MARYSVILLE CITY COUNCIL AGENDA
October 12, 2026 at 7:00 P.M.
Council Chambers – 209 S. Main Street – 2nd Floor
This meeting is available to watch live or archived by clicking here

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INVOCATION:

ROLL CALL:

APPROVAL OF MINUTES: September 14, 2026 City Council Meeting Minutes.
September 28, 2026 City Council Meeting Minutes.

PROCLAMATION: *Manufacturing Month*

ADMINISTRATIVE REPORT:

REPORT OF CLERK OF COUNCIL:

REPORT OF ECONOMIC DEVELOPMENT:

PARKS AND RECREATION COMMISSION REPORT:

HEARING OF CITIZENS:

ORDINANCES:

39-26	3rd Reading Vote	TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE EXTENSION OF THE MURPHY EPSON CONTRACT THROUGH THE END OF 2026
		Administration:
		Council:
41-26	3rd Reading Vote Hearing	TO APPROVE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONING CODE AMENDMENTS TO PART ELEVEN – ZONING CODE, TO SECTION 1121.18 – UPTOWN COMMERCIAL DISTRICT, TO SECTION 1121.21 – UPTOWN TRANSITIONAL DISTRICT AND TO THE APPENDIX GLOSSARY OF TERMS, BY AMENDING THE DEFINITION FOR MEETING FACILITY

Administration:

Council:

42-26 2nd Reading Public Hearing — TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE HIRING OF THREE FULL-TIME FIREFIGHTERS IN THE CITY OF MARYSVILLE

Administration:

Citizens:

Council:

43-26 2nd Reading Public Hearing — TO AMEND CHAPTER 925 - WASTEWATER RATES, CHAPTER 931 - WATER RATES, AND TO ENACT CHAPTER 933 - UTILITY CAPACITY BOARD

Administration:

Citizens:

Council:

44-26 2nd Reading Public Hearing — TO ACCEPT THE DEDICATION OF THE CURRY FARMS, SECTIONS ONE AND TWO, PUBLIC INFRASTRUCTURE

Administration:

Citizens:

Council:

45-26 2nd Reading Public Hearing — TO ACCEPT THE DEDICATION OF THE JEROME VILLAGE EVERSOLE RUN NEIGHBORHOOD, SECTION EIGHT, PUBLIC INFRASTRUCTURE

Administration:

Citizens:

Council:

46-26 2nd Reading Public Hearing — TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR ADDITIONAL SCOPE OF SERVICES WITH PLANNING NEXT FOR THE 2040 COMPREHENSIVE PLAN

Administration:

Citizens:

Council:

47-26 1st Reading — TO APPROVE THE TENTH AMENDMENT TO THE AGREEMENT OF THE MARYSVILLE-

Introduction JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT, AUTHORIZING THE INCLUSION OF CERTAIN ADDITIONAL PROPERTY WITHIN SAID DISTRICT, KNOWN AS THE HUNTINGTON BANK, JEROME VILLAGE, AMENDMENT

Administration:

Council:

48-26 1st Reading Introduction TO AMEND THE CODE OF ORDINANCES, CITY OF MARYSVILLE, OHIO TO PROVIDE AMENDMENTS TO TRAFFIC MARYSVILLE CITY CODE SECTIONS 301.02, 301.031, 301.04, 301.09, 301.13, 301.162, 301.17, 301.181, 301.22, 301.26, 301.28, 301.29, 301.30, 301.33, 301.35, 301.37, 301.42, 301.45, 301.46, 301.47, 301.51, 301.55, 301.56, 301.57, 301.58, 301.59, 301.60, 301.61, 301.62, 301.63, 301.64, 301.65, 301.66, 301.67, 301.68, 303.081, 313.03, 313.04, 313.09, 313.10, 313.12, 331.33, 331.35, 331.38, 331.39, 333.11, 335.03, 335.09, 337.24, 341.01, 351.03, 371.01, 371.03, 371.11, 371.12; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Administration:

Council:

49-26 1st Reading Introduction TO AMEND THE CODE OF ORDINANCES, CITY OF MARYSVILLE, OHIO TO PROVIDE AMENDMENTS TO GENERAL OFFENSES MARYSVILLE CITY CODE SECTIONS 513.01, 513.02, 513.03, 513.05, 513.06, 513.07, 513.08, 513.12, 513.13, 517.01, 517.08, 525.02, 525.07, 525.12, 525.15, 537.02, 537.021, 537.06, 537.18, 545.01, 545.05, 545.18; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Administration:

Council:

COMMENTS OF THE CITY MANAGER AND COUNCIL PERSONS AND GENERAL DISCUSSION:

ADJOURN:

MARYSVILLE CITY COUNCIL MEETING MINUTES
September 14, 2026 at 7:00 P.M.
Council Chambers – 209 S. Main Street – 2nd Floor
This meeting is available to watch live or archived by clicking here

The meeting was called to order by President Hunter at 7:01 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by President Hunter.

INVOCATION: The invocation was given by President Hunter.

CITY COUNCIL MEMBERS PRESENT: Scott Hunter, Mark Reams, Kelsey Takitch, Kathy Young, Steven Wolfe, Zack Bordner and Donald Boerger.

CITY ADMINISTRATION PRESENT: *City Manager* Kimberly Sharp, *Law Director* Tim Aslaner, *Finance Director* Brad Lutz, *Police Chief* Tony Brooks, *Fire Chief* Nate Burns, *City Engineer* Jamie Fink, *Economic Development Director* Eric Phillips, *Planning and Development Manager* Ashley Gaver, *Communications Director* Joe Clark, *Zoning Administrator* Zach Andrews and *Clerk of Council* McKenzie Proudfoot.

ADDITIONAL PERSONS PRESENT: *Marysville Journal Tribune* Chad Williamson, Melanie Ziegler, Jeff Hazey, Emily Segner, Nick Sheridan, Kent Weakley and Bob Hammond.

APPROVAL OF MINUTES: Councilman Boerger moved to approve the August 10, 2026 Special City Council Meeting Minutes as presented; voice vote in favor was unanimous. Councilman Boerger moved to approve the August 10, 2026 City Council Meeting Minutes as presented; voice vote in favor was unanimous.

