an amended Registration Form within seven (7) days of any change in the registration information required by this section.

(e) Any transfer of title to the Vacant Property shall require the new Owner and/or Person in Charge to file a new Registration Form together with a new registration fee. No person, including but not limited to, an Owner, Person in Control, purchaser, escrow agent, real estate agent or relator, shall participate in the transfer of title to, or disburse proceeds from a transfer

of title to, a Vacant Property without having in escrow with the escrow agent handling the property transaction a copy of the Registration Form completed by the purchaser of the property, the appropriate registration fee pursuant to Section 1507.05 herein and the deposit required by Section 1507.12 of this Chapter, if applicable. The annual registration fee shall not be prorated. If the transfer of title occurs within ninety (90) days from the end of the calendar year, the annual registration fee shall be applied to the following calendar year. The escrowed Registration Form and the annual registration fee shall be forwarded to the Fire Chief with seven (7) days of the transfer of title. (Ord. 2019-10-110. Passed 10-9-19.)

1507.05 REGISTRATION FEES.

The fees imposed by this Chapter may be reasonably related to: (i) the City's administrative costs related to registering and processing the Vacant Property Registration Form; (ii) the costs incurred by the City in monitoring the Vacant Property; (iii) the City's costs to secure the Vacant Property; and (iv) the demolition, hazard abatement and repair costs the City incurs with respect to the Vacant Property. The progressive fee structure, set forth in subsection A below, for properties that continue to be vacant year-to-year is reasonably related to the progressive increase in the aforementioned costs the City incurs for properties which are continuously vacant over consecutive years.

- (a) The Owner of a Vacant Property shall pay an annual fee of Four Hundred Dollars (\$400.00) for the first year the property remains vacant. For every consecutive year that the property remains vacant, the annual registration fee shall be assessed at double the previous year's registration fee amount up to a maximum annual registration fee equaling the five (5) year registration fee of Six Thousand Four Hundred Dollars (\$6,400.00), which shall be the registration fee for the fifth and all subsequent years of vacancy. The registration fee is based on the duration of time the property has been vacant, regardless of a change in ownership.
- (b) The first annual fee shall be paid at the time the Vacant Property is registered. If the fee is not paid, the owner shall be subject to application penalties, as outlined in Section 1507.99 of this Chapter.
- (c) The fee shall be paid in full prior to the issuance of any building permits unless the Vacant Property is granted an exemption pursuant Section 1507.07 of this Chapter.
- (d) The fee shall be prorated by day and a refund may be issued as set forth in Section 1507.06 of this chapter if the Vacant Property is no longer deemed vacant under the provisions of this Chapter.
- (e) All delinquent fees shall be paid by the Owner prior to any transfer of ownership over the Vacant Property.
- (f) All delinquent fees shall be paid in full prior to transfer or connection of any and all City utilities.
- (g) Late fees shall be paid in addition to the annual registration fee and will be equal to one-fourth of the applicable annual fee.
- (h) Fees incurred prior to the enactment of this Chapter will be assessed pursuant to the ordinance then in effect at the time the fees were incurred.

If an Owner or Person in Control of a Vacant Property fails, neglects or refuses to pay a registration fee within the time ordered pursuant to this section, the designated administrator of the registry shall notify the Finance Director. The Finance Director shall certify the registration fee to the County Auditor who shall place the costs as a charge upon the tax list and duplicate to be paid as a special assessment on the Vacant Property. In addition to the registration fee, an interest rate equal to the current rate of interest charged by the City on special assessments shall be imposed by the City for the life of the registration fee and collected as provided in this section. (Ord. 2020-1-4. Passed 1-15-20.)

1507.06 REFUNDING OF FEES.

The City shall refund the Vacant Property registration fee paid if the subject property is brought into compliance with the applicable standards set forth in all State and City Housing Codes, Building Codes and Property Maintenance Codes, and is reoccupied within one (1) year of payment of the annual registration fee. The refund shall be pr-olated by day for the fee paid during the calendar year in which the Vacant Property was brought into compliance with the aforementioned codes and reoccupied. Registration fees paid in previous years shall not be refunded. (Ord. 2020-1-4. Passed 1-15-20.)

1507.07 PROPERTIES EXEMPT FROM REGISTRATION.

(a) Property under active construction or renovation and having a valid building permit(s) shall be exempt from registration for a period of one (1) year from the date that the first building permit is issued unless a good cause exemption is granted by the Fire Chief.

(b) Property which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of ninety (90) days after the date of the fire or extreme weather event, contingent on the Owner submitting a request for the exemption in writing to the Fire Chief. This request shall include the names and addresses of the Owner(s), and a statement of intent to repair and reoccupy the property in an expedient manner, or of intent to demolish the building or other structure on the property.

(c) Property that is for sale and listed with a licensed State of Ohio realtor shall be exempt for a period of twelve (12) months from the start of the vacancy, provided that the Owner or Owner's representative submits proof to the Fire Chief of such listing and "for sale" status.

(d) Property that has been granted an exemption pursuant to a written request by the Owner for an exemption from the provisions of this Chapter and good cause shown therefore. The Fire Chief shall timely consider the request. In determining whether good cause exists to grant a request for exemption, the Fire Chief shall consider the following:

- (1) The Owner's prior record of violations of State and City Housing Codes, Building Codes and Property Maintenance Codes;
- (2) The amount of Vacant Property the Owner currently owns within the City; and
- (3) The length of time that the Vacant Property for which the exemption is sought has been vacant.

(Ord. 2020-1-4. Passed 1-15-20.)

1507.08 INSPECTION.

(a) At the time of registration, the Owner or Person in Control must arrange for an inspection of the Vacant Property by the Fire Chief, Code Official and Chief Building Official in the presence of the Owner, Person in Control or Authorized Agent of the Owner for the purpose of determining: (i) the structural integrity of any buildings and structures on the property; (ii) whether the property is safe for entry by firefighters and police officers in times of emergency; and (iii) whether the Vacant Property complies with the requirements of this Chapter.

(b) If the Owner or Person in Control fails to arrange, or refuses to consent to, an inspection, the Fire Chief may obtain a search warrant from a court of competent jurisdiction to authorize inspection of the Vacant Property.
(Ord. 2019-10-110. (Passed 10-9-19.)

1507.09 VACANT PROPERTY PLAN.

(a) The Owner or Person in Control of the Vacant Property shall submit to the Fire Chief for his or her approval. The Vacant Property Plan shall set forth the Owner or Person in Control's intention to carry out one, or a combination, of the following courses of action with respect to the property: (i) demolish any buildings or other structures on the property; (ii) secure any buildings or other structures on the property; and/or (iii) rehabilitate any buildings or other structures on the property. The following minimum requirements for each course of action must be included in the Vacant Property Plan:

- (1) **Demolition.** If any buildings or other structures on the property are to be demolished, the Vacant Property Plan shall include a proposed timeframe for demolition, which shall include a commencement date within thirty (30) days of approval of the proposed demolition timeframe. The demolition completion date shall be no more than one (1) year from the date demolition commences.
- (2) **Secured Structure.** If any buildings or other structures on the property are to remain unoccupied, the Vacant Property Plan shall contain all of the following, as applicable:
 - A. A plan for fire alarms and fire protection, as required by all applicable State and City regulations.
 - B. A plan of action to remedy any declared public nuisance or code violation existing on the Vacant Property.
 - C. A lighting plan for the exterior of any buildings and structures on the Vacant Property, walkways adjacent thereto, parking or loading areas; and nighttime illumination of areas and walkways of buildings, structures and any other areas of the Vacant Property which may be vulnerable to vandalism and vagrancy, as determined by the Chief of Police.
 - D. A regular maintenance plan for any and all exterior lighting and illumination fixtures.
 - E. A plan for the maintenance of all structural openings, such as windows, doors, areaways and other openings to avoid the necessity of securing any buildings and structures on the Vacant Property by boarding up such structural openings. To avoid the appearance of vacancy, structural openings that are located on the first floor and facing the street shall not be papered, soaped, blacked out or boarded up.
 - F. A general maintenance plan to ensure the Vacant Property remains in compliance with the Vacant Property Maintenance Standards set forth in Section 1507.10 of this Chapter.
- (3) **Rehabilitation.** If the Vacant Property is to be returned to lawful occupancy or use, the Vacant Property Plan shall include a rehabilitation timeframe for the property. The rehabilitation timeframe shall not exceed twelve (12) months. The Fire Chief or their designee may grant an extension of time upon receipt of a written statement from the Owner detailing the reasons for the extension and good cause shown therefore. The Vacant Property shall comply with all applicable laws and regulations, including the Vacant Property Maintenance Standards provided for in Section 1507.10 of this Chapter, at all times during rehabilitation.
(Ord. 2019-10-110. Passed 10-9-19.)

1507.10 VACANT PROPERTY MAINTENANCE STANDARDS.

(a) All Vacant Property within the City shall be maintained in accordance with the following Vacant Property Maintenance Standards:

- (1) Structural openings which cannot be secured through an existing locking mechanism shall be boarded, secured and protected from intrusion by birds, vermin and trespassers in accordance with the United States Fire Administration's National Arson Prevention Initiative Board Up Procedures, except to the extent prohibited by Section 1507.09(2)(e) herein. A copy of the United States Fire Administration's National Arson Prevention Initiative Board Up Procedures shall be kept on file with the Fire Department and made available to any member of the public upon request.
- (2) Any and all buildings and structures on Vacant Property shall be protected from deterioration and maintained in accordance with the General and Specific property maintenance requirements outlined in Sections 1779.05 and 1779.06 of the Non-Residential Property Maintenance Code set forth in Chapter 1779 of the City of Hamilton Codified Ordinances.
- (3) A vacant commercial or industrial building and the property on which it is located shall be kept clean, safe, sanitary and free from public nuisance in accordance with Chapter 1767 of the Codified Ordinances of the City of Hamilton.
- (4) A key box shall be installed on each commercial or industrial building on Vacant Property in case immediate access to the interior of the building by the Fire Department is necessary for life-saving or firefighting purposes. Each key box shall be of a type that is approved by the Fire Chief. The key box shall be installed in accordance with the applicable manufacturer's recommendations and in a location approved by the Fire Chief. The cost of purchase and installation of each key box shall be paid by the Owner or Person in Control. Each key box shall have a lock for which the Fire Department has the key or combination, as applicable, and contain keys to gain access to all areas of the building, including the roof and any basement area. The Owner or Person in Control of the building shall immediately notify the Fire Department in writing if the key box is removed, replaced, changed, rekeyed or otherwise modified, and provide the Fire Department with a new key or combination, if necessary.
(Ord. 2019-10-110. Passed 10-9-19.)

1507.11 NOTICE OF VIOLATION.

(a) Whenever the Fire Chief determines that there is a violation of the provisions of this Chapter, he or she shall give written notice of such violation to the Owner, Authorized Agent or Person in Control of the offending Vacant Property. The notice shall contain the following:

- (1) A description of the Vacant Property sufficient for identification;
- (2) A statement of the violation(s) with reference to the sections of this Chapter violated;
- (3) A statement of necessary remedial action to bring the Vacant Property into compliance with the provisions of this Chapter within a reasonable timeframe;

- (4) A statement of the right of the Owner, Authorized Agent and/or Person in Charge to file an appeal of the notice and order with the City of Hamilton Nuisance Appeals Board in the manner and within the time limitations provided for in Section 1705.26 of the City of Hamilton's Codified Ordinances; and
 - (5) A statement that any abatement activities with respect to the Vacant Property performed by or at the direction of the City shall be certified to the County Auditor to be placed as a charge on the tax list and duplicate, and shall be made a lien upon the Vacant Property.
- (b) A notice of violation shall be deemed to be properly served if one (1) or more of the following methods are used:
- (1) Service by personal delivery to the Owner, Authorized Agent or Person in Charge of the Vacant Property; or
 - (2) Service by certified mail, return receipt requested, to the Owner, Authorized Agent or Person in Charge of the Vacant Property at his or her last known address(es) as stated in the records of the County Auditor.
 - A. If the certified mail is returned unclaimed, then service shall be sent by ordinary mail to the last known address(es) of the Owner, Authorized Agent or Person in Charge and the mailing shall be evidenced by a certificate of mailing. Service shall be deemed complete on the date of mailing.
 - B. If the certified mail is returned undeliverable, a copy of the notice shall be posted in a conspicuous place in or on the Vacant Property. (Ord. 2019-10-110. Passed 10-9-19.)

1507.12 ESCROW DEPOSIT REQUIRED PRIOR TO SALE

(a) If any outstanding violations of this Chapter existing on a Vacant Property are not corrected prior to the scheduled date for transfer of title to such property, an escrow account shall be established by either party or both parties to the property transaction. The escrow amount shall contain an amount equal to 100 percent of the estimated cost to bring the Vacant Property into compliance with this Chapter, but in no case less than One Thousand Dollars (\$1,000.00), to pay for the cost to correct all remaining violations.

(b) The amount to be held in escrow shall be calculated by procuring written estimates from at least two (2) qualified companies capable of performing the work, which are currently registered to do business in the City of Hamilton. The amount deposited into escrow shall be 100 percent of the higher of either: (i) the two estimates; or (ii) One Thousand Dollars (\$1,000.00).

(c) No party to a transfer of Vacant Property shall authorize or accept such transfer without ensuring compliance with this section. Either party or both parties to the transaction shall provide the City with proof of compliance with this section, upon request by the City therefore. If the party or parties establishing the escrow account can demonstrate to the Fire Chief that, after a good faith effort, he or she is unable to obtain written estimates, the Fire Chief shall establish the amount to be placed into escrow.

(d) The escrow account provided for in this Section 1507.12 shall be held by an independent escrow agent. The account may only be closed after the Owner, Authorized Agent and/or Person in Charge receives written authorization from the Fire Chief to close the account. (Ord. 2019-10-110. Passed 10-9-19.)

1507.13 CERTIFICATES OF OCCUPANCY.

(a) Any violations of this Chapter shall be corrected prior to the issuance of any certificate of occupancy for Vacant Property. Violations that cannot be corrected due to seasonal conditions shall not preclude the issuance of a certificate of occupancy, provided that issuance of such certificate shall be contingent upon written acknowledgment by the Owner, Authorized Agent and/or Person in Charge of all outstanding violations on the Vacant Property and agreement to correct such violations within six (6) months of the date the certificate of occupancy is issued.

(b) The certificate of occupancy shall also be contingent upon the Owner, Authorized Agent and/or Person in Charge establishing an escrow account pursuant to Section 1507.12. Written notice of compliance with Section 1507.12 must be received by the Fire Chief prior to the issuance of a certificate of occupancy. (Ord. 2019-10-110. Passed 10-9-19.)

1507.14 DISPERSAL OF FUNDS BY ESCROW AGENTS.

No person acting in the capacity of an escrow agent in any real estate transaction involving the sale or transfer of a Vacant Property shall disperse any funds held in escrow in compliance with Sections 1507.12 unless there has been compliance with Section 1507.13.

(b) Funds shall be disbursed only upon written authorization from the Fire Chief. The Fire Chief or his or her designee may authorize the release of funds as payment in full to a contractor as each violation of this Chapter is corrected if the amount due does not exceed the written estimates obtained pursuant to Section 1507.12. In the event the amount due exceeds the contractor's original written estimates, the Fire Chief or his or her designee may only authorize the release of funds to the contractor if the Fire Chief or his or her designee makes a written finding that sufficient funds will remain in the escrow account to correct all other remaining violations on the property. (Ord. 2019-10-110. Passed 10-9-19.)

1507.15 DEMOLITION ESCROW.

(a) The Owner of a commercial or industrial building on Vacant Property which is slated to be demolished pursuant to the Vacant Property Plan shall place in escrow with the City a deposit of Twenty Five Thousand Dollars (\$25,000.00) for a building under 5,000 square feet in size, or Seventy Five Thousand Dollars (\$75,000.00) for a building 5,000 square feet or more, unless a fire escrow is being administered by the City of Hamilton's Fire Division, in which case the Owner shall comply with all requirements and orders of that Division.

(b) If the amount to be placed in escrow under this section cannot be paid in full, the City shall place a lien on the property for the amount specified. The City shall use escrowed funds to complete the plans submitted by the Owner in the event the Owner does not comply with the Vacant Property Plan. Escrowed funds may, by prior arrangement, be withdrawn during construction as follows: twenty percent (20%) upon commencement of work; twenty percent (20%) upon completion of half of all work; and the remaining sixty percent (60%) upon completion of all work, including debris disposal, backfill and seeding. Unused escrow funds will be released upon completion of the work or transfer of ownership, provided that all fees have been paid in full. New owners must sign the Vacant Property Plan and accept responsibility in writing for completing the demolition. (Ord. 2019-10-110. Passed 10-9-19.)

1507.16 EFFECTING COMPLIANCE.

(a) In the event the Owner, Authorized Agent or Person in Control fails to comply with a Notice of Violation issued in accordance with Section 1507.11, within the period of time stipulated therein, the Fire Chief shall give notice to the Code Official or Chief Building Official or his or her designee that the Vacant Property is open and unsecure. The Code Official or Chief Building Official may proceed with any requirements of Section 1507.10 to secure the property. If the City completes such abatement work, upon completion of the work, the City department performing the work shall determine all costs associated therewith, including registration fees, with costs of labor charged at a rate of One Hundred and Fifty Dollars (\$150.00) per hour; provided, however, there shall be a minimum fee of not less than One Hundred Dollars (\$100.00). In the event the City is required to employ outside services for the abatement work, the fee shall be the actual costs of the contract plus fifteen percent (15%) for administrative costs incurred by the City.

(b) The total abatement costs, inclusive of the registration fee, shall be forwarded by the Fire Chief to the Finance Director of the City, who shall certify the costs, together with the parcel number or another proper description of the lands on which the abatement activities occurred, the date the costs were incurred for each abatement activity and the name of the Owner of record at the time the costs were incurred to the County Auditor who shall place the costs as a charge upon the tax list and duplicate. The costs are a lien upon the Vacant Property from and after the date the costs were incurred. The costs shall be collected as other taxes and returned to the City. (Ord. 2019-10-110. Passed 10-9-19.)

1507.17 APPEALS.

Any person aggrieved by an order of the Fire Chief or the decision of the Division of Fire denying approval to a Vacant Property Plan may file an appeal with the Nuisance Appeals Board in the manner and within the time limitations provided for in Section 1709.26 of the City of Hamilton Codified Ordinances. (Ord. 2019-10-110. Passed 10-9-19.)

1507.18 INTERPRETATION OF CHAPTER.

This Chapter is solely applicable to vacant commercial and industrial properties. Should any other provisions of the City of the Hamilton Codified Ordinances conflict or overlap with the provisions of this Chapter, the provisions of this Chapter shall control with respect to the abatement of nuisances on and registration of vacant commercial and industrial properties, as well as nuisance abatement activities related to securing, remedying, repairing and removing such properties and/or hazardous conditions thereon. This Chapter shall not, in any manner, abrogate any of the other provisions of the Codified Ordinances of the City of Hamilton pertaining to the abatement of public nuisances or unsafe buildings on any other type of property. Sections 1779.05 and 1779.06 of the Non-Residential Property Maintenance Code set forth in Chapter 1779 of the City of Hamilton Codified Ordinances are expressly deemed not to conflict with the provisions of this Chapter 1507 and shall continue to be applicable to vacant commercial and industrial properties; provided, however, that a Vacant Property shall not be required to comply with any Non-Residential Property Maintenance Code ordinances from which the property is declared to be exempt in a Vacant Property Plan approved pursuant to Section 1507.09 herein. (Ord. 2019-10-110. Passed 10-9-19.)

1507.99 PENALTY; EQUITABLE REMEDY.

(a) Whoever violates or fails to comply with any of the provisions of this Chapter is guilty of a minor misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation or noncompliance continues.

(b) The application of the penalty provided in subsection A herein shall not preclude the City from enforcing its rights to remove, repair and/or remedy the prohibited conditions, or enforce any other rights it may have, or seek any other remedies it may be entitled to, in law or in equity. (Ord. 2019-10-110. Passed 10-9-19.)

**CHAPTER 1733
Fees and Charges**

1733.01 Fees and charges.

1733.02 Conflicting provisions.

CROSS REFERENCES
Authority to establish - see Ohio R.C. 3709.09

1733.01 FEES AND CHARGES.

(a) License Fees for Retail Food Establishments and Food Service Operations:

<u>Risk Level</u>	<u>License Fee by Risk Level</u>
1 (less than 25,000 sq. ft.)	\$150.00 plus fee remitted to State
2 (less than 25,000 sq. ft.)	\$170.00 plus fee remitted to State
3 (less than 25,000 sq. ft.)	\$335.00 plus fee remitted to State
4 (less than 25,000 sq. ft.)	\$425.00 plus fee remitted to State
1 (more than 25,000 sq. ft.)	\$220.00 plus fee remitted to State
2 (more than 25,000 sq. ft.)	\$235.00 plus fee remitted to State
3 (more than 25,000 sq. ft.)	\$845.00 plus fee remitted to State
4 (more than 25,000 sq. ft.)	\$895.00 plus fee remitted to State

(b) Plan Review Fee for Retail Food Establishments and Food Service Operations:

<u>Risk Level</u>	<u>Fee</u>
Plan Review Risk Level 1 & 2	\$240.00
Plan Review Risk Level 3	\$400.00
Plan Review Risk Level 4	\$550.00

Expedited Plan Review (Initiated within 7 days of receipt)	
Expedited Risk Level 1 & 2	\$360.00
Expedited Risk Level 3	\$600.00
Expedited Risk Level 4	\$825.00

(c) Temporary Food Service Operation/
Retail Food Establishment: \$70.00

(d) Vending Machines: \$16.39 plus fee remitted to State

(e) Mobile Food Service Operations: \$220.00 plus fee remitted to State

(Ord. 2019-11-118. Passed 11-6-19.)