PROCLAMATION: President Hunter read the following Proclamation: September Childhood Cancer Awareness Month

Whereas: Cancer is the leading cause of death in children in the United States; and

Whereas: On average, more than 290 children and adolescents in the U.S. are diagnosed with cancer every week; and

Whereas: There are approximately 40,000 children on active treatment at any given time; and

Whereas: 80% of childhood cancer patients are diagnosed late and with metastatic disease; and

Whereas: Over the past several decades, the five-year survival rate for pediatric cancer has improved, increasing from around 58-68% in the 1970s, to 83-88% in recent years and;

Whereas: Despite those advances, approximately 1,600 children and adolescents in the United States die of cancer each year; and

Whereas: In the last 30 years, only seven new drugs have been approved by the FDA to specifically treat childhood cancer; and

Whereas: The National Cancer Institute recognizes the unique research needs of childhood cancer and the associated need for increased funding to carry this out; and

Whereas: Hundreds of non-profit organizations at the local and national level are helping children with cancer and their families cope through educational, emotional and financial support; and

Whereas: Researchers and healthcare professionals work diligently, dedicating their expertise to treat and cure children with cancer; and

Whereas: Too many children are affected by this deadly disease, and more must be done to raise awareness and to find a cure;

NOW, THEREFORE, I, Scott Hunter, Mayor and President of Council of the City of Marysville, Ohio do hereby proclaim September 2026 as Childhood Cancer Awareness Month in the City of Marysville.

The Proclamation was presented to Dr. Jeff Hazey, Chief Medical Officer with Memorial Health and Kent Weakley with Nationwide Children's Hospital. Both expressed their appreciation for the Proclamation and spoke to their respective facilities collaboration in the fight against childhood cancer. They thanked the City for the invitation and for brining awareness to this important topic.

Councilman Boerger moved for the Proclamation to be added to the minutes; voice vote in favor was unanimous.

ADMINISTRATIVE REPORT: Manager Sharp provided the following updates. Photos that reflect various topics discussed were shown as provided in Exhibit A.

- You're invited to a community conversation: Engage with the Our Vision, Our Marysville: 2040 Comprehensive Plan! October 7th 6:00 p.m. - 7:30 p.m. at the Automotive and Mobility Innovation Center (AMIC), 1100 Innovation Way, Suite D. Children are welcome to attend as well.
- The pool has officially closed for the season. There were over 37,000 total entrants, which is similar to years past. The annual dog swim was the perfect way to wrap up the pool season. About $222 was donated to the Union County Humane Society, and 81 tails were wagging enjoying their time!
- The September 11th Remembrance Ceremony took place at Decker Fire Station. The event honored the lives lost and paid tribute to our first responders.
- The last Friday Night Uptown of the year, on September 11th, Blues, Brews and Vrooms, was a fun evening with approximately 88 vehicles and 26 vendors. There was a great crowd and a good atmosphere! During the event, Officers handed out a flyer regarding the ebikes legislation that recently passed now that it is in effect.
- Festifair, Marysville's 45th Annual Celebration of Community, Art and Fun, took place on September 12th from 9:00 a.m. to 4:00 p.m. There were 309 artisan spaces and 24 food trucks. Despite the rain, vendors were prepared and the community supported the event!

Next, Manager Sharp provided various updates from the Public Service Department, which included work that has been completed and that is upcoming from Streets, Parks, Water and Wastewater.

After that, Engineer Fink provided the following updates from Engineering regarding Capital Improvement Projects. A map was reviewed as shown in Exhibit B.

- Alta Fiber: Two crews are working between 8th and Collins. One crew is starting on Chestnut to reach the feeder manhole on 6th Street.
- 2026 Paving Program: Shelly will begin milling on Creekview Drive today and work south through the City. They will mill on Monday, Tuesday, and Wednesday this week. SAMI goes down on Thursday and paving will start on September 21st. Traffic control will be used for each section, allowing traffic to be maintained.
- Colemans/Walmart Signal: Poles are expected to arrive in November.
- E. 5th Street Improvements: Full closure will resume today. Storm work continues on the south side. Columbia Gas will complete their lowering's on the north side over the next couple of weeks. We monitored traffic at the 5 Points intersection all last week and helped manage the flows on Cherry Street and 4th Street via a digital pickle switch. The timing plans were adjusted to account for the added volume. Tuesday and Wednesday were pretty busy, but traffic seemed to normalize as the week progressed. We will continue to manage traffic flow as needed during the construction period.

Councilman Bordner said he has received some complaints regarding the work that was completed at the railroad crossing on N. Main Street. He said the slope is steep, and asked if anything could be done to soften it. He acknowledged that that was work completed by CSX, and said he was asking to see if anyone from the City has a contact to follow-up with. Engineer Fink said she would look into this further. Regarding Alta Fiber, President Hunter said he appreciated the update that was provided to Council about one month ago. Work is still being completed and some questions may still come up from residents, specifically about work to be completed in the spring if their property was left in a slightly altered condition. If residents have any questions, they are encouraged to call the hotline, 614-495-1022, Option 1.

REPORT OF CLERK OF COUNCIL: None.

REPORT OF ECONOMIC DEVELOPMENT: Director Phillips provided a presentation as shown in Exhibit C. Director Phillips, Manager Sharp and President Hunter spoke to what a valuable experience it was attending the Midwest US – Japan Association Conference.

PARKS AND RECREATION COMMISSION REPORT: Councilman Wolfe stated that during the August 18th Parks and Recreation Commission Meeting, updates were provided by City Staff and the 5 Year Parks and Recreation Capital Improvement Plan was approved. There was a review of the most recent pool assessment conducted by a consultant. Considering the age of the pool, it is recommended that the City complete this assessment every couple of years to extend the life of the pool as long as possible.

HEARING OF CITIZENS: Emily Segner and Nick Sheridan spoke to ongoing concerns with their neighbors at 323 S. Walnut Street, as a follow-up to their comments made during the August 10th City Council Meeting. They have ongoing, unresolved concerns regarding property maintenance violations and potential criminal activity that affect their ability to feel safe in their home. Through a public records request, they found that over the last five years, from August of 2021 through August of 2026, there were 104 police reports for that property for issues such as, but not limited to, attempted murder, rape, domestic violence and sexual battery. Ms. Segner said that she and Mr. Sheridan are asking for support to protect them, their neighbors and the kids that attend school at Trinity. Nick Sheridan thanked City Staff for the phone call from the Law Director and Police Chief, where they were updated on the current follow-up items. President Hunter said their zoning and criminal activity concerns are taken seriously and that he appreciates their willingness to share this information in a public setting.

Bob Hammond reviewed images as shown in Exhibit D. He explained sightline concerns leaving his mother's house, located at 1001 London Avenue, along with the sightline concerns for the neighboring

properties, due to street tree placement. He asked for there to be consideration for removal, and not replacement, of the trees. President Hunter thanked Mr. Hammond for the information, it will be passed onto City Staff for further review.