- | | | |
|---|--|-------------------------------------|
| (f) <u>Swimming Pools (commercial):</u> | | |
| First pool at any site | | \$175.00 plus fee remitted to State |
| Each additional pool at same site | | \$100.00 plus fee remitted to State |
| (g) <u>Spas and Special Use Pools:</u> | | |
| First spa or pool at any site | | \$175.00 plus fee remitted to State |
| Each additional pool at same site | | \$100.00 plus fee remitted to State |
| (h) <u>Vital Records/Vital Statistics and Functions:*</u> | | |
| Birth Certificates (Certified) | | \$25.00 |
| Death Certificate (Certified) | | \$25.00 |
| Burial permit | | \$2.50 |
| Charge for file search | | No charge |
| Preparation of affidavits | | No charge |
| Handling of legal name change | | No charge |

*From and after October 1, 2005, the City Manager is hereby authorized to increase or decrease the fees charged for certified copies of Birth and Death Certificates from time to time in order to implement any future changes, relative to fees for Birth and/or Death Certificates, as required by amendments to the Ohio Revised Code. (Ord. 2015-11-94. Passed 11-18-15.)

- | | |
|---|----------|
| (i) <u>Tattoo or Body Piercing Service:</u> | \$200.00 |
|---|----------|

(j) In addition to the fees and charges set forth in the foregoing paragraphs, supplemental fees therefor set by the Ohio Public Health Council pursuant to the provisions of Ohio R.C. 3732.04 and 3733.04 and the Ohio Administrative Code shall be collected from any licensee and remitted to the Treasurer of the State of Ohio. (Ord. 2018-11-105. Passed 11-14-18.)

1733.02 CONFLICTING PROVISIONS.

Any other provisions of the Codified Ordinances of the City not consistent with the fees and charges established herein under Section 1733.01 are hereby repealed. (Ord. 91-1-9. Passed 1-23-91.)

**CHAPTER 1755
Swimming Pools**

1755.01	Definitions.	1755.06	Barrier design requirements.
1755.02	License required.	1755.98	Severability.
1755.03	Conditions for license.	1755.99	Penalty.
1755.04	Inspection of public swimming pool.		
1755.05	Application of barrier designs to private residential swimming pools.		

CROSS REFERENCES

Swimming pools - see OAC Ch. 3701-31
 Prohibited swimming places - see GEN. OFF. 521.10
 Fees for use of municipal pools - see S. U. & P. S. 977.02
 License fees - see HLTH. 1733.01
 Private residential swimming pools - see BLDG. Ch. 1311

1755.01 DEFINITIONS.

For purposes of this chapter, the following terms shall have the following meanings:

- (a) "Above Ground Swimming Pool" means any structure:
 - (1) Intended for swimming or recreational bathing;
 - (2) That contains water over 24 inches deep;
 - (3) Where all sides of the pool structure containing the water or a barrier attached directly to the top of the pool structure project no less than forty-eight (48) inches above the adjacent ground level.
- (b) "Commissioner of Health" means the health authority of the City of Hamilton, and his or her authorized representative or designee..
- (c) "In-Ground Swimming Pool" means any structure:
 - (1) Intended for swimming or recreational bathing;
 - (2) That contains water over 24 inches deep;
 - (3) Where the sides of the pool structure are entirely or partially below the adjacent ground level.
- (d) "Person" means an individual, partnership, association, syndicate, company, firm, trust, corporation, or any other legal entity.
- (e) "Swimming Pool" means a public swimming pool, wading pool, public spa, special use pool and spray ground.
 (Ord. 2014-11-104. Passed 11-19-14.)

1755.02 LICENSE REQUIRED.

- (a) A license is required to be obtained for every swimming pool operated and maintained in the City.

(b) Excluded from the license requirement are private swimming pools maintained for the use of the family and friends of the owner.
(Ord. 2014-11-104. Passed 11-19-14.)

1755.03 CONDITIONS FOR LICENSE.

No license required by Section 1755.02 shall be issued unless: .

- (a) The swimming pool is so designed, constructed, operated, and maintained as to be at all times clean and sanitary; and
- (b) The swimming pool must be properly equipped with all needed accessory rooms and equipment, including adequate dressing rooms, adequate toilet facilities, and adequate shower/bath facilities, to the satisfaction of the Commissioner of Health.
- (c) The Commissioner of Health may suspend or revoke the license of any person who violates any of the provisions in this chapter, in addition to enforcing Section 1755.99 on the violator.

(Ord. 2014-11-104. Passed 11-19-14.)

1755.04 INSPECTION OF PUBLIC SWIMMING POOL.

(a) Prior to the issuance of an initial license and annually thereafter, the Commissioner of Health, or his or her designee, shall inspect each public swimming pool in his or her jurisdiction to determine whether or not the pool is in compliance with this chapter.

(b) The Commissioner of Health, or his or her designee, may, as he or she determines appropriate, inspect a public swimming pool at any other time.

(c) The Commissioner of Health, or his or her designee, shall make the initial inspection within five (5) days from the date of receipt of notification that the pool is ready for operation and shall maintain a record of each inspection that he or she conducts for a period of at least five (5) years. (Ord. 2014-11-104. Passed 11-19-14.)

1755.05 APPLICATION OF BARRIER DESIGNS TO PRIVATE RESIDENTIAL SWIMMING POOLS.

(a) The provisions in this chapter regarding barrier designs shall control the design of barriers for both public and private residential swimming pools.

(b) The design controls specified in this chapter are intended to provide protection against potential drownings and near-drownings by restricting access to such public and private residential swimming pools. (Ord. 2014-11-104. Passed 11-19-14.)

1755.06 BARRIER DESIGN REQUIREMENTS.

(a) All swimming pools shall have a barrier which shall be designed to include the following items:

- (1) The top of the barrier shall be at least 48 inches above grade, measured on the side of the barrier which faces away from the swimming pool.
- (2) The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches, measured on the side of the barrier which faces away from the swimming pool.
 - A. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches. .

**CHAPTER 1771
Animals**

1771.01	Abandoning animals.	1771.13	Restraint of vicious animals, vicious dogs and dangerous dogs.
1771.02	Killing or injuring animals.	1771.14	Wild or exotic animals.
1771.03	Poisoning animals.	1771.15	Rabies vaccination.
1771.04	Cruelty to animals generally.	1771.16	Animal bites; reports and quarantine.
1771.05	Cruelty to companion animals.	1771.17	Notice of disease; sale of animal prohibited.
1771.06	Barking or howling dogs.	1771.18	Sanitary maintenance of horses and farm animals.
1771.07	Enticing away dogs.	1771.19	Harvest of wildlife.
1771.08	Hunting of animals in City prohibited.	1771.98	Severability.
1771.09	Running at large.	1771.99	Penalty.
1771.10	Impounding.		
1771.11	Odors.		
1771.12	Feces removal.		

CROSS REFERENCES

Abandoning animals - see GEN. OFF. 505.01
 Killing or mistreatment of animals - see GEN. OFF. 505.02 et seq.
 Barking or howling dogs - see GEN. OFF. 505.05
 Sale and coloring of baby rabbits and poultry - see GEN. OFF. 505.07
 Nuisances - see GEN. OFF. 521.07
 Number of animals restricted - see HLTH. 1713.07

1771.01 ABANDONING ANIMALS.

[Repealed Previously]

1771.02 KILLING OR INJURING ANIMALS.

[Repealed Previously]

1771.03 POISONING ANIMALS.

[Repealed Previously]

1771.04 CRUELTY TO ANIMALS GENERALLY.

[Repealed Previously]

1771.05 CRUELTY TO COMPANION ANIMALS.

[Repealed Previously]

1771.06 BARKING OR HOWLING DOGS.

[Repealed Previously]

1771.07 ENTICING AWAY DOGS.

[Repealed Previously]

1771.08 HUNTING OF ANIMALS IN CITY PROHIBITED.

(a) No person shall hunt, kill, or attempt to kill any animal or fowl within the corporate limits of the Municipality by the use of any means other than the lawful use of a firearm as defined in Ohio R.C. 2923.11 and in compliance with all relevant provisions of the law.

(b) Whoever violates this section is guilty of a minor misdemeanor.

(c) Under this section, privilege to engage in the acts otherwise prohibited by subsection (a) hereof may be granted exclusively by the City Manager and/or his or her designee. (Ord. 2016-2-7. Passed 2-10-16; Ord. 2019-12-142. Passed 12-11-19.)

1771.09 RUNNING AT LARGE.

[Repealed Previously]

1771.10 IMPOUNDING.

[Repealed Previously]

1771.11 ODORS.

No owner, operator, or occupant of any property shall keep in any pen or otherwise confine any animal or any fowl so that such animal or fowl, or such pen or other confinement, shall become noisome or offensive to persons residing by or being in the vicinity thereof. (Ord. 2016-2-7. Passed 2-10-16.)

1771.12 FECES REMOVAL.

(a) The owner or harbinger of every dog, except guide dogs for blind individuals, shall be responsible for the immediate removal of any feces deposited by his or her dog or dogs on property, public or private, not owned or possessed by such person who is the owner or person in charge of such dog or dogs.

(b) No person, being the owner or harbinger of any dog, except guide dogs for blind individuals, shall fail to immediately remove feces deposited by his or her dog or dogs on property, public or private, not owned or possessed by such person who is the owner or harbinger of such dog. (Ord. 2016-2-7. Passed 2-10-16.)

1771.13 RESTRAINT OF VICIOUS ANIMALS, VICIOUS DOGS AND DANGEROUS DOGS.

[Repealed Previously]

1771.14 WILD OR EXOTIC ANIMALS.

[Repealed Previously]

1771.15 RABIES VACCINATION.

(a) For the purpose of these regulations, pertaining to the inoculation of dogs and cats with anti-rabic vaccine, the following meanings shall be given to the following terms, words, and/or phrases:

- (1) "Dog" includes dogs of either sex more than six months of age.
- (2) "Cat" includes cats of either sex more than six months of age.

ORDINANCE NO. _____

AN ORDINANCE APPROVING, ADOPTING, AND ENACTING THE 2020 REPLACEMENT PAGES TO THE 1998 CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO, AND REPEALING MATTERS IN CONFLICT THEREWITH.

WHEREAS, a supplement to the City of Hamilton, Ohio's 1998 Codified Ordinances has been prepared and designated the "2020 Replacement Pages" which updates said Codified Ordinances and contains legislation previously adopted and codified by the Council of the City of Hamilton, Ohio, during the period from March 28, 2019 to April 22, 2020; and

WHEREAS, said 2020 Replacement Pages also contain legislation supplementing the 1998 Codified Ordinances of the City of Hamilton, Ohio, and amending certain sections thereof, to conform with current State law; and

WHEREAS, this Council desires to adopt and enact these 2020 Replacement Pages;

NOW, THEREFORE, BE IT ORDAINED by the Council of Hamilton, Ohio:

SECTION I: That the ordinances of the City of Hamilton, Ohio, of a general and permanent nature as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2020 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION II: That the following provisions of the Codified Ordinances are hereby enacted, amended or repealed in the manner respectively indicated in order to comply with current State law:

Traffic Code

- 333.03 Maximum Speed Limits. (Amended)
- 337.30 Drivers and Passengers Required to Wear Seat Belts. (Amended)
- 341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
- 373.23 Attaching Bicycle to Vehicle. (Amended)
- 373.10 Motorized Bicycle Operation. (Amended)

General Offenses Code

- 513.01 Drug Abuse Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 549.01 Weapons Definitions. (Amended)

SECTION III: That all ordinances or parts thereof enacted prior to April 22, 2020, which are inconsistent with any provision of the 2020 Replacement Pages are hereby repealed as of the effective date of this ordinance.

SECTION IV: That no provision of this ordinance, nor any provision of the 2020 Replacement Pages, shall be construed to amend or repeal any legislation adopted by the Council of the City of Hamilton, Ohio on or after April 22, 2020.

SECTION V: That one copy of the 2020 Replacement Pages shall be certified as correct by the Mayor and the City Clerk, attached to this ordinance as a part hereof, and filed with the permanent records of the City of Hamilton, Ohio.

SECTION VI: That the City Clerk shall publish this ordinance, with a copy of the 2020 Replacement Pages attached thereto, in the same fashion that other ordinances are published.

Ordinance No. _____ (cont'd)

SECTION VII: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Effective Date: _____

Mayor

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided in Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Joshua A. Smith, City Manager

Agenda Item: A resolution authorizing the use of street property tax funds to pay for curb and gutter assessments through the duration of the street levy.

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Resolution</i></p>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 5-27-20 <input type="checkbox"/> Public Hearing Date:	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other):</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: 3,096,036</p> <p>Expenditure:</p> <p>Source Funds: Street Property Tax</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does City Council wish to adopt legislation authorizing the use of street property tax funds to pay for curb and gutter assessments through the duration of the street levy?

Policy Alternative(s)

Council may choose not to adopt such legislation authorizing the use of street property tax funds to pay for curb and gutter assessments through the duration of the street levy. Alternatively, Council may choose not to use street property tax funds to pay for the curb and gutter assessments during the duration of the levy and continue to have the repairs assessed to the individual property owners.



Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation authorizing the use of street property tax funds to pay for curb and gutter assessments through the duration of the street levy because with the property tax will already be assessing all individual property owners within the City. The Street Levy Committee did not wish to have both assessments placed on property owners if the property tax were to pass and has asked Council to consider suspending curb and gutter assessments for the duration of the levy.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Chapter 168, Procedures for Special Assessment Projects and The Board of Revision Assessments, of the Codified Ordinances of the City of Hamilton.

Fiscal Impact Summary

The City of Hamilton will generate approximately \$3,096,036 million annually for ten (10) years to repair and maintain the City's roadways since the levy was approved by the electors of the City in the 2020 Primary Election.

Background Information

On May 19, 2020, the Butler County Board of Elections released the official results of the 2020 Primary Election. Issue 1, the Hamilton Street and Road Levy, was passed by the electors of the City of Hamilton. This means that a 3.9 mill levy will be enacted on property owners within the City for a ten (10) year period for the purpose of street resurfacing and repair within the City. The citizen-led Fix our Streets Levy Committee had made it part of their platform that if the property tax were to pass, they would ask that City Council to suspend assessing property owners the replacement costs of curb and gutters. Typically, when a street is being evaluated for improvement or repairs the expense of replacing the curb and gutters in front of each individual property are assessed to that property owner. Depending on the size and how much of the property is connected to the street directly plays into the assessment costs to a particular property owner. The Fix Our Streets Committee believed that if the property tax were to pass, then property owners would already be assessed through the property tax. That is why they are advocating that the City use part of the revenues from the street levy to pay for the cost of curb and gutters for the duration of the ten year levy.

Attached Information

- Certified Election Results for Issue 1, the Hamilton Street and Road Levy

Copies Provided to:

N/A



Certificate of Result of Election On Tax Levy in Excess of the Ten Mill Limitation

R.C. 3501.11, 3505.33, 5705.19 – 5705.25

The State of Ohio, Butler County, ss.

To ¹ Ohio Department of Taxation, Tax Equalization Division; Butler County Auditor; Ohio Secretary of State; City of Hamilton

We, the undersigned, Butler County Board of Elections, do hereby certify that the

Primary Election held in the City of Hamilton on the

(Name of Subdivision)

17th day of March, 2020 on the question of levying a tax, in excess of the ten mill limitation,

(Day) (Month) (Year)
for the benefit of the subdivision for the purpose of

the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges,
(see attached).

Tax being:²

an additional tax of three and nine-tenths (3.9) mills

at the rate not exceeding 3.9 mills for each one dollar of valuation, which amounts to \$0.39

for each one hundred dollars of valuation, for a period of ten (10) years

(Number of years the levy is to run, "life of indebtedness", or continuing period of time")

resulted as follows:

Total number of votes cast:

Six thousand three hundred thirty

(Write number of votes in words)

(6,330)

(In figures)

For the tax levy:

Three thousand two hundred seventeen

(Write number of votes in words)

(3,217)

(In figures)

Against the tax levy:

Three thousand one hundred thirteen

(Write number of votes in words)

(3,113)

(In figures)

as the same appears by the abstract of votes duly certified and signed by us and deposited in our office.

IN WITNESS WHEREOF, we have hereunto subscribed our names officially at

Hamilton

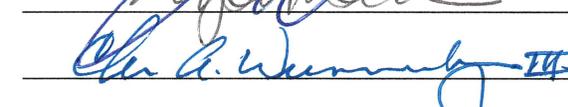
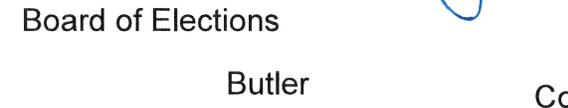
, Ohio, this 19th day of May, 2020

(Day)

(Month)

(Year)


(Chair)

Board of Elections

Butler

County, Ohio.

Attest:


Director

¹ Appropriate subdivision. A copy must be sent to the Ohio Department of Taxation, Tax Equalization Division; county auditor; and Secretary of State. To be submitted only by the most populous county board of elections if multi-county issue.

² Here insert one of the following:

"...an additional tax of _____mills:

"...a renewal of tax of _____mills"

"...a renewal of a tax of _____mills and an increase of _____mills to constitute a tax of _____mills"

"...a renewal of a part of a _____mill existing levy, being a reduction of _____mills to constitute a tax of _____mills"

"...a replacement of _____mills and an increase of _____mills to constitute a tax of _____mills"

"...a replacement of part of an existing levy, being a reduction of _____mills to constitute a tax of _____mills"

"...a replacement of a tax of _____mills"

Issue 1

Approved by Prosecutor: 11/27/19

Approved by SOS: 11/25/19

Proposed Tax Levy (Additional)

City of Hamilton

A majority affirmative vote is necessary for passage.

An additional tax for the benefit of the City of Hamilton for the purpose of **the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges** at a rate not exceeding three and nine-tenths (3.9) mills for each one dollar of valuation, which amounts to thirty-nine cents (\$0.39) for each one hundred dollars of valuation, for a period of ten (10) years, commencing in 2020, first due in calendar year 2021.

For the Tax Levy

Against the Tax Levy

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE USE OF STREET PROPERTY TAX FUNDS TO PAY FOR CURB AND GUTTER ASSESSMENT THROUGH THE DURATION OF THE STREET LEVY.

WHEREAS, on May 19, 2020, the Butler County Board of Elections released the official results of the 2020 Primary Election, and Issue 1, the Hamilton Street and Road Property Tax, was passed by the electors of the City of Hamilton; and

WHEREAS, a 3.9 mill levy will be enacted on property owners within the City for a 10 year period for the purpose of street resurfacing and repair within the City; and

WHEREAS, the citizen-led Fix our Streets Levy Committee had made it part of their platform that if the property tax were to pass, they would ask that City Council to suspend assessing property owners the replacement costs of curb and gutters for the duration of the levy. The committee felt that property owners would already be assessed through the levy process and that additional assessment should then not be placed upon property owners; and

WHEREAS, the Fix our Streets Levy Committee now asks City Council to consider using future property tax funds to cover curb and gutter assessment for the duration of the levy;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I: That the Council of the City of Hamilton does hereby authorize and direct the use of street property tax funds towards the replacement or repair of curb and gutters within the City of Hamilton for the duration of the 10 year levy.

SECTION II: That the use of these funds will begin with those participants in the 2019 Concrete Repair and Resurfacing Program.

SECTION III: This resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Richard A. Engle, P.E., Director of Engineering

Agenda Item: A Resolution confirming the determination to proceed with the 2019 Concrete Repair and Resurfacing Program with the exception and elimination of the levying of special assessments on property owners for the repair of defective concrete curbs and gutters as deemed necessary by the Department of Engineering

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Resolution</i>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 5-27-2020 <input type="checkbox"/> Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other): Resolution No. R2020-2-10 passed at the 2-26-20 City Council Meeting	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$475,000 Expenditure: \$475,000 Source Funds: Fund 311 Infrastructure Renewal Fund	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to approve a resolution which authorizes and directs the elimination of special assessment for curbs and gutters on the properties listed on the attached assessment roll?

Policy Alternative(s)

City Council may choose not to adopt such legislation to authorize the elimination of special assessment for curbs and gutters on the properties. This action would place the financial burden on the property owners to be fiscally responsible for the cost of curbs and gutters in addition to the street levy.