RESOLUTIONS:

12-26 One Reading Only — TO ACCEPT THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZE THE NECESSARY TAX LEVIES AND CERTIFY THEM TO THE COUNTY AUDITOR

Administration: Director Lutz explained that this is an annual piece of legislation certifying the rates for inside millage, which isn't changing.

Citizens: None.

Council: None.

Councilman Bordner moved to approve the legislation and the question put, stood:

Mr. Bordner YES;	Mr. Wolfe YES;	Mr. Boerger YES;	Mr. Hunter YES;
Mrs. Takitch YES;	Mr. Reams YES;	Mrs. Young YES.	

Vote 7-0; Motion carried for the passage of Resolution 12-26.

13-26 One Reading Only — TO APPROVE THE APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT SUBMITTED BY LOUIS M. AND ANNA K. MEYER

Administration: Director Aslaner explained that this is for a renewal application to keep a property in City limits in an Agricultural District. Doing so requires action from the City and from the County. The City has no reason to believe the property is not being used for agricultural purposes.

Citizens: None

Council: None.

Councilman Wolfe moved to approve the legislation and the question put, stood:

Mr. Wolfe YES;	Mr. Boerger YES;	Mr. Hunter YES;	Mrs. Takitch YES;
Mr. Reams YES;	Mrs. Young YES;	Mr. Bordner YES.	

Vote 7-0; Motion carried for the passage of Resolution 13-26.

ORDINANCES:

39-26 1st Reading Introduction — TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE EXTENSION OF THE MURPHY EPSON CONTRACT THROUGH THE END OF 2026

Administration: Manager Sharp explained that this supplemental appropriation is for a contract that provides communication services to the City. Many projects have been completed and many more are planned with this supplemental appropriation that is requesting $47,350. She thanked City Council for their consideration of this Ordinance.

Council: Councilwoman Takitch said communication is very important to her. She strongly believes that the communications staff in the City of Marysville should be more than one person. Communication efforts will need to continue to evolve to combat misunderstandings on the internet. President Hunter said that in today's environment with social media, communication is open to anyone and everyone constantly, and misinformation can run rampant. It is challenging to navigate through to determine fact from fiction. We serve the citizens of the City of Marysville and have a duty to protect their interests and money spent, how communication is provided to citizens is of the upmost importance. He acknowledged all of the work of Director Clark.

To be back for Second Reading, Public Hearing, on September 28, 2026.

40-26 1st Reading Introduction — TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE DEMOLITION OF 303 S. MAIN STREET AND ACCEPT REIMBURSEMENT FROM THE UNION COUNTY LAND REUTILIZATION COMPANY

Administration: Director Lutz explained that this Ordinance is no longer needed, however, it is still a good opportunity to explain the demolition of the property. It was assumed that because the City purchased the property, the City would pay for the demolition and then get reimbursed on the back end. However, we were notified after the Agenda for this meeting was posted that the Union County Land Bank will pay for the demolition and therefore, we do not need to pay for it up front. Director Aslaner recommended that the Ordinance be tabled indefinitely.

Council: None.

Councilman Wolfe moved to table the legislation indefinitely, and the question put, stood:

Mr. Boerger YES;	Mr. Hunter YES;	Mrs. Takitch YES;	Mr. Reams YES;
Mrs. Young YES;	Mr. Bordner YES;	Mr. Wolfe YES.	

Vote 7-0; Motion carried, Ordinance 40-26 tabled indefinitely.

41-26 1st Reading Introduction — TO APPROVE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONING CODE AMENDMENTS TO PART ELEVEN – ZONING CODE, TO SECTION 1121.18 – UPTOWN COMMERCIAL DISTRICT, TO SECTION 1121.21 – UPTOWN TRANSITIONAL DISTRICT AND TO THE APPENDIX GLOSSARY OF TERMS, BY AMENDING THE DEFINITION FOR MEETING FACILITY

Administration: Administrator Andrews reviewed a presentation as shown in Exhibit E.

Council: Councilman Boerger spoke to a concern with businesses in the Uptown that have a store front, but are mostly closed and have limited hours. He sees this definition as one that could potentially contribute to additional businesses that operate in a similar manner in the Uptown. Councilman Reams asked what the Elks is defined as, Administrator Andrews said it is defined as a Club. Additionally, he explained the difference between principal and incidental uses. The Elks, principally defined as a Club, could allow a baby shower, which would fall under an incidental

use. Councilwoman Takitch asked what the Build co-working space is defined as. Administrator Andrews said it is a professional office space, and he explained its incidental use approvals.

To be back for Second Reading, Public Hearing, on September 28, 2026.

COMMENTS OF THE CITY MANAGER AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Manager Sharp encouraged positive community interactions for everyone - elected officials, City Staff and residents. We are all working together to make Marysville a better place. Healthy disagreement is a good thing, we shouldn't always agree, and disagreements lead to healthier discussions. A culture needs to be created where public discussions are uplifting and confidence is restored in local government. Doing so is in the best interest of the community. She said she appreciates City Council's willingness to take the time to review information that the dedicated City Staff present. She is appreciative of residents and businesses willing to be active participants in community conversations. May we all continue to do this honestly, with authenticity and with appreciation.

Multiple Council Members spoke to the great Friday Night Uptown and Festifair events. It was nice to be spread out at the Friday Night Uptown event. On Saturday, it was neat to see the community support, even with the rain. Councilman Bordner said his son looks forward to Festifair all year long.

Councilwoman Young thanked everyone who worked to provide the 911 Remembrance Ceremony. The firefighters going up and down the stairs was very impactful.

Councilwoman Takitch said that the Homecoming parade is on September 23rd at 6:00 p.m. She encouraged everyone to come and support youth sports teams and our students.

Councilman Wolfe wished his dad a Happy Birthday.

Councilman Boerger spoke the legacy left by Dolly Parton. She chose to put her money where her heart was in helping others. No one was more human than Dolly.

President Hunter said that during the Midwest US – Japan Association Conference, he had the opportunity to interact with many Japanese professionals. It was interesting to learn that the Consulate General of Detroit, a very well-traveled man, has been to Ohio 49 times in two years, and Marysville was well represented. He said he appreciated Manager Sharp's comments. Further, President Hunter said that when he was reading a recent Marysville Matters article that featured a story from a local person who was at the Pentagon in the aftermath of 911, that person said he wished our country could be the country that it was on September 12th. President Hunter said that he too, recalls how unified we were, and how we can work together for the greater good. Lastly, he thanked all of the people who worked tirelessly over the weekend to make sure that Friday Night Uptown and Festifair went well. He appreciates all the support from the community.

ADJOURN: There being no further business to bring before Council, Councilwoman Young moved to adjourn the meeting. Affirmative voice vote in favor was unanimous. The meeting adjourned at 8:16 p.m.

EXHIBIT A









HELMETS ON, WHEELS READY! 🚲🛴🛹

Official Marysville Youth Mobility & Safety Guide

👨‍👩‍👧‍👦 **NOTICE FOR PARENTS & LEGAL GUARDIANS:** By law, no parent or guardian shall authorize or knowingly permit any child to violate any provision of these city regulations. Please ensure your children understand and follow these safety rules before riding!

🛡️ 5 Golden Safety Rules

- ✔ **Wear Your Helmet:** Required for ALL riders **under 16** (under 18 for mopeds/EPAMDs, and ALL Class 3 E-bike riders).
- ✔ **Sidewalk Speed Limit:** Max **10 mph** on sidewalks! Yield to pedestrians and ring your bell.
- ✔ **Night Riding Gear:** Between sunset & sunrise, you MUST have a white headlight (visible 500ft) and a red rear light/reflector.
- ✔ **Safe Braking:** All devices must have adequate working brakes and an audible warning device (bell/horn).
- ✔ **Obey Traffic Laws:** Stop at red lights & stop signs, and always pay attention to drivers and pedestrians!

📍 Crucial Location Rules

🚫 **Uptown "No Ride" Zone:** No riding bicycles, e-bikes, scooters, skateboards, or rollerblades on sidewalks in the Central Business District (within 1 block of **5th & Main St**).

🛵 **E-Bike Engine Rule:** Class 1 & 2 E-bikes are allowed on sidewalks ONLY when the motor is turned OFF.

🚫 **Illegal Devices:** ATVs, dirt bikes, mini-motorcycles, and similar off-road vehicles are **NOT legal anywhere in Marysville** except on private property!

"We love seeing kids out and riding!!! Keeping our young riders protected is a shared priority—and it's the law! These safety guidelines exist by law to keep our young riders protected. We ask that parents and guardians ensure their children know the rules before taking off, so everyone can enjoy the ride safely and responsibly."

— MARYSVILLE POLICE DIVISION CHIEF TONY BROOKS

🚲 What Can You Ride & Where?

Device Type	Max Speed	Sidewalks?	Shared Paths?	Streets?	Key Requirements & Age Rules
Standard Bicycle	Pedal Power	YES	YES	YES (Except Freeways)	Helmet if under 16. Passengers allowed if equipped.
Class 1 & 2 E-Bikes	20 mph	OFF ONLY	YES	YES (Except Freeways)	Motor OFF on sidewalks. Helmet if under 16.
Class 3 E-Bikes	28 mph	NO	NO	YES (Except Freeways)	**Must be 16+ to operate.** Helmet required for ALL.
E-Scooters & E-Skateboards	20 mph	YES (Max 10mph)	YES	≤ 25 mph roads	Yield to pedestrians. Helmet if under 16.
Skateboards & Rollerblades	Human Power	YES	YES	NO	Helmet required for all riders under 16.
Motorized Bicycles / Mopeds	20 mph	NO	NO	YES (Except Freeways)	**Age 14+ (Moped lic) / 16+ (Driver lic).** Helmet if under 18.
Mobility Assistive (EPAMD)	20 mph	YES	YES	≤ 55 mph roads	Must be 16+ (or 16-17 with adult). Under 14 prohibited. Helmet under 18.
Mini-Bikes & Dirt Bikes	Varies	NO	NO	NO	**PROHIBITED on all public spaces. Private property only.**

Created by Google Gemini

EXHIBIT B


2026 Paving Program
E 5th St
Altafiber
Colemans at Walmart Signal
Mill Valley Park - South
Northwest Pkwy
Kroger Marketplace
Marysville Estates
Texas Roadhouse
Culver's
Chick-fil-A
McCarthy Park
W 5th St
Marysville
Honda Marysville
Walmart Supercenter
Memorial Hospital
Union County Airport - MRT
Ohio Reformatory for Women
Milford Ave
London Ave
Columbus Ave
Industrial Pkwy
Watkins Rd
Route 36 Self Storage
Ackerman Renovations
New Dover
Scotts Miracle-Gro Corporate Headquarters
Scotts - Marysville East Plant
DIPPLE
Rest Area Marysville, OH East Bound
Marysville Golf Club

UNION COUNTY
MARYSVILLE
ECONOMIC DEVELOPMENT

Economic Development Update

City Council Meeting

September 14, 2026

UNION COUNTY MARYSVILLE
ECONOMIC DEVELOPMENT

Midwest US – Japan Association Conference

- September 9-11, Indianapolis, Indiana
- Council President Scott Hunter; City Manager Kimberly Sharp; County Commissioner Tom McCarthy, County Administrator Bill Narducci, Economic Development Director Eric Phillips
- 475+ Attendees including 100 from Japan
- Attendees from 11 states – including Kentucky
- Governors, state, local and national leaders from both countries.
- Various presentations around manufacturing, business growth, automotive sector

UNION COUNTY MARYSVILLE
ECONOMIC DEVELOPMENT

Midwest US – Japan Association Conference







Crafted in Union County

Marysville High School

October 29, 2026

7:30AM – 2:30PM

CRAFTED IN

UNION COUNTY

October is Manufacturing Month!

Celebrating the people, technology & careers powering Union County.



Manufacturing is more than making things. It is:

- innovation
- technology
- engineering
- problem-solving
- skilled careers

Why It Matters

- Manufacturing employs nearly 30% of the Union County workforce.
- Manufacturers in Union County represent automotive, agriculture, food production, plastics, logistics, robotics, consumer products, advanced technologies, and more!



Crafted in Union County = Inspiring the Next Generation.

What is it?



Students rotate through **hands-on stations** led by local manufacturers.

Students will engage with local manufacturing companies to:

- Explore in-demand career pathways
- Participate in interactive, hands-on learning stations
- Connect directly with potential future employers

400+ SENIORS in the Morning

400+ SOPHOMORES in the Afternoon

One day. Hundreds of students. Endless possibilities.

Local Companies. Real Careers.

Confirmed for 2026:

- Honda
- Nestlé
- Superior Plastics
- EASE Logistics
- Parker

And more Union County manufacturers!