Staff Recommendation

It is the recommendation of this office that Council receive this report and pass a resolution confirming the determination to proceed with the exception and elimination of special assessments for the repair of defective concrete curbs and gutters for the properties listed on the attached assessment roll.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Chapter 168, Procedures for Special Assessment Projects and The Board of Revision Assessments, of the Codified Ordinances of the City of Hamilton.

Fiscal Impact Summary

There will be an estimated \$475,000 fiscal impact on the City. Fund 311 Infrastructure Renewal Fund will be used to pay the contractor for the concrete curbs and gutters.

Background Information

The special assessment portion of the program is the process to notify affected property owners of their responsibility to repair defective curbs, gutters and sidewalks. Council must pass a resolution declaring the necessity for the project. Following that action, the Finance Director will send the notices to property owners and will schedule a meeting of the Board of Revisions of Assessment to hear appeals and complaints. A written report detailing the actions taken by the Board of Revisions will be prepared and submitted to Council.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION ORDERING THE RESURFACING AND REPAIR OF STREETS AND CONCRETE WHERE NECESSARY AND APPROPRIATE ON VARIOUS STREETS AND AVENUES IN THE CITY OF HAMILTON, OHIO, AND AMENDING RESOLUTION NO. 2020-2-10 TO ELIMINATE THE ASSESSMENT OF CURBS AND GUTTERS. (2019 Concrete Repair and Resurfacing Program – Assessment Roll).

BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I: That Council by Resolution No. 2020–2-10 previously declared it is necessary that the existing concrete sidewalks, curbs, and gutters hereinafter listed under the 2019 Concrete Repair and Resurfacing Program Assessment Roll shall be repaired on the lots adjacent to the property described in Exhibit No. 1, attached hereto and incorporated herein by reference, in accordance with standard plans and specifications of the City of Hamilton, Ohio, now on file in the office of the Department of Engineering of said City.

SECTION II: That Council hereby eliminates the assessment of curbs and gutters from the previous Resolution No. 2020-2-10 and the attached Assessment Roll shall be utilized.

SECTION III: That the assessment shall be made by the method specified in Section 168.02(b) of the Codified Ordinances of the City of Hamilton, Ohio. That the mode of payment shall be full, partial or none when billed to the owners of said lots by the City of Hamilton, Ohio upon completion of the public improvement. If not paid in full, the balance shall be assessed and payable in five (5) annual installments.

SECTION IV: The City Clerk shall certify a copy of this resolution to the Director of Finance and the Director of Finance is hereby directed to cause written notice of the passage of this resolution to be served upon the owners of said lots as required by law.

SECTION V: This resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Resolution No. _____ (cont'd)

EXHIBIT NO. 1

2019 CONCRETE REPAIR AND RESURFACING PROGRAM

[Continued on the following pages]

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EXHIBIT NO. 1

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW	
						4"	6"	7"		6"	7"
P6411117000037 CONTROL#: 1900101	1301 PARK AVE <input type="text" value="101"/>	19024 ENT	SHARP SARAH E & CARMELLA BRADLEY R	1301 PARK AVE HAMILTON OH 45013 4627	ACT: 69 EFF: 67	2			10	x	<
P6411117000038 CONTROL#: 1900102	1303 PARK AVE <input type="text" value="102"/>	19025 ENT	SCHMALTZ MICHAEL & DEBORAH	1303 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 56	2			35	12 x 11	<
P6411117000039 CONTROL#: 1900103	1305 PARK AVE <input type="text" value="103"/>	19026 ENT	MILLER WILLIAM E & DEBBIE L	1305 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 58	1			35	11 x 14	<
P6411117000040 CONTROL#: 1900104	1307 PARK AVE <input type="text" value="104"/>	19027 ENT	POWERS KATHRYN R & MARK F	1307 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 53	8			30	x	<
P6411117000041 CONTROL#: 1900105	1309 PARK AVE <input type="text" value="105"/>	19028 ENT	BROWN STEVE	1338 STAHLHEBER RD HAMILTON OH 45013 1914	ACT: 50 EFF: 53	3			15	x	<
P6411117000042 CONTROL#: 1900106	1311 PARK AVE <input type="text" value="106"/>	19029 ENT	HYMER GREGORY O & ERIC W	1311 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 53	1	1		30	x	<
P6411117000043 CONTROL#: 1900107	1335 PARK AVE <input type="text" value="107"/>	19030 ENT	HOBBS JOSHUA L & WILKE ASHLEY M	1335 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 53	2			20	11 x 12	<
P6411117000044 CONTROL#: 1900108	1341 PARK AVE <input type="text" value="108"/>	19031 ENT	RADER JOEY L & SCHOOLEY TONYA R	1341 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 52	3			35	x	<
P6411117000045 CONTROL#: 1900109	1347 PARK AVE <input type="text" value="109"/>	19032 ENT	PURCELL COLLEEN N & BRIAN	1347 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 52	2	2		40	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
PARK AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW	
						4"	6"	7"		6"	7"
P6411117000046 CONTROL#: 1900110	1351 PARK AVE 110	19236 ENT	MILLER BRENDA D	1351 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 52				15	x	<
P6411117000047 CONTROL#: 1900111	1355 PARK AVE 111	19237 ENT	FARWELL MICHAEL L & KAER	1355 PARK AVE HAMILTON OH 45013 2667	ACT: 50 EFF: 52	3			30	x	<
P6411116000003 CONTROL#: 1900112	1365 PARK AVE 112	19238 ENT	PERKINS JEREMY M & ALLISON C	1365 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 51	4			30	11 x 14	<
P6411116000002 CONTROL#: 1900113	1369 PARK AVE 113	19239 ENT	LAUBENSTEIN TODD E & AMBRYN K	1369 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 50	2	1		15	x	<
P6411116000001 CONTROL#: 1900114	1373 PARK AVE 114	19240 ENT	BARKLEY JACK S	1373 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 50	5			45	x	<
P6411121000015 CONTROL#: 1900115	1377 PARK AVE 115	19241 ENT	GRUBBS BILLIE H	1377 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 50	2	3		20	x	<
P6411121000016 CONTROL#: 1900116	1381 PARK AVE 116	19242 ENT	CLARK ANITA E & RICHARD E	924 RICHWOOD DR HAMILTON OH 45013 3829	ACT: 50 EFF: 50	5	2		10	x	<
P6411121000017 CONTROL#: 1900117	1385 PARK AVE 117	19243 ENT	HUGHES DANIEL J & JOHNSON EMILY	1385 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 50	5	2		25	5 x 12	<
P6411121000018 CONTROL#: 1900118	1389 PARK AVE 118	20337 ENT	SCHAFFER BRAD W	534 SANDERS DR HAMILTON OH 45013 1425	ACT: 50 EFF: 50		2		25	5 x 12	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
PARK AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411121000019 CONTROL#: 1900119	1393 PARK AVE 119	20338 ENT	SPENCER SHERRY M	1393 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 50		1		35	5 x 12	<
P6411121000020 CONTROL#: 1900120	1397 PARK AVE 120	20339 ENT	STAMPER SHAWN & LOGAN	1397 PARK AVE HAMILTON OH 45013 4627	ACT: 50 EFF: 50	3			25	5 x 12	<
P6411121000021 CONTROL#: 1900121	1401 PARK AVE 121	20340 ENT	GRAY LINDA J & STEVEN L	1401 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	2			35	x	<
P6411121000022 CONTROL#: 1900122	1407 PARK AVE 122	20341 ENT	POPPEL CLIFFORD F	1407 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	1	1		35	5 x 10	<
P6411121000023 CONTROL#: 1900123	1415 PARK AVE 123	20342 ENT	AGUILA LAURO S CO TR ETAL	3189 PRINCETON RD #298 HAMILTON OH 45011	ACT: 50 EFF: 50	7			35	5 x 14	<
P6411121000024 CONTROL#: 1900124	1421 PARK AVE 124	20343 ENT	MCLAIN KATHERINE S	1421 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	3			35	x	<
P6411121000025 CONTROL#: 1900125	1425 PARK AVE 125	20344 ENT	WILSON ASHLEY F	1425 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	4	2		40	x	<
P6411121000026 CONTROL#: 1900126	1441 PARK AVE 126	20345 ENT	TRUEMAN THEODORE R & LUANN GROSS	1441 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	5	1		40	5 x 8	<
P6411121000027 CONTROL#: 1900127	1445 PARK AVE 127	20346 ENT	LIEFFLER HANS C	1445 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	4			45	5 x 14	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
PARK AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411121000028 CONTROL#: 1900128	1451 PARK AVE 128	20347 ENT	COWAN GAIL	10251 MARIA AVE CINCINNATI OH 45231	ACT: 50 EFF: 50	4	1		20	5 x 12	<
P6411121000029 CONTROL#: 1900129	1459 PARK AVE 129	20348 ENT	SABOLCIK JAMES E	1459 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	6			35	x	<
P6411121000030 CONTROL#: 1900130	1463 PARK AVE 130	20349 ENT	DEBORD LOGAN J	1463 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	6	2		25	5 x 14	<
P6411121000031 CONTROL#: 1900131	1475 PARK AVE 131	20350 ENT	HENRY SCOTT DEAN & KATHLEEN MARY	1475 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	5			25	x	<
P6411124000022 CONTROL#: 1900132	1481 PARK AVE 132	20351 ENT	STALL CHRISTOPHER & GENTRY RACHEL J	1481 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	5	2		25	5 x 14	<
P6411124000023 CONTROL#: 1900133	1485 PARK AVE 133	20352 ENT	JONES JIMMIE L & ACQUANETTA	1485 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	6			20	x	<
P6411124000024 CONTROL#: 1900134	1495 PARK AVE 134	20353 ENT	SCHAEFER SCOTT G & JOYCE A	1495 PARK AVE HAMILTON OH 45013 4629	ACT: 50 EFF: 50	4	2		45	5 x 14	<
P6411123000013 CONTROL#: 1900135	1501 PARK AVE 135	20354 ENT	FOX RENA R	1501 PARK AVE HAMILTON OH 45013 4631	ACT: 50 EFF: 57	3			30	5 x 5	<
P6411123000012 CONTROL#: 1900136	1505 PARK AVE 136	20355 ENT	EMERY KATHRYN & NOAH	1505 PARK AVE HAMILTON OH 45013 4631	ACT: 57 EFF: 57	1			20	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
PARK AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411123000011 CONTROL#: 1900137	1509 PARK AVE <input type="text" value="137"/>	20356 ENT	MATTHEWS TRACEY M II & LYMAN MARTHA E	1509 PARK AVE HAMILTON OH 45013 4631	ACT: 57 EFF: 57	6	2		15	x	<
P6411123000010 CONTROL#: 1900138	1515 PARK AVE <input type="text" value="138"/>	20357 ENT	LONG MARIBETH	1515 PARK AVE HAMILTON OH 45013 4631	ACT: 50 EFF: 54	2	2		40	x	<
P6411123000009 CONTROL#: 1900139	PARK AVE <input type="text" value="139"/>	21077 W 1	LONG MARIBETH	1515 PARK AVE HAMILTON OH 45013 4631	ACT: 0 EFF: 5					x	<
P6411123000008 CONTROL#: 1900140	1521 PARKVIEW AVE <input type="text" value="140"/>	21077 ENT	DYER MICHAEL T	1521 PARKVIEW AVE HAMILTON OH 45013 4633	ACT: 68 EFF: 120	5	2		45	5 x 10	<
P6411123000007 CONTROL#: 1900141	1531 PARKVIEW AVE <input type="text" value="141"/>	21076 ENT	COLE BRANDON T & ANGELA K	1531 PARKVIEW AVE HAMILTON OH 45013 4633	ACT: 65 EFF: 70	10	1		30	x	<
P6411122000012 CONTROL#: 1900142	1510 PARK AVE <input type="text" value="142"/>	20358 ENT	CLARK JOHN A & SCHMIDT WANDA	1510 PARK AVE HAMILTON OH 45013 4692	ACT: 199 EFF: 205				150	x	<
P6411122000013 CONTROL#: 1900143	1500 PARK AVE <input type="text" value="143"/>	20359 ENT	STACY SHANE E & BATDORF AMY J	1500 PARK AVE HAMILTON OH 45013 4692	ACT: 70 EFF: 60				65	10 x 12	<
P6411122000014 CONTROL#: 1900144	1494 PARK AVE <input type="text" value="144"/>	20360 ENT	ARMOR DEBORAH J	2924 RESOR RD FAIRFIELD OH 45014 5052	ACT: 77 EFF: 93				70	x	<
P6411121000032 CONTROL#: 1900145	1444 LAWRENCE AVE <input type="text" value="145"/>	20361 ENT	LESHER CAROLE YVONNE	1444 LAWRENCE AVE HAMILTON OH 45013 4626	ACT: 157 EFF: 160				135	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
PARK AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411121000035 CONTROL#: 1900146	1430 PARK AVE 146	20378 ENT	WEBB KENNETH R & TERI L	1430 PARK AVE HAMILTON OH 45013 4630	ACT: 227 EFF: 230		3		105	5 x 14	<
P6411121000037 CONTROL#: 1900147	1425 HELMA AVE 147	20380 ENT	BUI YUN-HUI	1425 HELMA AVE HAMILTON OH 45013 4611	ACT: 56 EFF: 56					x	<
P6411121000036 CONTROL#: 1900148	1421 HELMA AVE 148	20379 ENT	WELLS MICHAEL & KAREN M	1421 HELMA AVE HAMILTON OH 45013 4611	ACT: 170 EFF: 185				150	12 x 10	<
P6411116000009 CONTROL#: 1900149	1370 PARK AVE 149	19266 ENT	BRAYTON DAVID E	1370 PARK AVE HAMILTON OH 45013 4628	ACT: 60 EFF: 56				45	x	<
P6411116000008 CONTROL#: 1900150	1360 PARK AVE 150	19041 ENT	MILLER RICK ANTHONY JR	1360 PARK AVE HAMILTON OH 45013 4628	ACT: 56 EFF: 53	21				5 x 5	<
P6411116000007 CONTROL#: 1900151	1354 PARK AVE 151	19040 ENT	ANDERSON LISA J	1354 PARK AVE HAMILTON OH 45013 4628	ACT: 56 EFF: 53	1			35	x	<
P6411116000006 CONTROL#: 1900152	1352 PARK AVE 152	19039 ENT	GRAY KERRY E	1352 PARK AVE HAMILTON OH 45013 4628	ACT: 56 EFF: 53				40	x	<
P6411116000005 CONTROL#: 1900153	1350 PARK AVE 153	19038 ENT	GEORGE ANDREW G	1350 PARK AVE HAMILTON OH 45013 4628	ACT: 56 EFF: 53				40	11 x 14	<
P6411116000004 CONTROL#: 1900154	1340 PARK AVE 154	19037 ENT	TENDAM ELANIE	1340 PARK AVE HAMILTON OH 45013 4628	ACT: 56 EFF: 53	1			30	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
PARK AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411117000048 CONTROL#: 1900155	1330 PARK AVE 155	19036 ENT	NIESEN JOHN & REBECCA	1330 PARK AVE HAMILTON OH 45013 4628	ACT: 56 EFF: 53				20	x	<
P6411117000049 CONTROL#: 1900156	1320 PARK AVE 156	19035 ENT	WADDELL DAVID P & DONNA J	1320 PARK AVE HAMILTON OH 45013 4628	ACT: 56 EFF: 53				40	12 x 6	<
P6411117000050 CONTROL#: 1900157	1310 PARK AVE 157	19034 ENT	COULTER MICKEY A BRENDA L	1310 PARK AVE HAMILTON OH 45013 4628	ACT: 55 EFF: 55	2			30	x	<
P6411117000051 CONTROL#: 1900158	1300 PARK AVE 158	19033 ENT	SNEED DONALD LEROY SR TR ETAL	1300 PARK AVE HAMILTON OH 45013 4628	ACT: 129 EFF: 124				35	x	<
P6411113000001 CONTROL#: 1900159	1266 PARK AVE 159	16728 ENT	REYNOLDS HAROLD J CO TR ETAL	1266 PARK AVE HAMILTON OH 45013 2668	ACT: 50 EFF: 50					x	<
P6411112000061 CONTROL#: 1900160	1263 PARK AVE 160	18534 ENT	SCHARF EUGENE FRANK JR & PAULA P	1263 PARK AVE HAMILTON OH 45013 2667	ACT: 50 EFF: 50					x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
PARKVIEW AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411122000012 <i>CONTROL#:</i>	1510 PARK AVE <input type="text"/>	20358 ENT	CLARK JOHN A & SCHMIDT WANDA	1510 PARK AVE HAMILTON OH 45013 4692	<i>ACT:</i> <i>EFF:</i>					x	<
P6411123000007 <i>CONTROL#:</i>	1531 PARKVIEW AVE <input type="text"/>	21076 ENT	COLE BRANDON T & ANGELA K	1531 PARKVIEW AVE HAMILTON OH 45013 4633	<i>ACT:</i> <i>EFF:</i>					x	<
P6411122000008 <i>CONTROL#:</i> 1900201	1541 PARKVIEW AVE <input type="text" value="201"/>	21075 ENT	CONNER DARRELL & MICHELLE	1541 PARKVIEW AVE HAMILTON OH 45013 4633	<i>ACT:</i> 65 <i>EFF:</i> 70	14			60	x	<
P6411122000009 <i>CONTROL#:</i> 1900202	1551 PARKVIEW AVE <input type="text" value="202"/>	21074 ENT	DELONG LINDA L	1551 PARKVIEW AVE HAMILTON OH 45013 4633	<i>ACT:</i> 238 <i>EFF:</i> 258	36			175	10 x 5	<
P6411122000010 <i>CONTROL#:</i> 1900203	1466 LAWRENCE AVE <input type="text" value="203"/>	20364 ENT	TEBBE JAY A & MARILYN D	1466 LAWRENCE AVE HAMILTON OH 45013 4626	<i>ACT:</i> 113 <i>EFF:</i> 115				55	x	<
P6411122000011 <i>CONTROL#:</i> 1900204	1540 PARKVIEW AVE <input type="text" value="204"/>	20365 ENT	SCHUTTE ANDREW	1540 PARKVIEW AVE HAMILTON OH 45013 4634	<i>ACT:</i> 84 <i>EFF:</i> 85				65	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
LAWRENCE AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411122000027 <i>CONTROL#:</i>	762 N DICK AVE <input type="text"/>	23426 ENT	HUFFMAN TARI L	762 N DICK AVE HAMILTON OH 45013 4618	<i>ACT:</i> <i>EFF:</i>					x	<
P6411121000032 <i>CONTROL#:</i> 1900301	1444 LAWRENCE AVE <input type="text" value="301"/>	20361 ENT	LESHER CAROLE YVONNE	1444 LAWRENCE AVE HAMILTON OH 45013 4626	<i>ACT: 47</i> <i>EFF: 82</i>				85	x	<
P6411122000015 <i>CONTROL#:</i> 1900302	1450 LAWRENCE AVE <input type="text" value="302"/>	20362 ENT	MCCAUGHEY LISA ANN	1420 HELMA AVE HAMILTON OH 45013 4622	<i>ACT: 75</i> <i>EFF: 78</i>				30	16 x 6	<
P6411122000016 <i>CONTROL#:</i> 1900303	1460 LAWRENCE AVE <input type="text" value="303"/>	20363 ENT	BURNS SUSAN H TR U/A DTD 1-6-2006	1460 LAWRENCE AVE HAMILTON OH 45013 4626	<i>ACT: 75</i> <i>EFF: 78</i>				45	x	<
P6411122000010 <i>CONTROL#:</i> 1900304	1466 LAWRENCE AVE <input type="text" value="304"/>	20364 ENT	TEBBE JAY A & MARILYN D	1466 LAWRENCE AVE HAMILTON OH 45013 4626	<i>ACT: 113</i> <i>EFF: 115</i>				70	12 x 6	<
P6411122000025 <i>CONTROL#:</i> 1900305	1479 LAWRENCE AVE <input type="text" value="305"/>	20367 ENT	BURTON TED & PATRICIA A	1479 LAWRENCE AVE HAMILTON OH 45013 4625	<i>ACT: 52.6</i> <i>EFF: 68</i>	7	2		45	11 x 5	<
P6411122000024 <i>CONTROL#:</i> 1900306	1475 LAWRENCE AVE <input type="text" value="306"/>	20368 ENT	CARR BRIDGET A	1475 LAWRENCE AVE HAMILTON OH 45013 4625	<i>ACT: 58</i> <i>EFF: 55</i>	3	2		30	11 x 5	<
P6411122000023 <i>CONTROL#:</i> 1900307	1471 LAWRENCE AVE <input type="text" value="307"/>	20369 ENT	SIPP JOHN & ELENA B	1471 LAWRENCE AVE HAMILTON OH 45013 4625	<i>ACT: 58</i> <i>EFF: 55</i>	6	2		35	5 x 15	<
P6411122000022 <i>CONTROL#:</i> 1900308	1469 LAWRENCE AVE <input type="text" value="308"/>	20370 ENT	BOWLIN FRANKLIN T & MORRIS SUSAN L	1469 LAWRENCE AVE HAMILTON OH 45013 4625	<i>ACT: 58</i> <i>EFF: 55</i>	8	2		60	11 x 5	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
LAWRENCE AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411122000021 CONTROL#: 1900309	1465 LAWRENCE AVE <input type="text" value="309"/>	20371 ENT	BONAORA BERNARDITA C & ROBERTO	1465 LAWRENCE AVE HAMILTON OH 45013 4625	ACT: 58 EFF: 55	2	1		35	12 x 5	<
P6411122000020 CONTROL#: 1900310	1461 LAWRENCE AVE <input type="text" value="310"/>	20372 ENT	PHILPOT MARK D & PAMELA S	1461 LAWRENCE AVE HAMILTON OH 45013 4625	ACT: 58 EFF: 55	3	1		45	x	<
P6411122000019 CONTROL#: 1900311	1457 LAWRENCE AVE <input type="text" value="311"/>	20373 ENT	BELL CARL E & VELMA	1457 LAWRENCE AVE HAMILTON OH 45013 4625	ACT: 58 EFF: 55	4	2		35	12 x 5	<
P6411122000018 CONTROL#: 1900312	1453 LAWRENCE AVE <input type="text" value="312"/>	20374 ENT	ALEXANDER AARON J & SHEPHERD NOELLE R	1453 LAWRENCE AVE HAMILTON OH 45013 4625	ACT: 58 EFF: 55	5			30	11 x 5	<
P6411122000017 CONTROL#: 1900313	1449 LAWRENCE AVE <input type="text" value="313"/>	20375 ENT	LORANCE JOSEPH	1711 THALL DR HAMILTON OH 45013	ACT: 58 EFF: 55	7	2		40	15 x 5	<
P6411121000033 CONTROL#: 1900314	1445 LAWRENCE AVE <input type="text" value="314"/>	20376 ENT	COX NORMA R TR	1445 LAWRENCE AVE HAMILTON OH 45013 4625	ACT: 56 EFF: 56	4	3		50	12 x 5	<
P6411121000034 CONTROL#: 1900315	1441 LAWRENCE AVE <input type="text" value="315"/>	20377 ENT	WINKLER SARAH K & ZACHARY M	1441 LAWRENCE AVE HAMILTON OH 45013 4625	ACT: 56 EFF: 56	3			15	12 x 5	<
P6411121000035 CONTROL#: 1900316	1430 PARK AVE <input type="text" value="316"/>	20378 ENT	WEBB KENNETH R & TERI L	1430 PARK AVE HAMILTON OH 45013 4630	ACT: 85 EFF: 85	2	3		20	18 x 5	<

LAWN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411116000035 CONTROL#: 1900401	901 LAWN AVE <input type="text" value="401"/>	19042 ENT	ZIMMERS ROBERT J JR	901 N LAWN AVE HAMILTON OH 45013 4651	ACT: 58 EFF: 41	3			30	x	<
P6411116000034 CONTROL#: 1900402	903 LAWN AVE <input type="text" value="402"/>	19043 ENT	FORD JOSEPH E & JULI A	903 LAWN AVE HAMILTON OH 45013 4651	ACT: 54 EFF: 57	4			35	x	<
P6411116000033 CONTROL#: 1900403	905 LAWN AVE <input type="text" value="403"/>	19044 ENT	NAYLOR DAVID WAYNE & TAMBERLA LYNN	905 LAWN AVE HAMILTON OH 45013 4651	ACT: 54 EFF: 57	5	3		30	16 x 7	<
P6411116000032 CONTROL#: 1900404	909 LAWN AVE <input type="text" value="404"/>	19045 ENT	CRAFT MELANIE L & DAWSON FAITH A	909 N LAWN AVE HAMILTON OH 45013 4651	ACT: 54 EFF: 57	2	3		45	16 x 7	<
P6411116000031 CONTROL#: 1900405	911 LAWN AVE <input type="text" value="405"/>	19046 ENT	KOONS JERRY D & ANNETTE	911 LAWN AVE HAMILTON OH 45013 4651	ACT: 54 EFF: 57		1		40	14 x 3	<
P6411116000030 CONTROL#: 1900406	915 LAWN AVE <input type="text" value="406"/>	19047 ENT	JONES DAPHNE DYANNE	915 N LAWN AVE HAMILTON OH 45013 4651	ACT: 54 EFF: 57	3	2		35	14 x 7	<
P6411116000029 CONTROL#: 1900407	919 LAWN AVE <input type="text" value="407"/>	19048 ENT	HOCHINS BRITTNEY J & ALBERT R JR	919 LAWN AVE HAMILTON OH 45013 4651	ACT: 35 EFF: 50	4			45	x	<
P6411116000028 CONTROL#: 1900408	921 LAWN AVE <input type="text" value="408"/>	19049 ENT	MADDEN BOB & RUTH	921 LAWN AVE HAMILTON OH 45013 4650	ACT: 42 EFF: 51	7			45	x	<
P6411116000027 CONTROL#: 1900409	925 LAWN AVE <input type="text" value="409"/>	19050 ENT	LORANCE MICHAEL TR	160 HANCOCK AVE HAMILTON OH 45011 4351	ACT: 55 EFF: 58	4			50	18 x 7	<

LAWN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411116000026 CONTROL#: 1900410	929 LAWN AVE 410	19267 ENT	ARMBRUSTER SANDRA R	929 LAWN AVE HAMILTON OH 45013 4650	ACT: 55 EFF: 58	6	2		50	12 x 7	<
P6411116000025 CONTROL#: 1900411	931 LAWN AVE 411	19268 ENT	SELKE LUKE W	931 LAWN AVE HAMILTON OH 45013 4650	ACT: 55 EFF: 58	7	3		40	12 x 7	<
P6411116000024 CONTROL#: 1900412	937 LAWN AVE 412	19269 ENT	URIBE THUY TR ETAL	3189 PRINCETON RD #298 HAMILTON OH 45011	ACT: 55 EFF: 58	6			35	13 x 7	<
P6411116000023 CONTROL#: 1900413	941 LAWN AVE 413	19270 ENT	REECE BARBARA	941 N LAWN AVE HAMILTON OH 45013 4650	ACT: 55 EFF: 58	3			20	x	<
P6411116000022 CONTROL#: 1900414	945 LAWN AVE 414	19271 ENT	BARTER RYAN T & SARA E	945 LAWN AVE HAMILTON OH 45013 4650	ACT: 55 EFF: 58	4	2		35	13 x 7	<
P6411116000021 CONTROL#: 1900415	949 LAWN AVE 415	19272 ENT	BALES KEVIN C & BEVERLY J	949 LAWN AVE HAMILTON OH 45013	ACT: 55 EFF: 58	5			25	x	<
P6411116000020 CONTROL#: 1900416	953 LAWN AVE 416	19273 ENT	WITT RONALD & GIBSON CHRISTINA	953 N LAWN AVE HAMILTON OH 45013 4650	ACT: 55 EFF: 58	4	1		35	x	<
P6411115000012 CONTROL#: 1900417	957 LAWN AVE 417	19274 ENT	GABBARD ELDON E JR	957 N LAWN AVE HAMILTON OH 45013 4650	ACT: 55 EFF: 58	4	2		30	x	<
P6411115000011 CONTROL#: 1900418	961 LAWN AVE 418	19275 ENT	CINDRICH JOHN MICHAEL & KIMMAMON AMY LEIGH	961 LAWN AVE HAMILTON OH 45013 4623	ACT: 55 EFF: 58	7	2		30	13 x 7	<

LAWN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411115000010 CONTROL#: 1900419	963 LAWN AVE 419	19276 ENT	TERRELL BETTY C & DARRELL L	963 LAWN AVE HAMILTON OH 45013 4623	ACT: 55 EFF: 58	6	1		35	13 x 7	<
P6411115000009 CONTROL#: 1900420	965 N LAWN AVE 420	19277 ENT	SPICER MATTHEW C	1951 EATON RD HAMILTON OH 45013 9739	ACT: 50 EFF: 59	4	1		40	13 x 7	<
P6411115000032 CONTROL#: 1900421	967 LAWN AVE 421	19051 ENT	ZIMMERMAN PAUL J & BERNADETTE A	967 LAWN AVE HAMILTON OH 45013 4623	ACT: 60 EFF: 65	5	2		40	12 x 7	<
P6411115000031 CONTROL#: 1900422	971 LAWN AVE 422	19052 ENT	COBURN TERRY A	971 LAWN AVE HAMILTON OH 45013 4623	ACT: 56 EFF: 59	4	2		30	12 x 7	<
P6411115000030 CONTROL#: 1950422	LAWN AVE 422.5	19053 W 5	COBURN TERRY A	971 LAWN AVE HAMILTON OH 45013 4623	ACT: 5 EFF: 5					x	<
P6411115000029 CONTROL#: 1900423	975 LAWN AVE 423	19053 E 6	HARTMAN GARY J & SHARON L	975 LAWN AVE HAMILTON OH 45013 4623	ACT: 51 EFF: 54	6	2		30	12 x 7	<
P6411115000028 CONTROL#: 1900424	979 LAWN AVE 424	19054 ENT	RICE KEVIN S CO TR ETAL	979 LAWN AVE HAMILTON OH 45013 4623	ACT: 119 EFF: 134	11			75	x	<
P6411115000027 CONTROL#: 1900425	980 LAWN AVE 425	19076 ENT	GIBSON WILLIAM E & ALICIA	980 LAWN AVE HAMILTON OH 45013 4624	ACT: 85 EFF: 67					x	<
P6411115000026 CONTROL#: 1900426	980 LAWN AVE 426	19075 ENT	GIBSON WILLIAM E & ALICIA	980 LAWN AVE HAMILTON OH 45013 4624	ACT: 60 EFF: 55	2			35	x	<

LAWN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411115000025 CONTROL#: 1900427	974 LAWN AVE 427	19074 ENT	LEE STEPHANIE & REYNA JOSE	974 N LAWN AVE HAMILTON OH 45013 4624	ACT: 60 EFF: 55	11				16 x 8	<
P6411115000024 CONTROL#: 1900428	972 LAWN AVE 428	19073 ENT	WRIGHT WARREN W & LINDA K	972 N LAWN AVE HAMILTON OH 45013 4624	ACT: 60 EFF: 55	4	2		30	16 x 8	<
P6411115000023 CONTROL#: 1900429	968 LAWN AVE 429	19072 ENT	SARVER WILLIAM & SHOPE JAMIE	968 LAWN AVE HAMILTON OH 45013	ACT: 60 EFF: 55	7	2		40	x	<
P6411115000022 CONTROL#: 1900430	964 LAWN AVE 430	19071 ENT	REINHOLD GREG	964 LAWN AVE HAMILTON OH 45013 4624	ACT: 65 EFF: 77	1			50	x	<
P6411115000015 CONTROL#: 1900431	960 LAWN AVE 431	19070 ENT	JONES JERAMIE C & ANGELA K	960 LAWN AVE HAMILTON OH 45013 4652	ACT: 75 EFF: 58	3	2		35	x	<
P6411115000014 CONTROL#: 1900432	956 LAWN AVE 432	19069 ENT	PATE JAMES J	1344 MAPLE AVE HAMILTON OH 45011 4355	ACT: 60 EFF: 55				35	x	<
P6411115000013 CONTROL#: 1900433	952 LAWN AVE 433	19068 ENT	GILL MICHAEL	952 LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 55	3			40	13 x 8	<
P6411116000048 CONTROL#: 1900434	948 LAWN AVE 434	19067 ENT	OTT CHRISTOPHER P & JULIA A	948 LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 55	2			40	12 x 8	<
P6411116000047 CONTROL#: 1900435	944 LAWN AVE 435	19066 ENT	SIDWELL KELLY JO	944 LAWN AVE HAMILTON OH 45013	ACT: 60 EFF: 55	4			40	13 x 8	<

LAWN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411116000046 CONTROL#: 1900436	940 LAWN AVE 436	19065 ENT	BURNS FRANCINE Y & DANIELLE N	940 LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 55	9	1		45	14 x 8	<
P6411116000045 CONTROL#: 1900437	936 LAWN AVE 437	19064 ENT	KRINOV MARK	936 LAWN AVE HAMILTON OH 45013 2622	ACT: 60 EFF: 55	6	2		45	16 x 8	<
P6411116000044 CONTROL#: 1900438	932 LAWN AVE 438	19063 ENT	COLON JOSUE JR	932 LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 55	8			30	16 x 8	<
P6411116000043 CONTROL#: 1900439	928 LAWN AVE 439	19062 ENT	WUEST GARY M & KRISTY A	928 LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 55	7			45	16 x 8	<
P6411116000042 CONTROL#: 1900440	924 LAWN AVE 440	19061 ENT	STACY ELAINE & HUMBACH THOMAS E	1070 HINE RD HAMILTON OH 45013 9042	ACT: 60 EFF: 55	7	1		45	14 x 8	<
P6411116000041 CONTROL#: 1900441	920 LAWN AVE 441	19060 ENT	WILSON THOMAS J CO TR ETAL	4 INDEPENDENCE CRESCENT HAMILTON OH 45013 5836	ACT: 60 EFF: 56	4	2		50	12 x 8	<
P6411116000040 CONTROL#: 1900442	916 LAWN AVE 442	19059 ENT	TEDESCO CHRIS J & SHARON R	916 N LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 56	2	2		60	13 x 8	<
P6411116000039 CONTROL#: 1900443	912 LAWN AVE 443	19058 ENT	DADABO STEPHEN M	912 N LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 55	7	2		45	14 x 8	<
P6411116000038 CONTROL#: 1900444	908 LAWN AVE 444	19057 ENT	IHACKET LLC	261 HEDGINGTON CT HAMILTON OH 45013 4652	ACT: 60 EFF: 55	3	2		30	18 x 8	<

LAWN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411116000037 CONTROL#: 1900445	904 LAWN AVE 445	19056 ENT	GENTILE JEFFREY M	904 LAWN AVE HAMILTON OH 45013 4652	ACT: 60 EFF: 55	6			60	14 x 8	<
P6411116000036 CONTROL#: 1900446	900 LAWN AVE 446	19055 ENT	STITZEL SUSAN E	900 N LAWN AVE HAMILTON OH 45013 4652	ACT: 63 EFF: 55	9			65	x	<
P6411113000031 CONTROL#: 1900447	890 LAWN AVE 447	16755 ENT	HENRY MARK B	890 N LAWN AVE HAMILTON OH 45013 4652	ACT: 50 EFF: 50					x	<
P6411113000030 CONTROL#: 1900448	879 LAWN AVE 448	16740 ENT	JERRY D & JANET R LANICH	879 N LAWN AVE HAMILTON OH 45013 4652	ACT: 50 EFF: 50					x	<

HELMA AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411121000036 CONTROL#: 1900501	1421 HELMA AVE 501	20379 ENT	WELLS MICHAEL & KAREN M	1421 HELMA AVE HAMILTON OH 45013 4611	ACT: 133 EFF: 142	10			65	x	<
P6411121000037 CONTROL#: 1900502	1425 HELMA AVE 502	20380 ENT	BUI YUN-HUI	1425 HELMA AVE HAMILTON OH 45013 4611	ACT: 56 EFF: 56	6			30	10 x 11	<
P6411121000038 CONTROL#: 1900503	1429 HELMA AVE 503	16740 ENT	JERRY D & JANET R LANICH	1429 HELMA AVE HAMILTON OH 45013 4611	ACT: 56 EFF: 56	5			25	10 x 11	<
P6411121000039 CONTROL#: 1900504	1435 HELMA AVE 504	20382 ENT	JONES RICK H & CHRISTINE R CO TR	405 OAKWOOD DR HAMILTON OH 45013 3466	ACT: 56 EFF: 56	4	2		35	10 x 11	<
P6411121000040 CONTROL#: 1900505	1441 HELMA AVE 505	20383 ENT	CLARK SARA E & HAZELTON BRIAN A	1441 HELMA AVE HAMILTON OH 45013 4611	ACT: 56 EFF: 56	8			35	10 x 12	<
P6411121000041 CONTROL#: 1900506	1443 HELMA AVE 506	20384 ENT	WILLIAMS LAUREN	1443 HELMA AVE HAMILTON OH 45013 4611	ACT: 56 EFF: 56	3			10	x	<
P6411122000039 CONTROL#: 1900507	1447 HELMA AVE 507	20385 ENT	JESSICA H HAYES / BAKER	1447 HELMA AVE HAMILTON OH 45013 4611	ACT: 54 EFF: 56	2			30	x	<
P6411122000038 CONTROL#: 1900508	1451 HELMA AVE 508	20386 ENT	COPAS MEGAN L	1451 HELMA AVE HAMILTON OH 45013 4611	ACT: 54 EFF: 56	5			20	x	<
P6411122000037 CONTROL#: 1900509	1455 HELMA AVE 509	20387 ENT	CALLIHAN AMY L & JASON W	1455 HELMA AVE HAMILTON OH 45013 4611	ACT: 54 EFF: 56	6			40	x	<

HELMA AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411122000036 CONTROL#: 1900510	1459 HELMA AVE 510	20388 ENT	ALEXIS CHRISTOLAIN ETAL	9269 HADEN LN WEST CHESTER OH 45069 3768	ACT: 54 EFF: 56	6	2		20	10 x 11	<
P6411122000035 CONTROL#: 1900511	1461 HELMA AVE 511	20389 ENT	CAMPBELL DONNA L	1461 HELMA AVE HAMILTON OH 45013 4611	ACT: 54 EFF: 56	10	2		35	10 x 11	<
P6411122000034 CONTROL#: 1900512	1465 HELMA AVE 512	20390 ENT	SCHUCK LINDA K & MICHAEL F	1465 HELMA AVE HAMILTON OH 45013 4611	ACT: 54 EFF: 56	4	2		20	10 x 12	<
P6411122000033 CONTROL#: 1900513	1469 HELMA AVE 513	19244 ENT	RINDLER STEVEN J & DERENE K	1469 HELMA AVE HAMILTON OH 45013 4611	ACT: 54 EFF: 56	1	2		40	x	<
P6411122000032 CONTROL#: 1950513	HELMA AVE 513.5	19245 W 5	RINDLER STEVEN J & DERENE K	1469 HELMA AVE HAMILTON OH 45013 4611	ACT: 5 EFF: 5				5	x	<
P6411122000031 CONTROL#: 1900514	1475 HELMA AVE 514	19245 ENT	TIMMER CYNTHIA L	PO BOX 476 HAMILTON OH 45012 0476	ACT: 50 EFF: 50				15	x	<
P6411122000030 CONTROL#: 1900515	HELMA AVE 515	19246 ENT	TIMMER CYNTHIA L	PO BOX 476 HAMILTON OH 45012 0476	ACT: 103 EFF: 71				60	x	<
P6411115000034 CONTROL#: 1900516	1490 HELMA AVE 516	19247 ENT	JOHNSON EDWIN L	1490 HELMA AVE HAMILTON OH 45013 4656	ACT: 36.7 EFF: 69				20	x	<
P6411115000033 CONTROL#: 1900517	880 EMERSON AVE 517	19248 ENT	PARSLEY MARY GERTRUDE	880 EMERSON AVE HAMILTON OH 45013 4620	ACT: 92.5 EFF: 100				60	x	<

HELMA AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411115000008 CONTROL#: 1900518	881 EMERSON AVE 518	19249 ENT	HOLLAND KENNETH J	881 EMERSON AVE HAMILTON OH 45013 4619	ACT: 120 EFF: 120	9			50	x	<
P6411115000007 CONTROL#: 1900519	1464 HELMA AVE 519	19250 ENT	CLENDENIN ROB A & ERIN M	1464 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52		2		55	24 x 8	<
P6411115000006 CONTROL#: 1900520	1460 HELMA AVE 520	19251 ENT	BOLDGER REBECCA	1460 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 50	6	2		50	x	<
P6411115000005 CONTROL#: 1950521	HELMA AVE 520.5	19251 SW	WACHTER STEVEN J & PATRICIA L	1456 HELMA AVE HAMILTON OH 45013 4622	ACT: 0 EFF: 2					x	<
P6411115000004 CONTROL#: 1900521	1456 HELMA AVE 521	19252 ENT	WACHTER STEVEN J & PATRICIA L	1456 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	5	2		60	x	<
P6411115000003 CONTROL#: 1900522	1452 HELMA AVE 522	19253 ENT	CURRY WILLIAM B & KRISTA L	1452 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	1	1		30	x	<
P6411115000002 CONTROL#: 1900523	1448 HELMA AVE 523	19254 ENT	PIERSON LORI J	1448 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	6			25	14 x 8	<
P6411115000001 CONTROL#: 1900524	1444 HELMA AVE 524	19255 ENT	FIELDS MARJORIE E	1444 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	6	2		40	x	<
P6411116000019 CONTROL#: 1900525	1440 HELMA AVE 525	19256 ENT	FORD CHARLES E & BARBARA J	1440 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	7	2		35	12 x 8	<