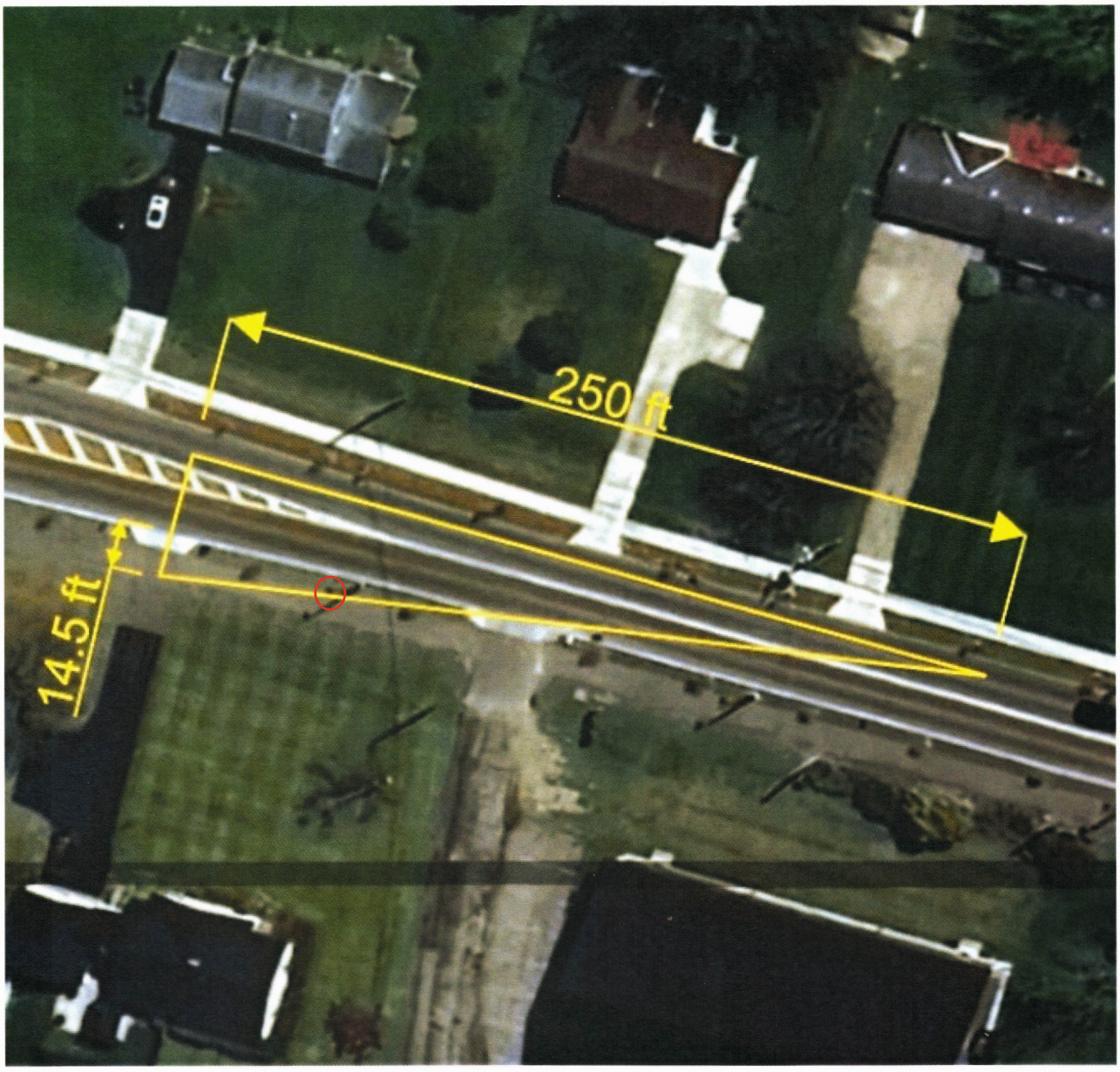


Help us inspire the next generation of our workforce.

Questions

UNION COUNTY
MARYSVILLE
ECONOMIC DEVELOPMENT

EXHIBIT D





Linda Hammond 1001 London Ave

Ohio Department of Transportation
March 10 ·

Why does Ohio's home rule matter when it comes to meeting your community's transportation needs?

Home rule matters because it gives Ohio's cities, villages, and certain townships direct control over the local streets people use every day. Local officials can decide when to repave roads, fix potholes, replace signs, or schedule construction based on what their own neighborhoods need.

This local authority also means residents have clear, nearby points of contact when issues arise.

ODOT is responsible for all U.S. and state routes outside of municipalities, and all interstates except the Ohio Turnpike. However, ODOT looks to help where we can by providing funding, technical support, and maintenance assistance in agreed areas.

The more you know🌈

EXHIBIT E

Proposed Zoning Code Amendments

City Council

September 14, 2026

CITY OF marysville

Meeting Facility

CITY OF marysville

Table of Contents

Meeting Facility

1. Background
2. Definition Update
3. District Use Update

Background

CITY OF marysville

Reason for Proposed Amendment

1. Reviewed Use Definitions
2. Update Language
3. Provide Additional Use in the Uptown

Amendment History

- **Planning Commission**
  - September 1, 2026
    - Vote: 6-0 YES

Meeting Facility: Definition

CITY OF marysville

Research

- **Staff reviewed 11 municipalities**
  - Reviewed Meeting Facility vs Event Center

Cincinnati, OH	"Meeting Facility" means a **facility for public or private meetings, including, but not limited to: recreation, or social facility** of a private or nonprofit organization or public institution primarily for use by members or guests including residential accommodations that are available to members or guests on a temporary basis but excluding residential hotels. This classification includes union halls and social clubs or lodges.
Jefferson County, ID	An event center is a **versatile venue specifically designed and equipped to accommodate a wide range of social, cultural, business, and community events**. These facilities are characterized by their **flexibility and ability to host diverse functions of varying sizes and types**. **Typical uses include**: Hosting **conferences, conventions, trade shows, weddings, receptions, and other celebratory events; corporate meetings and seminars**; **cultural events, concerts, and performances**; and **community gatherings** and **fundraisers**

Definition Text

Existing Definition Text

MEETING FACILITY means facilities, typically accommodating groups of students in multiple instructional spaces. Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment.

This definition also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Proposed Definition Text

MEETING FACILITY means a **versatile venue specifically designed and equipped to accommodate a wide range of social, cultural, business, and community events.** These facilities are characterized by their **flexibility and ability to host diverse functions of varying sizes and types.** Examples of typical uses but not limited to include: hosting conferences, conventions, trade shows; weddings, receptions, and other celebratory events; corporate meetings and seminars; cultural events, concerts, and performances; and community gatherings.