HELMA AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411116000018 CONTROL#: 1900526	1436 HELMA AVE 526	19257 ENT	STANGER MICHAEL WAYNE	1436 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	5			45	x	<
P6411116000017 CONTROL#: 1900527	1430 HELMA AVE 527	19258 ENT	SAMS CHRISTOPHER & BUI MARY T	1430 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	4	1		35	16 x 8	<
P6411116000016 CONTROL#: 1900528	1426 HELMA AVE 528	19259 ENT	GREENE BILL R SR & GLADYS L	1426 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	1	2		30	16 x 8	<
P6411116000015 CONTROL#: 1900529	1420 HELMA AVE 529	19260 ENT	MCCAUGHEY LISA A & JOSEPH P	1420 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	7	2		30	x	<
P6411116000014 CONTROL#: 1900530	1414 HELMA AVE 530	19261 ENT	SNODGRASS RAYMA	1414 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	4			10	x	<
P6411116000013 CONTROL#: 1900531	1412 HELMA AVE 531	19262 ENT	TINCHER LARRY	1408 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	4	2		25	14 x 8	<
P6411116000012 CONTROL#: 1900532	1408 HELMA AVE 532	19263 ENT	TINCHER LARRY D	1408 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	2	1		50	12 x 8	<
P6411116000011 CONTROL#: 1900533	1404 HELMA AVE 533	19264 ENT	STULL RUSSELL B	1400 HELMA AVE HAMILTON OH 45013 4622	ACT: 55 EFF: 52	3	1		25	10 x 8	<
P6411121000020 CONTROL#: 1900534	1400 HELMA AVE 534		STULL RUSSELL BRADFORD	1397 PARK AVE HAMILTON OH 45013 4627	ACT: 0 EFF: 0	7	2		35	12 x 4	<

N. DICK

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P641112200006 CONTROL#: 1900600	790 N DICK AVE <input type="text" value="600"/>	26138 ENT	LEGG EMILY M	790 N DICK AVE HAMILTON OH 45013 4618	ACT: 0 EFF: 0				30	26 x 5	<
P6411122000026 CONTROL#: 1900601	768 N DICK AVE <input type="text" value="601"/>	23427 ENT	COOPER MARY CAROL TR THE MARY CAROL COOPER LIV TRUST	31 HOLMES CT HAMILTON OH 45013 1216	ACT: 70 EFF: 70	6			40	14 x 8	<
P6411122000027 CONTROL#: 1900602	762 N DICK AVE <input type="text" value="602"/>	23426 ENT	HUFFMAN TARI L	762 N DICK AVE HAMILTON OH 45013 4618	ACT: 63.5 EFF: 64	2			35	18 x 8	<
P6411122000028 CONTROL#: 1900603	756 N DICK AVE <input type="text" value="603"/>	23425 ENT	YOUNG STILLMAN O & JUANITA M	756 N DICK AVE HAMILTON OH 45013 4618	ACT: 60 EFF: 60		1		20	18 x 8	<
P6411122000029 CONTROL#: 1900604	750 N DICK AVE <input type="text" value="604"/>	23424 ENT	LANICH J GREGORY	750 DICK AVE HAMILTON OH 45013 4618	ACT: 60 EFF: 60	5			35	x	<
P6411115000035 CONTROL#: 1900605	748 N DICK AVE <input type="text" value="605"/>	23423 ENT	WILP REBECCA & MARTIN	748 N DICK AVE HAMILTON OH 45013 4618	ACT: 64 EFF: 64	5			15	x	<
P6411115000036 CONTROL#: 1900606	746 N DICK AVE <input type="text" value="606"/>	23422 ENT	HOES KENT D & STEPHANIE A	746 N DICK AVE HAMILTON OH 45013 4618	ACT: 64 EFF: 64	3			15	x	<
P6411115000037 CONTROL#: 1900607	736 N DICK AVE <input type="text" value="607"/>	23421 ENT	BAGLEY RONALD L II	736 DICK AVE HAMILTON OH 45013 4618	ACT: 64 EFF: 64	6			10	x	<
P6411115000038 CONTROL#: 1900608	730 N DICK AVE <input type="text" value="608"/>	23420 ENT	MONTGOMERY ERIC C & WITHROW MICHELLE L	730 N DICK AVE HAMILTON OH 45013 4618	ACT: 64 EFF: 64	3			30	x	<

N. DICK

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411115000039 CONTROL#: 1900609	726 N DICK AVE 609	23419 ENT	HOERTER DOUGLAS J	726 N DICK AVE HAMILTON OH 45013 4618	ACT: 60 EFF: 60	7			30	14 x 8	<
P6411115000040 CONTROL#: 1900610	720 N DICK AVE 610	23418 ENT	JOHNSTONE STANLEY E & MARCELLA L	720 DICK AVE HAMILTON OH 45013 4618	ACT: 70 EFF: 70	5	3		30	14 x 8	<
P6411115000041 CONTROL#: 1900611	716 N DICK AVE 611	23417 ENT	MCCOLLUM FRED R & CAROL A	716 N DICK AVE HAMILTON OH 45013 4618	ACT: 80 EFF: 80	2			60	x	<
P6411115000042 CONTROL#: 1900612	710 N DICK AVE 612	19091 ENT	FULLAM RICHARD	710 N DICK AVE HAMILTON OH 45013 4618	ACT: 60 EFF: 60	2	1		45	14 x 8	<
P6411115000043 CONTROL#: 1900613	708 N DICK AVE 613	19090 ENT	RUMPLER DAVID R	708 N DICK AVE HAMILTON OH 45013 4618	ACT: 60 EFF: 60	8	2		20	x	<
P6411115000044 CONTROL#: 1900614	790 HIGHLAND AVE 614	19089 ENT	MANITSAS THOMAS	790 HIGHLAND AVE HAMILTON OH 45013 4608	ACT: 125 EFF: 125	2			40	x	<
P6411115000027 CONTROL#: 1900615	980 LAWN AVE 615	19076 ENT	GIBSON WILLIAM E & ALICIA	980 LAWN AVE HAMILTON OH 45013 4624	ACT: 85 EFF: 67	12			85	x	<
P6411115000028 CONTROL#: 1900616	979 LAWN AVE 616	19054 ENT	RICE KEVIN S CO TR ETAL	979 LAWN AVE HAMILTON OH 45013 4623	ACT: 119 EFF: 134	2			95	x	<
P6411115000034 CONTROL#: 1900617	1490 HELMA 617	19247 ENT	JOHNSON EDWIN L	1490 HELMA AVE HAMILTON OH 45013 4656	ACT: 36.7 EFF: 69				125	35 x 8	<

N. DICK

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW	
						4"	6"	7"		6"	7"
P6411122000030 CONTROL#: 1900618	1475 HELMA AVE <input type="text" value="618"/>	19246 ENT	TIMMER CYNTHIA L	PO BOX 476 HAMILTON OH 45012 0476	ACT: 103 EFF: 71				100	x	<
P6411122000025 CONTROL#: 1900619	1479 LAWRENCE AVE <input type="text" value="619"/>	20367 ENT	BURTON TED & PATRICIA A	1479 LAWRENCE AVE HAMILTON OH 45013 4625	ACT: 52.6 EFF: 68				85	x	<
P6411116000010 CONTROL#: 1900701	1400 HELMA AVE <input type="text" value="701"/>	19265 ENT	STULL RUSSELL BRADFORD	1400 HELMA AVE HAMILTON OH 45013 4622	ACT: 50 EFF: 60	7	2		35	12 x 4	<
P6411116000028 CONTROL#: 1900702	921 LAWN AVE <input type="text" value="702"/>	19049 ENT	MADDEN BOB & RUTH	921 LAWN AVE HAMILTON OH 45013 4650	ACT: 42 EFF: 51				70	43 x 7	<
P6411116000029 CONTROL#: 1900703	919 LAWN AVE <input type="text" value="703"/>	19048 ENT	HOCHINS BRITTNEY J & ALBERT R JR	919 LAWN AVE HAMILTON OH 45013 4651	ACT: 35 EFF: 50	3	5		45	20 x 10	<
P6411116000009 CONTROL#: 1900704	1370 PARK AVE <input type="text" value="704"/>	19266 ENT	BRAYTON DAVID E	1370 PARK AVE HAMILTON OH 45013 4628	ACT: 60 EFF: 56				60	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
EMERSON AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411115000020 <i>CONTROL#:</i>	920 HIGHLAND AVE <input type="text" value=""/>	19086 ENT	GARNER LINDA	920 HIGHLAND AVE HAMILTON OH 45013 4612	<i>ACT:</i> <i>EFF:</i>					x	<
P6411115000033 <i>CONTROL#:</i> 1900801	880 EMERSON AVE <input type="text" value="801"/>	19248 ENT	PARSLEY MARY GERTRUDE	880 EMERSON AVE HAMILTON OH 45013 4620	<i>ACT: 92.5</i> <i>EFF: 100</i>				50	x	<
P6411115000032 <i>CONTROL#:</i> 1900802	967 LAWN AVE <input type="text" value="802"/>	19051 ENT	ZIMMERMAN PAUL J & BERNADETTE A	967 LAWN AVE HAMILTON OH 45013 4623	<i>ACT: 60</i> <i>EFF: 65</i>				70	x	<
P6411115000022 <i>CONTROL#:</i> 1900803	964 LAWN AVE <input type="text" value="803"/>	19071 ENT	REINHOLD GREG	964 LAWN AVE HAMILTON OH 45013 4624	<i>ACT: 65</i> <i>EFF: 77</i>	12			85	x	<
P6411115000021 <i>CONTROL#:</i> 1900804	700 EMERSON AVE <input type="text" value="804"/>	19085 ENT	LAKES RONALD D	700 EMERSON AVE HAMILTON OH 45013 4606	<i>ACT: 94</i> <i>EFF: 125</i>	12			120	x	<
P6411115000016 <i>CONTROL#:</i> 1900805	940 HIGHLAND AVE <input type="text" value="805"/>	19084 ENT	SCHWARTZ JAMES E	5791 LESLIE DR FAIRFIELD OH 45014 4712	<i>ACT: 140</i> <i>EFF: 140</i>	18	4		135	x	<
P6411115000015 <i>CONTROL#:</i> 1900806	960 LAWN AVE <input type="text" value="806"/>	19070 ENT	JONES JERAMIE C & ANGELA K	960 LAWN AVE HAMILTON OH 45013 4652	<i>ACT: 75</i> <i>EFF: 58</i>	12	3		95	x	<
P6411115000009 <i>CONTROL#:</i> 1900807	965 N LAWN AVE <input type="text" value="807"/>	19277 ENT	SPICER MATTHEW C	1951 EATON RD HAMILTON OH 45013 9739	<i>ACT: 50</i> <i>EFF: 59</i>	1			40	x	<
P6411115000008 <i>CONTROL#:</i> 1900808	881 EMERSON AVE <input type="text" value="808"/>	19249 ENT	HOLLAND KENNETH J	881 EMERSON AVE HAMILTON OH 45013 4619	<i>ACT: 120</i> <i>EFF: 120</i>	18			75	x	<

FREEMAN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000106 CONTROL#: 1900901	3361 FREEMAN AVE 901	19701 ENT	EVANS JAMIE L	3361 FREEMAN AVE HAMILTON OH 45015 1724	ACT: 126 EFF: 126	1	2		35	35 x 4	<
P6462010000071 CONTROL#: 1900902	3351 FREEMAN AVE 902	18127 N 4 CONS W/72	PETERS MICHAEL A	3351 FREEMAN AVE HAMILTON OH 45015 1724	ACT: 41 EFF: 41	2			35	x	<
P6462010000070 CONTROL#: 1900903	FREEMAN AVE 903	18127 N 4 CONS W/73	PETERS MICHAEL A	3351 FREEMAN AVE HAMILTON OH 45015 1724	ACT: 47 EFF: 47	3			30	20 x 4	<
P6462010000069 CONTROL#: 1900904	337 CORWIN AVE 904	18127 N 1	BURKART RICHARD C	337 CORWIN AVE HAMILTON OH 45015 1712	ACT: 70 EFF: 70	9			65	x	<
P6462010000095 CONTROL#: 1900905	336 CORWIN AVE 905	18122 E 3	HURST RON	336 CORWIN AVE HAMILTON OH 45015 1713	ACT: 35 EFF: 35	12	3		100	11 x 4	<
P6462010000111 CONTROL#: 1900906	347 CHASE AVE 906	18111 ENT	NPM INVESTMENTS LLC	831 STORY DR FAIRFIELD OH 45014 3635	ACT: 50 EFF: 50	7	2		115	11 x 4	<
P6462010000152 CONTROL#: 1900907	348 CHASE AVE 907	18099 ENT	BGINV OHIO LLC	3189 PRINCETON RD #298 HAMILTON OH 45011 6417	ACT: 50 EFF: 50	23			70	11 x 4	<
P6462010000150 CONTROL#: 1950907	344 CHASE AVE 907.5	18098 W 3	WOLLEBECK DAVID L	344 CHASE AVE HAMILTON OH 45015 1704	ACT: 0 EFF: 0	5				x	<
P6462010000164 CONTROL#: 1900908	357 CLINTON AVE 908	18086 ENT	POGOZALSKI BRETT & CARTER NATASHA	357 CLINTON AVE HAMILTON OH 45015 1707	ACT: 40 EFF: 40	25	2		95	11 x 4	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
FREEMAN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW	
						4"	6"	7"		6"	7"
P6462003000204 CONTROL#: 1900909	358 CLINTON AVE 909	18072 ENT	HIBBARD JENNIFER M & REGAN A	358 CLINTON AVE HAMILTON OH 45015 1708	ACT: 50 EFF: 50	23	2		105	x	<
P6462003000239 CONTROL#: 1900910	357 HOOVEN AVE 910	18057 ENT	LEWIS DOUGLAS C	357 HOOVEN AVE HAMILTON OH 45015 1734	ACT: 50 EFF: 50	3			75	x	<
P6462003000110 CONTROL#: 1900911	2975 FREEMAN AVE 911	18041 E 4	LAYCOCK JAMES W	2975 FREEMAN AVE HAMILTON OH 45015 1719	ACT: 178 EFF: 178					x	<
P6462003000131 CONTROL#: 1900912	2970 FREEMAN AVE 912	17691 W 4	OPEL KERMIT ALLEN	2970 FREEMAN AVE HAMILTON OH 45015 1719	ACT: 182 EFF: 182					x	<
P6462003000240 CONTROL#: 1900913	3000 FREEMAN AVE 913	17692 W 4	BAILEY ERIC S	3000 FREEMAN AVE HAMILTON OH 45015 1719	ACT: 40 EFF: 40	13	2		85	12 x 4	<
P6462003000203 CONTROL#: 1900914	402 CLINTON AVE 914	17698 ENT	HALCOMB LARRY J & VICKI M	402 CLINTON AVE HAMILTON OH 45015 1710	ACT: 50 EFF: 50	6	1			x	<
P6462010000163 CONTROL#: 1900915	401 CLINTON AVE 915	17756 ENT	ADKINS PAUL E JR & DONNA J	401 CLINTON AVE HAMILTON OH 45015 1709	ACT: 50 EFF: 50	7	2		55	4 x 16	<
P6462010000153 CONTROL#: 1900916	402 CHASE AVE 916	17757 ENT	REITER DAVID L & ZELLNER TAMARA M	402 CHASE AVE HAMILTON OH 45015 1706	ACT: 50 EFF: 50		2		55	12 x 4	<
P6462010000110 CONTROL#: 1900917	401 CHASE AVE 917	17772 ENT	OWENS DALLAS G	1268 TIMBERCREEK DR HAMILTON OH 45013 9318	ACT: 50 EFF: 50				65	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
FREEMAN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6462010000097 CONTROL#: 1900918	3230 FREEMAN AVE 918	17773 N 4 CONS W/10	OLI JOINT VENTURES LLC	4041 READING RD CINCINNATI OH 45229 1711	ACT: 44 EFF: 44	2			15	x	<
P6462010000096 CONTROL#: 1900919	408 CORWIN AVE 919	17773 W 3	BAXTER INVESTMENTS LLC	255 COURTNEY DR HAMILTON OH 45013	ACT: 0 EFF: 37	7			35	x	<
P6462010000068 CONTROL#: 1900920	407 CORWIN AVE 920	18128 W 4	GECKELER DAVID M TR OF HIS REV LIVING TRUST 9-24-08	411 CORWIN AVE HAMILTON OH 45015 1714	ACT: 40 EFF: 40				40	10 x 36	<
P6462011000107 CONTROL#: 1900921	3360 FREEMAN AVE 921	19702 ENT	WEEKS ANDREW A & SHERRY L	3360 FREEMAN AVE HAMILTON OH 45015 1725	ACT: 125 EFF: 125	4			50	20 x 4	<

BENDER AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451028000069 CONTROL#: 1901001	1285 BENDER AVE 1001	31985 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	5			70	40 x 6	6 x 40
P6451028000006 CONTROL#: 1901002	1285 HARMON AVE 1002	11826 S 3 CONS W/10	THOMAS JO ANN	1285 HARMON AVE HAMILTON OH 45011 4549	ACT: 37.5 EFF: 38	1	1		5	16 x 6	<
P6451028000010 CONTROL#: 1901003	1285 HARMON AVE 1003	11827 S. CONS W/6	THOMAS JO ANN	1285 HARMON AVE HAMILTON OH 45011 4549	ACT: 0 EFF: 38	2			20	x	<
P6451028000014 CONTROL#: 1901004	1285 HARMON AVE 1004	11828 S 3 CONS W/6	THOMAS JO ANN	1285 HARMON AVE HAMILTON OH 45011 4549	ACT: 0 EFF: 38	5			10	x	<
P6451028000018 CONTROL#: 1901005	1285 HARMON AVE 1005	11829 S37 CONS W/6	THOMAS JO ANN	1285 HARMON AVE HAMILTON OH 45011 4549	ACT: 37.5 EFF: 38	2			5	x	<
P6451028000019 CONTROL#: 1901006	1280 HARMON AVE 1006	11841 ENT	BURCHFIELD WILLIAM	40 BRAKEN PL FAIRFIELD OH 45014	ACT: 40 EFF: 40	15	2		100	12 x 6	<
P6451028000020 CONTROL#: 1901007	1295 SHULER AVE 1007	11853 ENT REF PAR P	TAYLOR HELEN	5042 MAUD HUGHES RD MIDDLETOWN OH 45044 9108	ACT: 0 EFF: 0	15	2		95	8 x 6	<
P6451029000001 CONTROL#: 1901008	1224 SHULER AVE 1008	11865 ENT	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011	ACT: 0 EFF: 0	9			125	x	<
P6451021000085 CONTROL#: 1901009	1206 SHULER AVE 1009	32040 ENT	INSTITUTE OF MANAGEMENT AND RESOURCES INC	368 S PATTERSON BLVD DAYTON OH 45402	ACT: 40 EFF: 40	6			120	x	<

BENDER AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451029000032 CONTROL#: 1901010	1290 KAHN AVE 1010	11889 ENT	KUHL DEBORAH K	1290 KAHN AVE HAMILTON OH 45011 4558	ACT: 40 EFF: 40	11	4		90	13 x 8	<
P6451029000033 CONTROL#: 1901011	1295 PARRISH AVE 1011	11901 ENT	FIGHERER INVESTMENT PROPERTIES LLC	620 CRESCENT RD HAMILTON OH 45013 3433	ACT: 40 EFF: 40	18			95	x	<
P6451022000013 CONTROL#: 1901012	1290 PARRISH AVE 1012	11913 ENT	SKIRVIN KIMBERLY A	3801 CITATION DR HAMILTON OH 45011 8012	ACT: 40 EFF: 40				75	18 x 8	<
P6451022000024 CONTROL#: 1901013	2020 BENDER AVE 1013	11925 ENT	STEADMAN BOBBI	2020 BENDER AVE HAMILTON OH 45011 4504	ACT: 40 EFF: 40	7			70	x	<
P6451022000037 CONTROL#: 1901014	1290 CLEARVIEW PL 1014	11937 ENT	FEDERAL NATIONAL MORTGAGE ASSOC.	3900 WISCONSIN AVE NORTHWEST WASHINGTON DC 20016 2892	ACT: 40 EFF: 40	4			55	x	<
P6451022000049 CONTROL#: 1901015	1299 PARKAMO AVE 1015	11949 ENT	TINCHER MICHAEL J CO TR & PATTI A CO TR	1877 HOGUE RD HAMILTON OH 45013 9390	ACT: 40 EFF: 40	2			85	x	<
P6451023000014 CONTROL#: 1901016	1248 PARKAMO AVE 1016	23595 ENT	FREE PENTACOSTAL PATER AVE CHURCH OF GOD INC	1321 PATER AVE HAMILTON OH 45011	ACT: 40 EFF: 40					x	<
P6451023000025 CONTROL#: 1911016	PATER AVE 1016.01	23572 ENT	KING BURTLE B	1275 PATER AVE HAMILTON OH 45011 4537	ACT: 40 EFF: 40					x	<
P6451023000036 CONTROL#: 1921016	2302 BENDER AVE 1016.02	23539 ENT	BOENIG KATHLEEN M TR	112 HAVERSTRAW PL SPRINGBORO OH 45066	ACT: 0 EFF: 0					x	<