Meeting Facility: District Use Update

CITY OF marysville

Meeting Facility Permitted Districts

Existing Districts (Permitted)

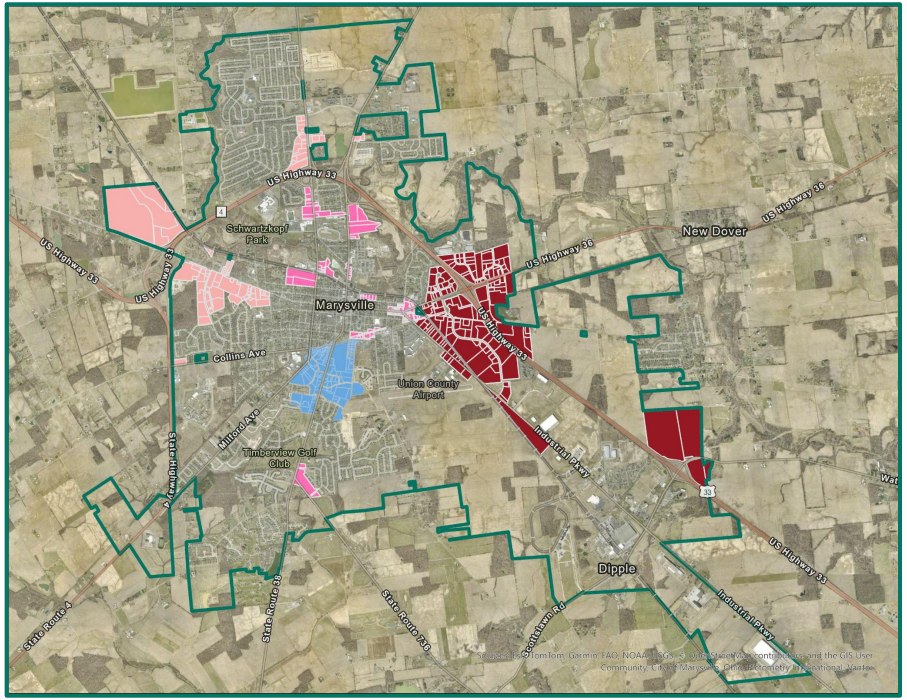
- Suburban Commercial District (SCD)
- Neighborhood Commercial District (NCD)
- Hospital Mixed-Use District (HMD)
- Regional Mixed-Use District (RMU)

Meeting Facility Proposed Districts

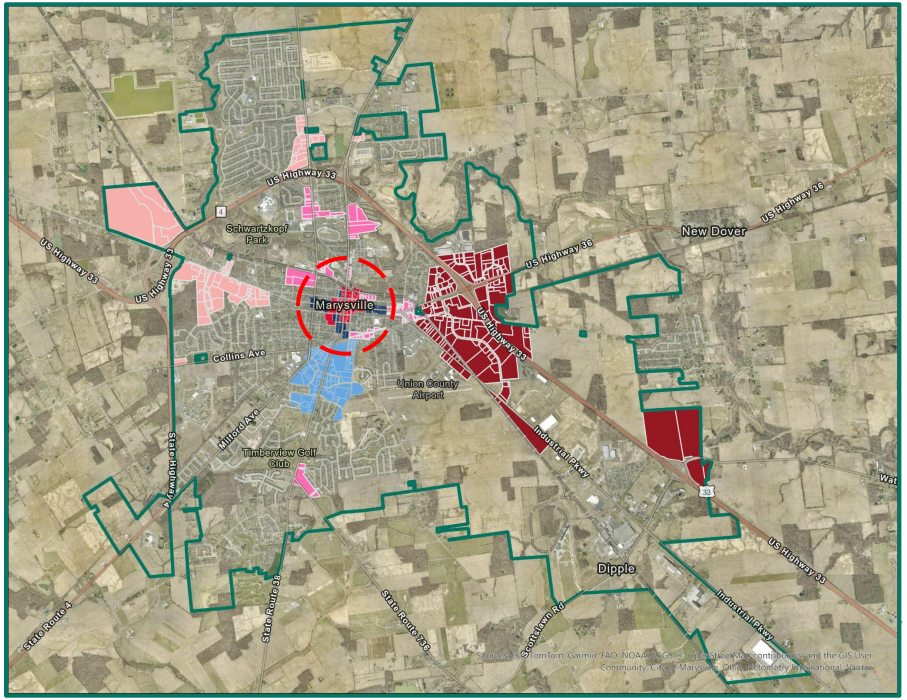
Proposed Districts

- Uptown Commercial District (UC) - Permitted
- Uptown Transitional (UT) - Conditional

Meeting Facility Districts



Existing Districts



Proposed Additional Districts (circled in RED)

MARYSVILLE CITY COUNCIL MEETING MINUTES
September 28, 2026 at 7:00 P.M.
Council Chambers – 209 S. Main Street – 2nd Floor
This meeting is available to watch live or archived by clicking here

The meeting was called to order by President Hunter at 7:00 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by President Hunter.

INVOCATION: The invocation was given by President Hunter.

CITY COUNCIL MEMBERS PRESENT: Scott Hunter, Mark Reams, Kelsey Takitch, Kathy Young, Steven Wolfe, Zack Bordner and Donald Boerger.

CITY ADMINISTRATION PRESENT: *City Manager* Kimberly Sharp, *Law Director* Tim Aslaner, *Finance Director* Brad Lutz, *Assistant Finance Director* April Kincaid, *Police Chief* Tony Brooks, *Fire Chief* Nate Burns, *City Engineer* Jamie Fink, *Economic Development Director* Eric Phillips, *Planning and Development Manager* Ashley Gaver, *Zoning Administrator* Zach Andrews, *Urban Forester* Andy Evans and *Clerk of Council* McKenzie Proudfoot.

ADDITIONAL PERSONS PRESENT: *Marysville Journal Tribune* Mike Williamson, Chad Nicodemus, Michele Nicodemus, Carmine Russo, Kathleen Kramer, Richard McAllister, Lynn Miller, Gerard Bolanz, Nieca Nowels, Gail Jenkins, Doug Jenkins, Mary Clemans, Lesley Verbus, Jessica Estep, Julie Kramer and Paul Kramer.

APPROVAL OF MINUTES: Councilman Reams moved to approve the August 24, 2026 Special City Council Meeting Minutes with clerical changes to be made by Clerk Proudfoot as indicated by Councilwoman Young; voice vote in favor was unanimous. Councilwoman Young moved to approve the August 24, 2026 City Council Meeting Minutes as presented; voice vote in favor was unanimous. Councilwoman Young moved to approve the September 8, 2026 City Council Work Session Meeting Minutes as presented; voice vote in favor was unanimous.