BENDER AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451031000030 CONTROL#: 1931016	1304 PATER AVE 1016.03	23571 ENT	PARKER LESTER & BERTHA	1304 PATER AVE HAMILTON OH 45011 4540	ACT: 30 EFF: 30					x	<
P6451031000012 CONTROL#: 1941016	1303 PATER AVE 1016.04	23623 ENT	FREE PENTACOSTAL PATER AVE CHURCH OF GOD INC	1321 PATER AVE HAMILTON OH 45011 4539	ACT: 0 EFF: 0					x	<
P6451031000001 CONTROL#: 1901017	1300 PARKAMO AVE 1017	23596 ENT	HORTON KAREN	1300 PARKAMO AVE HAMILTON OH 45011 4532	ACT: 30 EFF: 30					x	<
P6451030000016 CONTROL#: 1901018	1301 PARKAMO AVE 1018	11950 ENT	PERRY RUSSELL A & VIRGINIA M	1336 PARKAMO AVE HAMILTON OH 45011 4532	ACT: 30 EFF: 30				85	11 x 6	<
P6451030000013 CONTROL#: 1901019	1300 CLEARVIEW PL 1019	11960 ENT	MOSURE DAVID	7893 PLEASANT HILL DR WEST CHESTER OH 45069	ACT: 30 EFF: 30				70	x	<
P6451030000032 CONTROL#: 1901020	1301 CLEARVIEW PL 1020	31998 ENT	STUBBLEFIELD MARY K	1301 CLEARVIEW PL HAMILTON OH 45011 4509	ACT: 90 EFF: 90	8			85	x	<
P6451030000001 CONTROL#: 1901021	PARRISH AVE 1021	11988 ENT	ZION UNITED BAPTIST CHURCH	1300 PARRISH AVE CINCINNATI OH 45241	ACT: 0 EFF: 0	3			70	x	<
P6451029000044 CONTROL#: 1901022	PARRISH AVE 1022	12007 ENT	ROBERTS JEFFERY	1311 PARRISH AVE HAMILTON OH 45011 4535	ACT: 30 EFF: 30	7			80	x	<
P6451029000034 CONTROL#: 1901023	1302 KAHN AVE 1023	12017 ENT	ROJAS HERIBERTO SANDOVAL & RAMIREZ ROJAS BALVINA	1302 KAHN AVE HAMILTON OH 45011 4560	ACT: 30 EFF: 30	18			50	x	<

BENDER AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW		DRIVE LxW	
						4"	6"	7"		6"	7"		
P6451029000014 CONTROL#: 1901024	1301 KAHN AVE 1024	12035 ENT	MCDONALD DAVID	1301 KAHN AVE 13003 HAMILTON OH 45011 4559	ACT: 30 EFF: 30	7	5		100	20 x	7		<
P6451029000003 CONTROL#: 1901025	1300 SHULER AVE 1025	12045 ENT	CHADWELL WANDA J	1300 SHULER AVE HAMILTON OH 45011 4568	ACT: 30 EFF: 30	4			100	16 x	7		<
P6451028000048 CONTROL#: 1901026	1301 SHULER AVE 1026	12063 ENT	FIFTH HERITAGE GROUP III LLC	2338 BRICK HOUSE LN FAIRFIELD OH 45014 4541	ACT: 30 EFF: 30	6			115	4 x	7		<
P6451028000038 CONTROL#: 1901027	1302 HARMON AVE 1027	12073 ENT	HUNT ERIC J	6751 FOREST HILL LN HAMILTON OH 45011 6417	ACT: 30 EFF: 30				95	x			<
P6451028000068 CONTROL#: 1901028	1627 BENDER AVE 1028	31963 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	13	8	8	95	40 x	7	7	< 40

EATON AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411115000056 CONTROL#: <input type="text"/>	EATON AVE	23439 ENT	ONEILL THOMAS P ETAL	622 DAYTON ST HAMILTON OH 45011 3458	ACT: EFF:					x	<
P6411051000084 CONTROL#: <input type="text"/>	EATON AVE	32284 ENT	CITY OF HAMILTON OHIO	345 HIGH ST HAMILTON OH 45011	ACT: EFF:					x	<
P6411051000081 CONTROL#: <input type="text"/>	EATON AVE	20684 W15	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011	ACT: EFF:					x	<
P6411115000055 CONTROL#: <input type="text"/>	839 EATON AVE	23438 ENT	ONEILL THOMAS P ETAL	622 DAYTON ST HAMILTON OH 45011 3458	ACT: EFF:					x	<
P6411117000053 CONTROL#: <input type="text"/>	ARMO AVE	32283 ENT	CITY OF HAMILTON OHIO	345 HIGH ST HAMILTON OH 45011	ACT: EFF:					x	<
P6411115000054 CONTROL#: <input type="text"/>	835 EATON AVE	23437 ENT	KNIGHT GERALD D	835 EATON AVE HAMILTON OH 45013 4603	ACT: EFF:					x	<
P6411115000053 CONTROL#: <input type="text"/>	827 EATON AVE	23436 ENT	NAFE HEIDI A & FRANK	827 EATON AVE HAMILTON OH 45013 4603	ACT: EFF:					x	<
P6411115000052 CONTROL#: <input type="text"/>	825 EATON AVE	23435 ENT	SHOCKEY TERESA F	PO BOX 468 LAKE FOREST IL 60045	ACT: EFF:					x	<
P6411051000082 CONTROL#: <input type="text"/>	EATON AVE	19567 W 3	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011	ACT: EFF:					x	<

EATON AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411052000119 CONTROL#:	EATON AVE <input type="text"/>	23728 W 5	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011	ACT: EFF:					x	<
P6411052000120 CONTROL#:	EATON AVE <input type="text"/>	20701 W15	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011	ACT: EFF:					x	<
P6411052000118 CONTROL#: 1901201	1401 NW WASHINGTON BL <input type="text" value="1201"/>	23728 E 8	HAMBUCO SCHOOLS FEDERAL CREDIT UNION	8811 HOLDEN BLVD FAIRFIELD OH 45014 2109	ACT: EFF:	18			60	x	5 < 25
P6411052000121 CONTROL#: 1901202	998 MARK AVE <input type="text" value="1202"/>	20701 E 6	BOWLING ADAM	998 MARK AVE HAMILTON OH 45013	ACT: 56 EFF: 58	21			25	x	<
P6411051000001 CONTROL#: 1901203	999 MARK AVE <input type="text" value="1203"/>	20684 E 5	ERVIN GREGORY	625 NEW LONDON RD HAMILTON OH 45013 1736	ACT: 54 EFF: 54	19	3		40	25 x 5	<
P6411051000012 CONTROL#: 1901204	1010 EATON AVE <input type="text" value="1204"/>	19567 ENT OF N 429.	1010 EATON AVENUE LLC	4400 DIXIE HWY FAIRFIELD OH 45014 1114	ACT: EFF:	86			460	x	35 < 5
P6411047000002 CONTROL#: 1901205	714 EATON AVE <input type="text" value="1205"/>	18703 ENT	BOARD OF EDUCATION	332 DAYTON ST HAMILTON OH 45011 1635	ACT: EFF:	29			250	x	<
P6411115000057 CONTROL#: 1901206	841 EATON AVE <input type="text" value="1206"/>	23440 ENT	AZBILL NEAL F & VERN M	841 EATON AVE HAMILTON OH 45013 4603	ACT: 50 EFF: 50	3	4		12	14 x 3	<
P6411115000058 CONTROL#: 1901207	845 EATON AVE <input type="text" value="1207"/>	23433 ENT	SHOCK ERIN K	1731 HAMILTON RICHMOND RD HAMILTON OH 45013 1009	ACT: 51 EFF: 51	1	3		45	40 x 3	<

EATON AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6411122000001 CONTROL#: 1901208	855 EATON AVE 1208	23432 ENT CONS W/00	J B WINTERS D O LLC	855 EATON AVE HAMILTON OH 45013 4603	ACT: EFF:	1			40	x	<
P6411122000002 CONTROL#: 1901209	EATON AVE 1209	23431 ENT CONS 122-	J B WINTERS D O LLC	855 EATON AVE HAMILTON OH 45013 4603	ACT: EFF:	1			35	20 x 3	<
P6411122000003 CONTROL#: 1901210	875 EATON AVE 1210	27428 ENT	T & T RENTALS LLC	PO Box 543 ROSS OH 45061 0543	ACT: EFF:	1		2	55	x	3 < 24
P6411122000006 CONTROL#: 1901211	790 N DICK AVE 1211	26138 ENT	LEGG EMILY M	790 N DICK AVE HAMILTON OH 45013 4618	ACT: EFF:	1			75	x	<
P6411122000007 CONTROL#: 1901212	981 EATON AVE 1212	26139 ENT	FLUBS DARI-ETTE LLC	2345 MILLVILLE AVE Suite B HAMILTON OH 45013 4207	ACT: EFF:	13			180	x	80 < 7
P6411123000006 CONTROL#: 1901213	989 EATON AVE 1213	27166 ENT	HUGHES A REED	989 EATON AVE HAMILTON OH 45013 4637	ACT: EFF:	2			30	x	7 < 30
P6411123000005 CONTROL#: 1901214	997 EATON AVE 1214	26141 E15	CONNAUGHTON BRIAN E	2345 MILLVILLE AVE Suite B HAMILTON OH 45013 4207	ACT: EFF:	1			40	x	7 < 25
P6411123000004 CONTROL#: 1901215	1003 EATON AVE 1215	26142 E 1	MESSER TERESA	1003 EATON AVE HAMILTON OH 45013 4639	ACT: EFF:	1			25	x	15 < 7
P6411123000014 CONTROL#: 1901216	1005 EATON AVE 1216	31952 ENT	BOBBY COLLINS PROPERTIES LLC	1005 EATON AVE HAMILTON OH 45013 4639	ACT: EFF:	2			30	x	7 < 28

EATON AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE	
						4"	6"	7"		LxW	LxW
P6411131000026 CONTROL#: 1901217	1009 EATON AVE 1217	26253 N 1 152.28 OF	ONKAR INVESTMENTS LLC	7560 TYLERS VALLEY DR WEST CHESTER OH 45069	ACT: EFF:	4			55	x	7 x 75
P6411131000025 CONTROL#: 1901218	1019 EATON AVE 1218	26606 ENT	ONKAR INVESTMENTS LLC	7560 TYLERS VALLEY DR WEST CHESTER OH 45069	ACT: EFF:				60	x	7 x 95
P6411131000024 CONTROL#: 1901219	1023 EATON AVE 1219	26677 ENT	ALEXANDRIA LTD PRT	11353 REED HARTMAN HWY Suite 400 CINCINNATI OH 45241	ACT: EFF:				35	x	7 x 50
P6411131000023 CONTROL#: 1901220	1043 EATON AVE 1220	26687 ENT	GUIDI SUSAN M & SHELTON LINDA POWELL	30 JOSHUA CT HAMILTON OH 45013 5115	ACT: EFF:				135	x	7 x 90
P6411131000022 CONTROL#: 1901221	1085 EATON AVE 1221	26253 N 1	GUIDI SUSAN M & SHELTON LINDA POWELL	30 JOSHUA CT HAMILTON OH 45013 5115	ACT: EFF:		2	2	60	x	7 x 35
P6411131000021 CONTROL#: 1901222	1095 EATON AVE 1222	26256 ENT	SPEEDWAY SUPERAMERICA LLC	539 S MAIN ST FINDLAY OH 45840 9999	ACT: EFF:				75	x	7 x 62

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451033000016 CONTROL#: 1901307	1032 GRAND BLVD 1307	6647 ENT	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011 4054	ACT: 30 EFF: 30					x	<
P6451033000019 CONTROL#: 1901308	GRAND BLVD 1308	6650 ENT	GARRETT DANNY R	6844 PADUCAH DR HAMILTON OH 45011	ACT: 30 EFF: 30					x	<
P6451033000020 CONTROL#: 1901309	1104 GRAND BLVD 1309	6651 ENT	GARRETT DANNY R	6844 PADUCAH DR HAMILTON OH 45011	ACT: 30 EFF: 30					x	<
P6451033000021 CONTROL#: 1901310	1106 GRAND BLVD 1310	6652 ENT	ANILAZ LLC	8633 BAYMONT PT MASON OH 45040	ACT: 30 EFF: 30					x	<
P6451033000022 CONTROL#: 1901311	1108 GRAND BLVD 1311	6653 ENT	PARKER CRAIG M & CAROLYN D	3189 PRINCETON RD #298 HAMILTON OH 45011	ACT: 30 EFF: 30					x	<
P6451033000023 CONTROL#: 1901312	1110 GRAND BLVD 1312	6654 ENT	WAGERS JOHN B & DEBORAH E	1220 BOYLE RD HAMILTON OH 45013 1822	ACT: 30 EFF: 30					x	<
P6451033000024 CONTROL#: 1901313	1112 GRAND BLVD 1313	6655 ENT	WAHL LISA G	1112 GRAND BLVD HAMILTON OH 45011 4056	ACT: 30 EFF: 30					x	<
P6451033000026 CONTROL#: 1901314	GRAND BLVD 1314	6656 W 16	WAHL LISA G	1112 GRAND BLVD HAMILTON OH 45011 4056	ACT: 16 EFF: 16					x	<
P6451033000027 CONTROL#: 1901315	GRAND BLVD 1315	6656 E 14	CRN PROPERTIES LLC	11711 PRINCETON PIKE Suite 341-331 CINCINNATI OH 45246	ACT: 0 EFF: 0				5	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451033000029 CONTROL#: 1901316	1140 GRAND BLVD 1316	6657 S 87	CRN PROPERTIES LLC	11711 PRINCETON PIKE Suite 341-331 CINCINNATI OH 45246	ACT: 0 EFF: 0	7			15	x	<
P6451034000003 CONTROL#: 1901317	1200 GRAND BLVD 1317	6658 ENT	Y R A DEVELOPMENT CORP	7505 162ND ST FRESH MEADOWS NY 11366 1136	ACT: 0 EFF: 0	11			10	x	<
P6451034000004 CONTROL#: 1901318	GRAND BLVD 1318	6659 ENT	1212 GRAND BLVD LLC	15 HUNTINGTON CT HAMILTON OH 45013 3734	ACT: 0 EFF: 0	2			15	x	<
P6451034000005 CONTROL#: 1901319	1212 GRAND BLVD 1319	6660 ENT	1212 GRAND BLVD LLC	15 HUNTINGTON CT HAMILTON OH 45013 3734	ACT: 0 EFF: 0	7			5	x	<
P6451034000006 CONTROL#: 1901320	1248 GRAND BLVD 1320	6661 ENT CONS W/7	HARSHBARGER ARTHUR II	1236 GRAND BLVD HAMILTON OH 45011 4058	ACT: 0 EFF: 0	4			10	x	<
P6451034000007 CONTROL#: 1901321	1248 GRAND BLVD 1321	6662 ENT CONS W/6	HARSHBARGER ARTHUR II	1236 GRAND BLVD HAMILTON OH 45011 4058	ACT: 0 EFF: 0	4				x	<
P6451034000008 CONTROL#: 1901322	GRAND BLVD 1322	6663 ENT	MAX COLONIAL LLC	3220 DIXIE HWY Suite B FAIRFIELD OH 45014 1101	ACT: 0 EFF: 0				10	x	<
P6451034000009 CONTROL#: 1901323	1258 GRAND BLVD 1323	6664 ENT CONS W/10	MAX COLONIAL LLC	3220 DIXIE HWY Suite B FAIRFIELD OH 45014 1101	ACT: 0 EFF: 0					x	<
P6451034000010 CONTROL#: 1901324	1258 GRAND BLVD 1324	6665 ENT CONS W/9	MAX COLONIAL LLC	3220 DIXIE HWY Suite B FAIRFIELD OH 45014 1101	ACT: 20 EFF: 20	3			10	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW		DRIVE LxW	
						4"	6"	7"		6"	7"		
P6451034000014 CONTROL#: 1901325	1302 GRAND BLVD 1325	6670 ENT	DE GOMEZ EDILBERTA SANCHEZ	1668 S 12TH ST HAMILTON OH 45011 4025	ACT: 21 EFF: 21	5			15	x			<
P6451034000015 CONTROL#: 1901326	1304 GRAND BLVD 1326	6671 W 20	DE GOMEZ EDILBERTA SANCHEZ	1668 S 12TH ST HAMILTON OH 45011 4025	ACT: 20 EFF: 20	2				x			<
P6451034000016 CONTROL#: 1901327	1308 GRAND BLVD 1327	6671 E 10 CONS W/17	JOHNSON DAVID L & HELEN L	1315 CAMPBELL AVE HAMILTON OH 45011 4305	ACT: 21 EFF: 21					x			<
P6451034000017 CONTROL#: 1901328	1308 GRAND BLVD 1328	6672 W 11 CONS W/16	JOHNSON DAVID L & HELEN L	1315 CAMPBELL AVE HAMILTON OH 45011 4305	ACT: 24 EFF: 24	2				x			<
P6451034000018 CONTROL#: 1901329	1312 GRAND BLVD 1329	6672 E 19 CONS W/19	DIEHL IVAN M & KELLY MARIE	1312 GRAND BLVD HAMILTON OH 45011 4000	ACT: 25 EFF: 25					x			<
P6451034000019 CONTROL#: 1901330	1312 GRAND BLVD 1330	6673 W 5 CONS W/18	DIEHL IVAN M & KELLY MARIE	1312 GRAND BLVD HAMILTON OH 45011 4000	ACT: 0 EFF: 0	1			5	x			<
P6451034000020 CONTROL#: 1901331	GRAND BLVD 1331	6673 E 25	OMESH PROPERTIES LLC	1371 GRANITE PEAK WAY MIAMISBURG OH 45342	ACT: 0 EFF: 0	1			5	x			<
P6451034000065 CONTROL#: 1901332	1320 GRAND BLVD 1332	30443 ENT	OMESH PROPERTIES LLC	1371 GRANITE PEAK WAY MIAMISBURG OH 45342	ACT: 0 EFF: 0	12	7	6	95	36 x 6		36 < 7	
P6451034000056 CONTROL#: 1901335	1331 GRAND BLVD 1335	10675 ENT	JOHNSON ROBERT L	1315 GRAND BLVD HAMILTON OH 45011 4059	ACT: 0 EFF: 0	7	2	6	35	25 x 6		25 < 2	