ADMINISTRATIVE REPORT: Manager Sharp provided the following update:

- You're invited to a community conversation: Engage with the Our Vision, Our Marysville: 2040 Comprehensive Plan! October 7th 6:00 p.m. - 7:30 p.m. at the Automotive and Mobility Innovation Center (AMIC), 1100 Innovation Way, Suite D. Further, she explained the purpose of the Comprehensive Plan and what it will mean for the City moving forward. Public participation is encouraged and of the upmost importance, either by in-person meeting opportunities or online surveys that will be forthcoming.

Engineer Fink provided Engineering updates regarding Capital Improvement Projects

- Alta Fiber: Crews continue work on Chestnut Street.

- 2026 Paving Program: Shelly is set to begin paving this week. They will be starting north and moving south.
- E. 5th Street Improvements: The contractor's work on the underdrain on the south side is nearing completion. Two structures are set and a storm pipe is being installed. Columbia Gas is expected to finish by the end of the week.

Councilwoman Young asked if the trees planted will cause issues down the road with roots uplifting sidewalks, having negative impacts to houses, etc. If so, who would pay for those fixes. Forester Evans said with the size of trees selected that will not be an issue. If, however, there was an issue the City has a couple of programs for sidewalks with matching grants, and even full payment or replacement, depending on the situation. Councilman Bordner said the City has received feedback with concerns regarding emergency services once the boulevards are in place. Councilman Boerger said it would be good for the City to provide examples of other municipalities with similar roadway conditions.

Next, Manager Sharp introduced two special reports that were provided:

- Carmine Russo of REALM Collaborative, the consultant assisting with the E. 5th Street Landscape planning, along with Andy Evans, Urban Forester, provided a presentation as shown in Exhibit A.

Councilwoman Takitch asked if the power lines are buried, if different trees would be selected based on height. Forester Evans said not necessarily, while height was a factor in the selection of the trees, medium height trees would still be recommended for the area.

- Jessica Estep and Lesley Verbus, volunteers that serve on the Board of Main Street Marysville, provided an update as shown in Exhibit B. They also showed a Proclamation received from the State for Festifair as shown in Exhibit C. Additionally, they said that Main Street Marysville is a finalist for the "Placemaking Award" for the Uptown Traffic boxes from Heritage Ohio.

Council Members thanked them for the presentation and for all of their efforts with Main Street Marysville, especially with the recent Festifair event. Manager Sharp thanked them for their presentation as well and expressed the importance of giving back and volunteering in the community. The true strength of a community lies in the core of its Uptown, which requires participation from everyone.

REPORT OF CLERK OF COUNCIL: None.

PLANNING COMMISSION REPORT: Manager Gaver provided the following summary from the September 2nd Planning Commission Meeting:

- To hear an application for a Final Plat for Amrine Meadows Section 2, Part 3B located along State Route 31 and Amrine Woods Road. Approved with a vote of 6-Yes 0-No.
- To hear an application for a Final Plat for Skybrook Section 3 Part 2 located along State Route 36 and Philip Herre Road. Approved with a vote of 6-Yes 0-No.
- To hear an application for a Final Plat for Skybrook Section 4 Part 1 located along State Route 36 and Philip Herre Road. Approved with a vote of 6-Yes 0-No.
- To hear an application for a Zoning Code Amendment to the Zoning Code - Appendix Glossary of Terms, Section 1121.18 Uptown Commercial District (UC), and Section 1121.21 Uptown Transitional (UT). Approved with a vote of 6-Yes 0-No.

DESIGN REVIEW BOARD REPORT: Manager Gaver provided the following summary from the Design Review Board Meeting on September 9th:

- An application for an exterior/landscape plan for a proposed Kemba Financial Credit Union building located at 399 Coleman's Crossing.
    - Architecture: Approved with Conditions with a vote of 4-Yes and 0-No.
    - Signage: Tabled for a future meeting with a vote of 4-Yes and 0-No.
    - Site Plan and Landscape Plans were approved at the August DRB meeting.

President Hunter asked where the Kemba will be located, Manager Gaver said in-between Jimmy Johns and Tire Discounters.

HEARING OF CITIZENS: None.

RESOLUTION:

14-26 1st Reading Introduction — TO AUTHORIZE THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), TO EXECUTE CONTRACTS AS REQUIRED, AND TO DECLARE AN EMERGENCY

Administration: Engineer Fink provided an overview to Council regarding the legislation as it was provided in the Staff Memo of the Meeting Packet. Given the due date of this legislation, the City is requesting to pass this legislation this evening with an Emergency Clause.

Council: Councilwoman Young asked if the City is successful in receiving the Grant, if the City has a certain timeframe that the funds have to be used by. Further, she asked if the City is looking for any additional funding. Engineer Fink said the City would be able to use the funds in the spring of 2028, and could ask for an extension if necessary. We are also looking at other grant opportunities, which she listed. Councilman Reams expressed frustration that updates to the five points intersection with the creation of a roundabout have taken so long. At first it was going to happen in 2025, and now with continued delays, City Council was first informed by the media that the new timeline is 2028. It is disappointing that the completion keeps getting pushed back with no discussion. Manager Sharp said that renewed interest in burying power lines has caused further delays as those options are assessed. Not only are we evaluating if that is feasible, but we are also researching funding mechanisms to do so. Councilman Reams said that option was previously evaluated and we were given a ball park on costs. At the time, the decision was made to move forward on the project without burying power lines. He said he understands the desire, however, the City shouldn't be on the hook to do that and we shouldn't be delaying projects because of it. Councilwoman Takitch said when the City does complete the project, it should be done right. Anyone who has sat in traffic at the five points intersection can see the chaos with the lines, traffic signals, traffic, etc. If the City is going to make improvements to the intersection, it needs to be done right and not just pushed through. General discussion continued and Manager Sharp thanked Council for the feedback.

Councilman Reams moved to pass the emergency clause and the question put, stood:

Mr. Hunter YES;	Mrs. Takitch YES;	Mr. Reams YES;	Mrs. Young YES;
Mr. Bordner YES;	Mr. Wolfe YES;	Mr. Boerger YES.	

Vote 7-0; Motion carried.

Councilwoman Young moved to waive the Third Reading and the question put, stood:

Mrs. Takitch YES;	Mr. Reams YES;	Mrs. Young YES;	Mr. Bordner YES;
Mr. Wolfe YES;	Mr. Boerger YES;	Mr. Hunter YES.	

Vote 7-0; Motion carried.

Councilman Boerger moved to waive the Second Reading and the question put, stood:

Mr. Reams YES;	Mrs. Young YES;	Mr. Bordner YES;	Mr. Wolfe YES;
Mr. Boerger YES;	Mr. Hunter YES;	Mrs. Takitch YES.	