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451034000055 CONTROL#: 1901336	1325 GRAND BLVD 1336	10674 ENT CONS W/54	JOHNSON ROBERT L	1319 GRAND BLVD APT 1 HAMILTON OH 45011 4059	ACT: 0 EFF: 0	2			15	x	<
P6451034000054 CONTROL#: 1901337	1325 GRAND BLVD 1337	10673 ENT CONS W/55	JOHNSON ROBERT L	1319 GRAND BLVD APT 1 HAMILTON OH 45011 4059	ACT: EFF:	2			15	x	<
P6451034000053 CONTROL#: 1901338	GRAND BLVD 1338	10673 W 3	JOHNSON ROBERT L	1319 GRAND BLVD APT 1 HAMILTON OH 45011 4059	ACT: EFF:	1			10	x	<
P6451034000052 CONTROL#: 1901339	1319 GRAND BLVD 1339	10672 ENT	JOHNSON ROBERT L	1319 GRAND BLVD APT 1 HAMILTON OH 45011 4059	ACT: EFF:	12			25	x	<
P6451034000051 CONTROL#: 1901340	1315 GRAND BLVD 1340	10671 ENT	JOHNSON ROBERT L	1319 GRAND BLVD APT 1 HAMILTON OH 45011 4059	ACT: 30 EFF: 30	1			20	x	<
P6451034000050 CONTROL#: 1901341	1311 GRAND BLVD 1341	10670 ENT	ISAACS FRED TR & PATRICIA E TR	1317 DALTON CT FAIRFIELD OH 45014 3307	ACT: 30 EFF: 30	4			25	x	<
P6451034000048 CONTROL#: 1901342	1301 GRAND BLVD 1342	10669 N 9 CONS W/46	GENERATE INVESTMENTS GROUP LLC	865 FRANKLIN ST HAMILTON OH 45013 2513	ACT: EFF:	1			25	x	<
P6451034000046 CONTROL#: 1901343	1301 GRAND BLVD 1343	10668 N 9 CONS W/48	GENERATE INVESTMENTS GROUP LLC	865 FRANKLIN ST HAMILTON OH 45013 2513	ACT: 0 EFF: 0				30	x	<
P6451034000033 CONTROL#: 1901344	1225 GRAND BLVD 1344	10667 N79	BUTLER COUNTY LAND REUTILIZATION CORP	315 HIGH ST 6TH FLOOR HAMILTON OH 45011	ACT: 30 EFF: 30					x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451034000034 CONTROL#: 1901345	GRAND BLVD 1345	10667 W5	THOMPSON ROBERT N & SHEILA R	1223 GRAND BLVD HAMILTON OH 45011 4057	ACT: 5 EFF: 5				5	x	<
P6451034000032 CONTROL#: 1901346	1223 GRAND BLVD 1346	10666 E 2	THOMPSON ROBERT N & SHEILA R	1223 GRAND BLVD HAMILTON OH 45011 4057	ACT: 30 EFF: 30	2			10	x	<
P6451034000031 CONTROL#: 1901347	1221 GRAND BLVD 1347	10666 W 5 CONS W/30	HARPER MARGARET S	1221 GRAND BLVD HAMILTON OH 45011 4057	ACT: EFF:	1			5	x	<
P6451034000030 CONTROL#: 1901348	1221 GRAND BLVD 1348	10665 ENT CONS W/31	HARPER MARGARET S	1221 GRAND BLVD HAMILTON OH 45011 4057	ACT: 35 EFF: 35				20	x	<
P6451034000029 CONTROL#: 1901349	1219 GRAND BLVD 1349	10664 ENT	SWOPE EDWIN V	629 MILLVILLE OXFORD RD HAMILTON OH 45013 4303	ACT: 30 EFF: 30	1			10	x	<
P6451034000028 CONTROL#: 1901350	1215 GRAND BLVD 1350	10663 ENT	BUTLER COUNTY LAND REUTILIZATION CORP	315 HIGH ST 6TH FLOOR HAMILTON OH 45011	ACT: 30 EFF: 30	1			10	x	<
P6451034000027 CONTROL#: 1901351	1209 GRAND BLVD 1351	10662 ENT	WEISLOGEL JOHN	1205 GRAND BLVD HAMILTON OH 45011 4057	ACT: 30 EFF: 30	4			15	x	<
P6451034000026 CONTROL#: 1901352	1205 GRAND BLVD 1352	10661 ENT	WEISLOGEL JOHN	1205 GRAND BLVD HAMILTON OH 45011 4057	ACT: 30 EFF: 30	3			10	x	<
P6451034000025 CONTROL#: 1901353	1201 GRAND BLVD 1353	10660 ENT	BISSON MICHAEL A & VICKI J	1201 GRAND BLVD HAMILTON OH 45011 4057	ACT: 0 EFF: 0	2			15	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451033000048 CONTROL#: 1901354	1133 GRAND BLVD 1354	10659 ENT	TAYLOR KYLE D	972 SHULER AVE HAMILTON OH 45011 4462	ACT: 35 EFF: 35	1			10	x	<
P6451033000047 CONTROL#: 1901355	1129 GRAND BLVD 1355	10658 ENT	CUEVAS PEDRO & VELOZ ALBALINA	1113 GRAND BLVD HAMILTON OH 45011 4055	ACT: 30 EFF: 30				5	x	<
P6451033000046 CONTROL#: 1901356	1125 GRAND BLVD 1356	10657 ENT	JOHNSON JESSIE L	1125 GRAND BLVD HAMILTON OH 45011 4055	ACT: 30 EFF: 30					x	<
P6451033000045 CONTROL#: 1901357	1121 GRAND BLVD 1357	10656 ENT	FIFTH HERITAGE GROUP III LLC	2338 BRICK HOUSE LN FAIRFIELD OH 45014 4541	ACT: 30 EFF: 30					x	<
P6451033000044 CONTROL#: 1901358	1117 GRAND BLVD 1358	10655 ENT	RAMIREZ RICARDO	1117 GRAND BLVD HAMILTON OH 45011 4055	ACT: 30 EFF: 30					x	<
P6451033000043 CONTROL#: 1901359	1113 GRAND BLVD 1359	10654 ENT	BROWN CAROLYN S	722 WILLIAMS AVE HAMILTON OH 45015 1161	ACT: 30 EFF: 30					x	<
P6451033000042 CONTROL#: 1901360	GRAND BLVD 1360	10653 ENT	PEREZ FRANCISCO E	908 NOYES AVE HAMILTON OH 45015 2030	ACT: 30 EFF: 30					x	<
P6451033000041 CONTROL#: 1901361	1107 GRAND BLVD 1361	10652 ENT	PEREZ FRANCISCO E	908 NOYES AVE HAMILTON OH 45015 2030	ACT: 30 EFF: 30					x	<
P6451033000040 CONTROL#: 1901362	1101 GRAND BLVD 1362	10651 ENT	DENNIS ROGER	PO BOX 13018 HAMILTON OH 45013 0136	ACT: 30 EFF: 30					x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451033000039 CONTROL#: 1901363	1035 GRAND BLVD 1363	10650 ENT	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011 5673	ACT: 65 EFF: 39					x	<
P6451027000004 CONTROL#: 1901401	1550 GRAND BLVD 1401	11281 SW	THORNTONS INC	2600 JAMES THORNTON WAY LOUISVILLE KY 40245	ACT: EFF:	10		7	155	x	5 < 60
P6451027000006 CONTROL#: 1901402	1550 GRAND BLVD 1402	32097 ENT	BURCHFIELD DIEBOLD LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: EFF:	28		5	250	x	5 < 99
US DOT Number 524 07617 CONTROL#: 1921402	US DOT Number 524976V 1402.1	524976V	NORFOLK SOUTHERN COMBINED	110 FRANKLIN SE RD BOX 28 ROANOKE VA 24042 0028	ACT: EFF:	4				x	<
US DOT Number 524 07617 CONTROL#: 1931402	US DOT Number 524976V 1402.3	524976V	NORFOLK SOUTHERN COMBINED	110 FRANKLIN SE RD BOX 28 ROANOKE VA 24042 0028	ACT: EFF:	3				x	<
P6451035000005 CONTROL#: 1901403	1400 S ERIE BLVD 1403	31878 ENT SEE TIF P	EXCHANGERIGHT NET LEASED PORTFOLIO 12 DST	PO BOX 60308 PASADENA CA 91116	ACT: EFF:	10		7	100	x	5 < 25

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451031000059 CONTROL#:	GRAND BLVD <input type="text"/>	23555 E 1	JOHNSON SHIRLEY A	2320 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451031000053 CONTROL#:	GRAND BLVD <input type="text"/>	23560 ENT	TURNER MARGARET	2306 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451031000055 CONTROL#:	2312 GRAND BLVD <input type="text"/>	23558 ENT	EGELSTON VIDA JOYCE	2310 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451031000058 CONTROL#:	GRAND BLVD <input type="text"/>	23555 W 2	JOHNSON SHIRLEY	2320 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451031000057 CONTROL#:	2318 GRAND BLVD <input type="text"/>	23556 ENT	JOHNSON SHIRLEY	2320 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451031000054 CONTROL#:	2310 GRAND BLVD <input type="text"/>	23559 ENT	EGELSTON VIDA JOYCE	2310 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451031000056 CONTROL#:	2314 GRAND BLVD <input type="text"/>	23557 ENT	DEPEW DONALD G & HEATHER N	2314 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451031000060 CONTROL#:	2320 GRAND BLVD <input type="text"/>	23554 ENT	JOHNSON SHIRLEY A	2320 GRAND BLVD HAMILTON OH 45011 4520	ACT: EFF:					x	<
P6451028000034 CONTROL#: 1901501	GRAND BLVD <input type="text" value="1501"/>	12104 S 8	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	1			15	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451028000035 CONTROL#: 1901502	GRAND BLVD 1502	12103 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	3			30	x	<
P6451028000036 CONTROL#: 1901503	GRAND BLVD 1503	12102 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	4			25	x	<
P6451028000037 CONTROL#: 1901504	1614 GRAND BLVD 1504	12101 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0				15	x	<
P6451028000059 CONTROL#: 1901505	HARMON AVE 1505	12090 ENT CONS W/60	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	2		4	30	x	5 < 10
P6451028000060 CONTROL#: 1901506	HARMON AVE 1506	12089 ENT CONS W/59	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: EFF:			5	30	x	5 < 10
P6451028000061 CONTROL#: 1901507	HARMON AVE 1507	12088 ENT CONS W/59	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: EFF:	4			15	x	<
P6451028000062 CONTROL#: 1901508	1740 GRAND BLVD 1508	12087 ENT	GUEL JOSE A & MARIA E	1740 GRAND BLVD HAMILTON OH 45011 4546	ACT: 30 EFF: 30	2			25	x	<
P6451028000063 CONTROL#: 1901509	1750 GRAND BLVD 1509	12086 ENT	GUEL JOSE A & MARIA E	1740 GRAND BLVD HAMILTON OH 45011 4546	ACT: 0 EFF: 0	10			30	x	<
P6451028000064 CONTROL#: 1901510	1760 GRAND BLVD 1510	12085 ENT	WHITE JAMES E & DOROTHY A	PO BOX 181288 FAIRFIELD OH 45018 1405	ACT: 0 EFF: 0	5			15	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451028000065 CONTROL#: 1901511	1788 GRAND BLVD 1511	12084 ENT	WHITE JAMES E & DOROTHY A	PO BOX 181288 FAIRFIELD OH 45018 1405	ACT: 0 EFF: 0	1			30	x	<
P6451028000066 CONTROL#: 1901512	1788 GRAND BLVD 1512	12083 ENT	WHITE JAMES E & DOROTHY A	PO BOX 181288 FAIRFIELD OH 45018 1405	ACT: 0 EFF: 0	5				x	<
P6451029000064 CONTROL#: 1901513	1808 GRAND BLVD 1513	29253 ENT	MULTINICKS INC	241 HEATHWOOD LN HAMILTON OH 45013 4026	ACT: 0 EFF: 0	5		3	50	x	7 < 10
P6451029000027 CONTROL#: 1901514	1812 GRAND BLVD 1514	12060 ENT	WONDRELY JARED M	1812 GRAND BLVD HAMILTON OH 45011 4548	ACT: 30 EFF: 30				10	x	<
P6451029000028 CONTROL#: 1901515	1816 GRAND BLVD 1515	12059 ENT	CSC INVESTMENT PROPERTIES LLC	639 HIGH ST HAMILTON OH 45011 6004	ACT: 30 EFF: 30	2			15	x	<
P6451029000029 CONTROL#: 1901516	1820 GRAND BLVD 1516	12058 ENT	CSC INVESTMENT PROPERTY LLC	639 HIGH ST HAMILTON OH 45011 6004	ACT: 30 EFF: 30	8			15	x	<
P6451029000030 CONTROL#: 1901517	1826 GRAND BLVD 1517	12057 ENT	TILTON CHERYL	1826 GRAND BLVD HAMILTON OH 45011 4548	ACT: 30 EFF: 30				25	x	<
P6451029000031 CONTROL#: 1901518	1836 GRAND BLVD 1518	27286 ENT	STEVENS JENNIFER	1836 GRAND BLVD HAMILTON OH 45011 4548	ACT: 71 EFF: 71	3			50	x	<
P6451029000054 CONTROL#: 1901519	1900 GRAND BLVD 1519	12034 W 3	CSC INVESTMENT PROPERTY LLC	639 HIGH ST HAMILTON OH 45011 6004	ACT: 35 EFF: 34	5			20	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451029000055 CONTROL#: 1901520	GRAND BLVD 1520	12034 E 6 CONS W/56	COOK CHRISTIAN M	1910 GRAND BLVD HAMILTON OH 45011 4512	ACT: 3 EFF: 4	2			10	x	<
P6451029000057 CONTROL#: 1901521	1910 GRAND BLVD 1521	12033 ENT	COOK CHRISTIAN M	1910 GRAND BLVD HAMILTON OH 45011 4512	ACT: 30 EFF: 30				25	x	<
P6451029000058 CONTROL#: 1901522	1912 GRAND BLVD 1522	12032 ENT	GONZALEZ PEREZ JESUS	2378 BRICK HOUSE LN FAIRFIELD OH 45014 4541	ACT: 30 EFF: 30	8			15	x	<
P6451029000059 CONTROL#: 1901523	1920 GRAND BLVD 1523	12031 ENT	TANNER ROBERT M & YVONNE	1920 GRAND BLVD HAMILTON OH 45011 4512	ACT: 30 EFF: 30	4			15	x	<
P6451029000060 CONTROL#: 1901524	1920 GRAND BLVD 1524	12030 ENT	TANNER ROBERT M & YVONNE	1920 GRAND BLVD HAMILTON OH 45011 4512	ACT: 30 EFF: 30	2			15	x	<
P6451029000061 CONTROL#: 1901525	1926 GRAND BLVD 1525	12029 ENT	ISAACS FRED TR & PATRICIA E TR	1317 DALTON CT FAIRFIELD OH 45014 3307	ACT: 30 EFF: 30	6			30	x	<
P6451029000062 CONTROL#: 1901526	1980 GRAND BLVD 1526	12028 ENT	SCHAEFER TIMOTHY E TR ETAL	9454 OLD HICKORY RD BROOKVILLE IN 47012 9032	ACT: 30 EFF: 30	5			30	x	<
P6451029000063 CONTROL#: 1901527	1990 GRAND BLVD 1527	12027 ENT	HELTON DONALD & KAREN	6200 PLEASANT AVE Suite 1 FAIRFIELD OH 45014 4671	ACT: 41 EFF: 41	6			20	x	<
P6451030000012 CONTROL#: 1901528	2020 GRAND BLVD 1528	26852 ENT	BOYS CLUB OF HAMILTON INC	2020 GRAND BLVD HAMILTON OH 45011	ACT: 0 EFF: 0	22		2	145	x	8 < 30

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW		DRIVE LxW
						4"	6"	7"		6"	7"	
P6451030000031 CONTROL#: 1901529	2198 GRAND BLVD 1529	29466 ENT	HICKS R KERRY	1400 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: 0 EFF: 0	7		6	105	x	8	< 52
P6451031000023 CONTROL#: 1901530	2206 GRAND BLVD 1530	23606 ENT	BURCHFIELD WILLIAM N TR	40 BRACKEN PL FAIRFIELD OH 45014 4537	ACT: 0 EFF: 0	2			15	x		<
P6451031000024 CONTROL#: 1901531	2206 GRAND BLVD 1531	23607 ENT	BURCHFIELD WILLIAM N TR	40 BRACKEN PL FAIRFIELD OH 45014 4537	ACT: 0 EFF: 0				30	x	10	< 35
P6451031000025 CONTROL#: 1901532	2210 GRAND BLVD 1532	23608 ENT	BURCHFIELD WILLIAM N TR	40 BRACKEN PL FAIRFIELD OH 45014 4537	ACT: 0 EFF: 0					x		<
P6451031000026 CONTROL#: 1901533	2212 GRAND BLVD 1533	23609 ENT	BLEVINS DOROTHY L	7010 MORRIS RD HAMILTON OH 45011 5426	ACT: 30 EFF: 30	7				x		<
P6451031000027 CONTROL#: 1901534	2214 GRAND BLVD 1534	23610 ENT	KEOWEE RENTAL PROPERTIES LLC	1371 GRANITE PEAK WAY MIAMISBURG OH 45342	ACT: 30 EFF: 30		4		15	12 x	10	<
P6451031000028 CONTROL#: 1901535	2216 GRAND BLVD 1535	23611 ENT	BLEVINS JUANITA F	2217 GRAND BLVD HAMILTON OH 45011 4517	ACT: 30 EFF: 30	4				x		<
P6451031000029 CONTROL#: 1901536	2218 GRAND BLVD 1536	23612 ENT	BLEVINS JUANITA F TR	2217 GRAND BLVD HAMILTON OH 45011 4517	ACT: 0 EFF: 0	2			30	30 x	12	<
P6451031000022 CONTROL#: 1901537	2220 GRAND BLVD 1537	23613 ENT	BLEVINS JUANITA F TR	2220 GRAND BLVD HAMILTON OH 45011 4518	ACT: 41 EFF: 41	6				x		<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451031000052 CONTROL#: 1901538	2306 GRAND BLVD 1538	23561 ENT	TURNER MARGARET	2306 GRAND BLVD HAMILTON OH 45011 4520	ACT: 41 EFF: 41					x	<
P6451039000030 CONTROL#: 1901539	2225 GRAND BLVD 1539	23642 ENT	JONATHAN SMITH INVESTMENT PROPERTIES LLC	5685 NEWTONSVILLE RD BATAVIA OH 45103	ACT: 50 EFF: 50					x	<
P6451039000029 CONTROL#: 1901540	2221 GRAND BLVD 1540	23641 ENT	ISAACS JOSEPH P SR & RHONDA J	4545 TRENTON RD HAMILTON OH 45011	ACT: 50 EFF: 50				20	12 x 12	<
P6451039000028 CONTROL#: 1901541	2219 GRAND BLVD 1541	23640 ENT	HAZELWOOD FERNDALE	2219 GRAND BLVD HAMILTON OH 45011 4517	ACT: 50 EFF: 50				30	24 x 12	<
P6451039000027 CONTROL#: 1901542	2217 GRAND BLVD 1542	23639 ENT	BLEVINS JUANITA F TR	2217 GRAND BLVD HAMILTON OH 45011 4517	ACT: 50 EFF: 50				25	18 x 12	<
P6451039000100 CONTROL#: 1901543	2201 GRAND BLVD 1543	31954 ENT	STEWART KENNETH C	5023 W SCIOTO DR FAIRFIELD OH 45014 1560	ACT: 0 EFF: 0				135	135 x 12	<
P6451038000060 CONTROL#: 1901544	2135 GRAND BLVD 1544	12298 ENT	WYNN JOSHUA D	2135 GRAND BLVD HAMILTON OH 45011 4515	ACT: 41 EFF: 41					x	<
P6451038000059 CONTROL#: 1901545	GRAND BLVD 1545	12297 ENT	WYNN JOSHUA D	2135 GRAND BLVD HAMILTON OH 45011 4515	ACT: 30 EFF: 30	4			30	x	<
P6451038000058 CONTROL#: 1901546	2131 GRAND BLVD 1546	12296 ENT	RAINS COYT F TR OF TESTAMENTARY TRUST PERSUANT TO WILL	1028 WESLEYAN DR FAIRFIELD OH 45014 2840	ACT: 30 EFF: 30	4			15	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451038000057 CONTROL#: 1901547	2125 GRAND BLVD 1547	12295 ENT	ULLRICH REI LLC	PO BOX 1272 WEST CHESTER OH 45071 1179	ACT: 30 EFF: 30	3			15	x	<
P6451038000056 CONTROL#: 1901548	2121 GRAND BLVD 1548	12294 ENT	LOBO PROPERTIES LLC	175 SECURITY DR FAIRFIELD OH 45014 4246	ACT: 30 EFF: 30	4			20	x	<
P6451038000055 CONTROL#: 1901549	2120 GRAND BLVD 1549	12293 ENT	ROBERTS JAMES A	2109 GRAND BLVD HAMILTON OH 45011 4515	ACT: 30 EFF: 30	2			15	x	<
P6451038000054 CONTROL#: 1901550	2109 GRAND BLVD 1550	12292 ENT	ROBERTS JAMES A	2109 GRAND BLVD HAMILTON OH 45011 4515	ACT: 30 EFF: 30	4			15	x	<
P6451038000053 CONTROL#: 1901551	2105 GRAND BLVD 1551	12291 ENT	CSC INVESTMENT PROPERTY LLC	639 HIGH ST HAMILTON OH 45011 6004	ACT: 41 EFF: 41	5			30	x	<
P6451038000014 CONTROL#: 1901552	2083 GRAND BLVD 1552	12254 N 6	MEADOWS DOMAIN LLC	330 IMPERIAL DR HAMILTON OH 45013 6630	ACT: 35 EFF: 35	2			10	x	<
P6451038000012 CONTROL#: 1901553	GRAND BLVD 1553	12253 N 6	MEADOWS DOMAIN LLC	330 IMPERIAL DR HAMILTON OH 45013 6630	ACT: 30 EFF: 30	7			25	x	<
P6451038000010 CONTROL#: 1901554	GRAND BLVD 1554	12252 N 6	MEADOWS DOMAIN LLC	330 IMPERIAL DR HAMILTON OH 45013 6630	ACT: 30 EFF: 30	5			10	x	<
P6451038000009 CONTROL#: 1901555	2063 GRAND BLVD 1555	12251 ENT & 1/2 VAC	BUTLER COUNTY LAND REUTILIZATION CORP	315 HIGH ST 6TH FLOOR HAMILTON OH 45011	ACT: 30 EFF: 30	1			20	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451038000008 CONTROL#: 1901556	2065 GRAND BLVD 1556	12250 E 2 & 1/2 VAC	BUTLER COUNTY LAND REUTILIZATION CORP	315 HIGH ST 6TH FLOOR HAMILTON OH 45011	ACT: 20 EFF: 20	5			20	x	<
P6451038000007 CONTROL#: 1901557	GRAND BLVD 1557	12250 W 1	MATHIS ANTONIO	6229 SKYLINE DR WEST CHESTER OH 45069 1920	ACT: 10 EFF: 10					x	<
P6451038000006 CONTROL#: 1901558	2015 GRAND BLVD 1558	12249 ENT	MATHIS ANTONIO	6229 SKYLINE DR WEST CHESTER OH 45069 1920	ACT: 30 EFF: 30	3			20	x	<
P6451038000005 CONTROL#: 1901559	GRAND BLVD 1559	12248 E 1	MATHIS ANTONIO	6229 SKYLINE DR WEST CHESTER OH 45069 1920	ACT: 16 EFF: 16	1			10	x	<
P6451038000004 CONTROL#: 1901560	GRAND BLVD 1560	12248 W 1	VANCE TANYA S	2001 GRAND BLVD HAMILTON OH 45011 4513	ACT: 14 EFF: 14	1			10	x	<
P6451038000003 CONTROL#: 1901561	GRAND BLVD 1561	12247 ENT	VANCE TANYA S	2001 GRAND BLVD HAMILTON OH 45011 4513	ACT: 26 EFF: 26	2			10	x	<
P6451038000002 CONTROL#: 1901562	2001 GRAND BLVD 1562	12247 W 4	VANCE TANYA S	2001 GRAND BLVD HAMILTON OH 45011 4513	ACT: 4 EFF: 4				5	x	<
P6451038000001 CONTROL#: 1901563	2001 GRAND BLVD 1563	12246 ENT	VANCE TANYA S	2001 GRAND BLVD HAMILTON OH 45011 4513	ACT: 36 EFF: 36	2	1		25	x	<
P6451037000055 CONTROL#: 1901564	1985 GRAND BLVD 1564	12209 ENT	GARCIA SAMANO ARACELY	375 RINGLING ST HAMILTON OH 45011 2601	ACT: 41 EFF: 41	2			30	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451037000054 CONTROL#: 1901565	1975 GRAND BLVD 1565	12208 ENT	RAINS COYT F & CAROLYN A	289 N ERIE HWY HAMILTON OH 45011 4211	ACT: 30 EFF: 30	2			25	12 x 7	<
P6451037000053 CONTROL#: 1901566	1953 GRAND BLVD 1566	12207 ENT	BRANDI L PROPERTIES LLC	700 WESSEL DR PO Box #18963 FAIRFIELD OH 45018 1248	ACT: 30 EFF: 30	4			20	x	<
P6451037000052 CONTROL#: 1901567	1935 GRAND BLVD 1567	12206 ENT	POWELL JESSE WM	1935 GRAND BLVD HAMILTON OH 45011 4511	ACT: 30 EFF: 30	6			15	x	<
P6451037000051 CONTROL#: 1901568	1921 GRAND BLVD 1568	12205 ENT	FELIPE JUAN ESTRADA & RAMIREZ MARIBEL RICO	1921 GRAND BLVD HAMILTON OH 45011 4511	ACT: 30 EFF: 30	8			10	x	<
P6451037000050 CONTROL#: 1901569	1915 GRAND BLVD 1569	12204 ENT	HALCOMB BILLY G & MARY	1259 JAMES RD HAMILTON OH 45013 3910	ACT: 30 EFF: 30	3			20	x	<
P6451037000049 CONTROL#: 1901570	1911 GRAND BLVD 1570	12203 ENT	QUINLAN HELEN H	1911 GRAND BLVD HAMILTON OH 45011 4511	ACT: 30 EFF: 30	4			15	x	<
P6451037000048 CONTROL#: 1901571	1907 GRAND BLVD 1571	12202 ENT	GENCORP PROPERTIES LLC	1160 BLACK RD HAMILTON OH 45013 9607	ACT: 41 EFF: 41	3			20	x	<
P6451037000009 CONTROL#: 1901572	1445 KAHN AVE 1572	12165 ENT	BERRIOS CERRATO JULIAN MISAEEL & VALENTIN JENNIFER J GOMEZ	3241 SPRINGVIEW DR HAMILTON OH 45011	ACT: 41 EFF: 41	1			25	x	<
P6451037000008 CONTROL#: 1901573	1831 GRAND BLVD 1573	12164 ENT	4D MANAGEMENT HOLDINGS INC	6290 MCLEOD DR LAS VEGAS NV 89120	ACT: 30 EFF: 30	5			20	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451037000007 CONTROL#: 1901574	GRAND BLVD 1574	12163 E 1	4D MANAGEMENT HOLDINGS INC	6290 MCLEOD DR LAS VEGAS NV 89120	ACT: 15 EFF: 15				10	x	<
P6451037000006 CONTROL#: 1901575	GRAND BLVD 1575	12163 W 1	GARRETT ROY E	1821 GRAND BLVD HAMILTON OH 45011 4547	ACT: 15 EFF: 15	2			5	x	<
P6451037000005 CONTROL#: 1901576	1821 GRAND BLVD 1576	12162 ENT	TAYLOR MICHAEL S & RONALD J	1821 GRAND BLVD HAMILTON OH 45011 4547	ACT: 30 EFF: 30	2			10	x	<
P6451037000004 CONTROL#: 1901577	1815 GRAND BLVD 1577	12161 ENT	PARKER CORY J	1104 BROUGH AVE HAMILTON OH 45015 1865	ACT: 30 EFF: 30	2			15	x	<
P6451037000003 CONTROL#: 1901578	1811 GRAND BLVD 1578	12160 ENT	WITHEROW ROBERT L & BETH A	PO BOX 284 COEUR D ALENE ID 83816	ACT: 30 EFF: 30	8			15	x	<
P6451037000002 CONTROL#: 1901579	1805 GRAND BLVD 1579	12159 ENT	JUST AN ORDINARY LLC	5463 HEADGATES RD HAMILTON OH 45011 2044	ACT: 0 EFF: 0	4			10	x	<
P6451037000001 CONTROL#: 1901580	1801 GRAND BLVD 1580	12158 ENT	JUST ONE PROPERTY LLC	5463 HEADGATES RD HAMILTON OH 45011 2044	ACT: 0 EFF: 0	5			20	x	<
P6451036000016 CONTROL#: 1901581	1755 GRAND BLVD 1581	12118 ENT	FRANKENFIELD RICHARD D	1755 GRAND BLVD HAMILTON OH 45011 4545	ACT: 0 EFF: 0	2			10	x	<
P6451036000015 CONTROL#: 1901582	1749 GRAND BLVD 1582	12117 ENT	NGUYEN KHIEM & PHAM LANH	11750 ROSE LN CINCINNATI OH 45246 2314	ACT: 0 EFF: 0	2			5	x	<

GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451036000014 CONTROL#: 1901583	1749 GRAND BLVD 1583	12116 E 2	NGUYEN KHIEM & PHAM LANH	11750 ROSE LN CINCINNATI OH 45246 2314	ACT: 0 EFF: 0				15	x	<
P6451036000013 CONTROL#: 1901584	GRAND BLVD 1584	12116 W 5	HARRISON NANCY SUE & WILLIAM M TRS	6138 BECKETT STATION CT WEST CHESTER OH 45069 3194	ACT: 5 EFF: 5		1		5	x	<
P6451036000012 CONTROL#: 1901585	1745 GRAND BLVD 1585	12116 W 5 CONS W/11	HARRISON NANCY SUE & WILLIAM M TRS	6138 BECKETT STATION CT WEST CHESTER OH 45069 3194	ACT: EFF:		1		5	x	<
P6451036000011 CONTROL#: 1901586	1745 GRAND BLVD 1586	12115 ENT CONS W/12	HARRISON NANCY SUE & WILLIAM M TRS	6138 BECKETT STATION CT WEST CHESTER OH 45069 3194	ACT: 35 EFF: 35	3			10	x	<
P6451036000010 CONTROL#: 1901587	1735 GRAND BLVD 1587	12114 ENT	SNYDER LORETTA	8385 COX RD WEST CHESTER OH 45069 2701	ACT: 30 EFF: 30	7				x	<
P6451036000009 CONTROL#: 1901588	1725 GRAND BLVD 1588	12113 ENT	SNYDER LORETTA	8385 COX RD WEST CHESTER OH 45069 2701	ACT: 0 EFF: 0	10			5	x	<
P6451036000008 CONTROL#: 1901589	1723 GRAND BLVD 1589	12112 ENT	WALDEN CHARLES & VERONICA J	1723 GRAND BLVD HAMILTON OH 45011 4545	ACT: 30 EFF: 30				15	x	<
P6451036000007 CONTROL#: 1901590	1721 GRAND BLVD 1590	12111 ENT	PARTIN EUGENE L JR	1721 GRAND BLVD HAMILTON OH 45011 4545	ACT: 30 EFF: 30	3			20	x	<
P6451036000006 CONTROL#: 1901591	1715 GRAND BLVD 1591	26405 ENT	BURCHFIELD WILLIAM N & DIANE M	1631 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	2	1		35	x	<

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GRAND BLVD

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT LIN.FT	DRIVE LxW	
						4"	6"	7"		6"	7"
P6451036000005 CONTROL#: 1901592	1711 GRAND BLVD 1592	12109 W 6 CONS W/4	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 2 EFF: 2			2	10	x	<
P6451036000004 CONTROL#: 1901593	1711 GRAND BLVD 1593	12108 ENT CONS W/5	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 36 EFF: 36	1			25	x	<
P6451036000003 CONTROL#: 1901594	1703 GRAND BLVD 1594	12107 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	3			25	x	5 < 24
P6451036000002 CONTROL#: 1901595	1703 GRAND BLVD 1595	12106 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	8			10	x	5 < 5
P6451036000001 CONTROL#: 1901596	1703 GRAND BLVD 1596	12105 ENT	BURCHFIELD I LLC	1627 BENDER AVE HAMILTON OH 45011 4541	ACT: 0 EFF: 0	9			20	x	5 < 16

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HIGH ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS 4" Medallion	CRB/GUT LIN.FT	BRICK LxW	DRIVE LxW 7"
P6421001000036 CONTROL#: 19001103	HIGH ST 2103		CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		2	5	x	<
P6421001000035 CONTROL#: 1901104	HIGH ST 2104	250 E 19	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		2		x	<
P6421001000034 CONTROL#: 1901105	HIGH ST 2105	250 E19 O	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		5	1	2 x 2	<
P6421001000033 CONTROL#: 1901106	HIGH ST 2106	250 W 19	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		1		x	<
P6421001000032 CONTROL#: 1901107	20 HIGH ST 2107	250 E19 & CONS W/19	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		1	1	2 x 10	<
P6421001000031 CONTROL#: 1901108	HIGH ST 2108	246 W25 & CONS W/32	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011				3 x 3	<
P6421001000030 CONTROL#: 1901109	HIGH ST 2109	246 E20 O CONS W/29	CITY OF HAMILTON OHIO	345 HIGH ST HAMILTON OH 45011				3 x 3	<
P6421001000029 CONTROL#: 1901110	40 HIGH ST 2110	246 W29 O CONS W/30	CITY OF HAMILTON OHIO	345 HIGH ST SUITE 730 HAMILTON OH 45011 6055				x	<
P6421001000028 CONTROL#: 1901111	HIGH ST 2111	246 E21 CONS W/17	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		1	10	2 x 5	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
HIGH ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS 4" Medallion	CRB/GUT LIN.FT	BRICK LxW	DRIVE LxW 7"
P6421002000085 CONTROL#: 1901112	130 HIGH ST 2112	27076 S 8	COUNTY OF BUTLER	315 HIGH ST FLOOR 6 HAMILTON OH 45011 2761		3	8	3 x 20	<
P6421002000036 CONTROL#: 1901113	150 HIGH ST 2113	27075 ENT	CORE 150 HIGH LLC	236 HIGH ST HAMILTON OH 45011 2711		3	4	x	<
P6421002000037 CONTROL#: 1901114	202 HIGH ST 2114	111 SW40	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011				3 x 6	<
P6421002000038 CONTROL#: 1901115	208 HIGH ST 2115	111 E 20	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		5	2	x	<
P6421002000039 CONTROL#: 1901116	212 HIGH ST 2116	111 W20 O	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		1	3	x	<
P6421002000040 CONTROL#: 1901117	214 HIGH ST 2117	111 E20 O	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011 2711		2	1	4 x 3	<
P6421002000100 CONTROL#: 1901118	HIGH ST 2118	32069 ENT	HAMILTON ARTSPACE LOFTS REAL ESTATE LLC	250 THIRD AVENUE NORTH Suite 400 MINNEAPOLIS MN 55401		1	1	x	<
P6421002000061 CONTROL#: 1901119	218 HIGH ST 2119	27048 ENT SEE ABATE	HAMILTON ARTSPACE LOFTS LTD PRTS	250 THIRD AVENUE NORTH Suite 500 MINNEAPOLIS MN 55401		1	4	3 x 12	<
P6421002000064 CONTROL#: 1901120	226 HIGH ST 2120	113 W 55.	CITY OF HAMILTON OHIO	345 HIGH ST SUITE 730 HAMILTON OH 45011 6055		1	4	x	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
HIGH ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS 4" Medallion	CRB/GUT LIN.FT	BRICK LxW	DRIVE LxW 7"
P6421002000094 CONTROL#: 1901121	228 HIGH ST 2121	31195 ENT SEE TIF P	HISTORIC DEVELOPERS LLC	7349 NE RAVENNA AVE LOUISVILLE OH 44641 9788		1 2		1 x 41	<
P6421002000079 CONTROL#: 1901122	246 HIGH ST 2122	114 W 45.	246 HIGH PRT	246 HIGH ST HAMILTON OH 45011 2711		3		x	<
P6421002000082 CONTROL#: 1901123	250 HIGH ST 2123	114 W 28	CIONG LLC	250 HIGH S ST HAMILTON OH 45011 4522			5	x	<
P6421002000083 CONTROL#: 1901124	254 HIGH ST 2124	114 E 25 SEE ABATE	VALLANDINGHAM DAVID & SARA	7 NORTH THIRD ST HAMILTON OH 45011 2708			8	2 x 15	<
P6441010000077 CONTROL#: 1901125	300 HIGH ST 2125	29249 ENT	FIRST NATIONAL BANK OF SW OHIO	255 E 5TH ST SUITE 900 CINCINNATI OH 45202 4700		8 1	35	1 x 410	<
P6441010000016 CONTROL#: 1901126	332 HIGH ST 2126	116 5.40 CONS W/ 0	HYHO LLC	6 S SECOND ST Suite 311 HAMILTON OH 45011		3		x	<
P6441010000017 CONTROL#: 1901127	332 HIGH ST 2127	117 W26 O CONS W/ 0	HYHO LLC	6 S SECOND ST Suite 311 HAMILTON OH 45011		1 2		x	<
P6441010000076 CONTROL#: 1901128	344 HIGH ST 2128	29250 ENT	FIRST NATIONAL BK OF SW OHIO	255 E 5TH ST SUITE 900 CINCINNATI OH 45202 4700		11	5	x	<
P6441010000075 CONTROL#: 1901129	350 HIGH ST 2129	29128 ENT	FIRST NATIONAL BANK OF SE OHIO	255 E 5TH ST SUITE 900 CINCINNATI OH 45202 4700		4	5	3 x 10	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
HIGH ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS 4" Medallion	CRB/GUT LIN.FT	BRICK LxW	DRIVE LxW 7"
P6441010000023 CONTROL#: 1901130	358 HIGH ST 2130	118 E 47.	CITY OF HAMILTON	345 HIGH ST HAMILTON OH 45011		2 2	10	3 x 3	<
P6441010000079 CONTROL#: 1901131	HIGH ST 2131	30127 NE	HAMILTON COMMUNITY AUTHORITY	345 HIGH ST HAMILTON OH 45011 6055			25	130 x 5	<
P6441010000080 CONTROL#: 1901132	315 HIGH ST 2132	30127 W P	BOARD OF COUNTY COMMISSIONERS OF BUTLER COUNTY	315 HIGH ST FLOOR 6 HAMILTON OH 45011 2761			15	135 x 5	<
P6441010000026 CONTROL#: 1901133	2 S THIRD ST 2133	103 N 20	312 NORTH SECOND STREET LLC	7349 RAVENNA AVE NE LOUISVILLE OH 44641			20	15 x 2	<
P6421003000090 CONTROL#: 1901134	HIGH ST 2134	102 W20 O CONS W/89	GPM ENTERPRISES LTD	245 HIGH ST HAMILTON OH 45011			5	12 x 2	<
P6421003000089 CONTROL#: 1901135	243 HIGH ST 2135	102 W20 O CONS W/90	GPM ENTERPRISES LTD	245 HIGH ST HAMILTON OH 45011 2720		1 1		x	<
P6421003000099 CONTROL#: 1901136	241 HIGH ST 2136	31960 ENT	241 HIGH LLC	7349 RAVENNA DR NE LOUISVILLE OH 44641		3 1		3 x 20	<
P6421003000085 CONTROL#: 1901137	10 JOURNAL SQ 2137	101 W 72 SEE PCL#	HISTORIC ROBINSON SCHWENN LLC	7349 RAVENNA AVE LOUISVILLE OH 44641				3 x 21	<
P6421003000077 CONTROL#: 1901138	HIGH ST 2138	100 N 99. CONS W/ 0	S N B NATL BANK	232 HIGH ST HAMILTON OH 45011 2711			1	3 x 20	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
HIGH ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS 4" Medallion	CRB/GUT LIN.FT	BRICK LxW	DRIVE LxW 7"
P6421003000076 CONTROL#: 1901139	219 HIGH ST 2139	99 N 81.6 CONS W/ 0	S N B NATL BANK	2800 E LAKE ST MINNEAPOLIS MN 55406 1930				x	<
P6421003000075 CONTROL#: 1901140	6 S SECOND ST 2140	LOT 99 N1 S28.4 OF	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY Suite 320 CINCINNATI OH 45245		4 2	10	2 x 15	<
P6421003000004 CONTROL#: 1901141	HIGH ST 2141	98 ENT CONS W/ 0	BC COURT HOUSE (BOARD OF COMMISSIONERS)	315 HIGH ST FLOOR 6 HAMILTON OH 45011 2761		2 4	10	3 x 3	<
P6421003000003 CONTROL#: 1901142	HIGH ST 2142	97 ENT CONS W/ 0	BC COURT HOUSE (BOARD OF COMMISSIONERS)	315 HIGH ST FLOOR 6 HAMILTON OH 45011 2761		1 8		x	<
P6421003000001 CONTROL#: 1901143	135 HIGH ST 2143	96 ENT CONS W/ 0	BUTLER COUNTY COURT HOUSE	315 HIGH ST FLOOR 6 HAMILTON OH 45011 2761		37 20	15	55 x 3	<
P6421004000009 CONTROL#: 1901144	HIGH ST 2144	251 ENT &	FRONT STREET PRESBYTERIAN CHURCH OF HAMILTON	19 S FRONT ST HAMILTON OH 45011 2819		6 2	10	12 x 3	<
ORD7711 3-15-73 CONTROL#: 1901145	HIGH ST 2145		FRONT ST PRESBYTERIAN CHURCH OF HAMILTON VAC ALLEY	19 S FRONT ST HAMILTON OH 45011 2819		1 2		3 x 3	<
P6421004000008 CONTROL#: 1901146	HIGH ST 2146	255 E51'	FRONT ST PRESBYTERIAN CHURCH OF HAMILTON	19 S FRONT ST HAMILTON OH 45011 2819			1	x	<
P6421004000007 CONTROL#: 1901147	HIGH ST 2147	255 E 20 CONS W/15	PRESBYTERIAN CHURCH	19 S FRONT ST HAMILTON OH 45011 2819		3 3		3 x 10	<

2019 RESURFACING CONCRETE REPAIR PROGRAM
HIGH ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS 4" Medallion	CRB/GUT LIN.FT	BRICK LxW	DRIVE LxW 7"
P6421004000006 CONTROL#: 1901148	HIGH ST 2148	255 W 14 CONS W/16	FRONT ST PRESBYTERIAN CHURCH	19 S FRONT ST HAMILTON OH 45011 2819		2	5	3 x 3	<
P6421004000005 CONTROL#: 1901149	HIGH ST 2149	255 W10 CONS W/4	FRONT ST PRESBYTERIAN CHURCH OF HAMILTON	19 S FRONT ST HAMILTON OH 45011 2819			5	x	<
P6421004000004 CONTROL#: 1901150	HIGH ST 2150	257 E12 CONS W/ 5	FRONT ST PRESBYTERIAN CHURCH OF HAMILTON	19 S FRONT ST HAMILTON OH 45011 2819				x	<
P6421004000003 CONTROL#: 1901151	HIGH ST 2151	257 W 36 258 W 36	FRONT ST PRESBYTERIAN CHURCH OF HAMILTON	19 S FRONT ST HAMILTON OH 45011 2819		1		3 x 20	<
P6421004000002 CONTROL#: 1901152	S MONUMENT AVE 2152	259 ENT CONS W/ 0	SHIMON DAHAN PROPERTIES LLC	10901 REED HARTMAN #316 CINCINNATI OH 45242		3		4 x 6	<
P6421004000001 CONTROL#: 1901153	10 S MONUMENT AVE 2153	260 ENT CONS W/ 0	SHIMON DAHAN PROPERTIES LLC	10901 REED HARTMAN #316 CINCINNATI OH 45242		3		4 x 6	<
P6421004000085 CONTROL#: 1901154	HIGH ST 2154	TRACT	BUTLER COUNTY MONUMENT	315 HIGH ST FLOOR 6 HAMILTON OH 45011 2761				1 x 20	<