Vote 7-0; Motion carried.

Councilman Bordner moved to pass the legislation and the question put, stood:

Mrs. Young YES;	Mr. Bordner YES;	Mr. Wolfe YES;	Mr. Boerger YES;
Mr. Hunter YES;	Mrs. Takitch YES;	Mr. Reams YES.	

Vote 7-0; Motion carried for the passage of Resolution 14-26.

<u>ORDINANCES:</u>

There will be a potential motion to table the Second Reading, Public Hearing, for Ordinance 38-26.

38-26 2nd Reading Public Hearing — TO APPROVE PLANNING COMMISSIONS RECOMMENDATION TO APPROVE A ZONING CODE AMENDMENT TO REVISE THE PLANNED UNIT DEVELOPMENT FOR THE MARYSVILLE EAST PLANNED UNIT DEVELOPMENT

Administration: Manager Sharp said that due to continued discussions, there is a desire to table to Second Reading, Public Hearing, to October 26th.

Citizens: None.

Council: None.

Councilman Reams moved to table the Second Reading, Public Hearing, to October 26th and the question put, stood:

Mr. Bordner YES;	Mr. Wolfe YES;	Mr. Boerger YES;	Mr. Hunter YES;
Mrs. Takitch YES;	Mr. Reams YES;	Mrs. Young YES.	

Vote 7-0; Motion carried.

To be back for Second Reading, Public Hearing, on October 26th.

39-26 2nd Reading Public Hearing — TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE EXTENSION OF THE MURPHY EPSON CONTRACT THROUGH THE END OF 2026

Administration: None.

Citizens: None.

Council: None.

To be back for Third Reading, Vote, on October 12, 2026.

41-26 2nd Reading Public Hearing — TO APPROVE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONING CODE AMENDMENTS TO PART ELEVEN – ZONING CODE, TO SECTION 1121.18 – UPTOWN COMMERCIAL DISTRICT, TO SECTION 1121.21 – UPTOWN TRANSITIONAL DISTRICT AND TO THE APPENDIX GLOSSARY OF TERMS, BY AMENDING THE DEFINITION FOR MEETING FACILITY

Administration: None.

Citizens: None.

Council: None.

To be back for Third Reading, Vote, on October 12, 2026.

42-26 1st Reading Introduction — TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE HIRING OF THREE FULL-TIME FIREFIGHTERS IN THE CITY OF MARYSVILLE

Administration: Manager Sharp provided an overview to Council regarding the legislation as it was provided in the Staff Memo of the Meeting Packet. Since the agenda was published, we were notified that the City was not successful in obtaining the SAFER Grant, and therefore, this request is to add three-full time firefighters in the City in 2026 with the cost of $137,000. This will allow the City to add an additional Advanced Life Support vehicle to each shift and to better serve the needs of the community.

Council: President Hunter said that when the City applied for the Grant, it was to fund an additional six firefighters. The application was based on the Strategic Plan and long-term planning. The City still needs to be able to serve the needs of the City. Councilwoman Young asked if this is to transport to Columbus. Manager Sharp said this is to serve the needs of the community.

To be back for Second Reading, Public Hearing, on October 12, 2026.

43-26 1st Reading Introduction — TO AMEND CHAPTER 925 - WASTEWATER RATES, CHAPTER 931 - WATER RATES, AND TO ENACT CHAPTER 933 - UTILITY CAPACITY BOARD

Administration: Director Aslaner provided an overview to Council regarding the legislation as it was provided in the Staff Memo and Ordinance of the Meeting Packet. The formation of the Utility Capacity Board is being recommended so that the burden of decision making for large user requests that come to the City doesn't fall on one or two people.

Council: Council Members expressed appreciation for this legislation being presented. It will add extra scrutiny for large users and provide transparency in the

decision making process. Councilwoman Takitch asked who reviewed the applications previously. Director Aslaner said the Public Service Director, who would review with other staff members. This will be a formal process with objective factors to be reviewed. Manager Sharp said that the formation of this Board will allow for transparency with the review of additional factors, such as but not limited to, the utility needs, land use, community partnerships, affects on the watershed, etc. President Hunter said this is something that isn't new to Council and has been discussed multiple times. While government can be a slow process, it is good to see this being presented to Council after being thoroughly reviewed and thought out.

To be back for Second Reading, Public Hearing, on October 12, 2026.

44-26 1st Reading Introduction TO ACCEPT THE DEDICATION OF THE CURRY FARMS, SECTIONS ONE AND TWO, PUBLIC INFRASTRUCTURE

Administration: Engineer Fink provided an overview to Council regarding the legislation as it was provided in the Staff Memo and Ordinance of the Meeting Packet. A map regarding the property was reviewed as shown in Exhibit D.

Council: None.

To be back for Second Reading, Public Hearing, on October 12, 2026.

45-26 1st Reading Introduction TO ACCEPT THE DEDICATION OF THE JEROME VILLAGE EVERSOLE RUN NEIGHBORHOOD, SECTION EIGHT, PUBLIC INFRASTRUCTURE

Administration: Engineer Fink provided an overview to Council regarding the legislation as it was provided in the Staff Memo and Ordinance of the Meeting Packet. A map regarding the property was reviewed as shown in Exhibit D.

Council: None.

To be back for Second Reading, Public Hearing, on October 12, 2026.

46-26 1st Reading Introduction TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR ADDITIONAL SCOPE OF SERVICES WITH PLANNING NEXT FOR THE 2040 COMPREHENSIVE PLAN

Administration: Manager Sharp explained that the original contract with Planning Next was for a land use plan, and now we are working toward a true Comprehensive Plan with multiple subjects reviewed more thoroughly, with more public feedback opportunities, as well as to provide a fiscal analysis for land use. Having additional aspects of the Comprehensive Plan established will allow us to have the tools we need to set us up for success with regard to future decision making as complex development agreements are presented to the City. The request is for an additional $132,000, and services will continue into 2027. The goal is completion of the Comprehensive Plan by sometime in the second quarter.

Council: President Hunter said the current Comprehensive Plan contemplates land use on a low level. He said he appreciates the additional consideration and the opportunity to review this legislation further.

To be back for Second Reading, Public Hearing, on October 12, 2026.

COMMENTS OF THE CITY MANAGER AND COUNCIL PERSONS AND GENERAL DISCUSSION:
Manager Sharp announced to City Council that this will be Manager Gaver's last meeting as she prepares to serve in Johnstown. She said she has enjoyed working with Manager Gaver over the last few months, she is a delight to work with, a professional and calm under pressure. She spoke to the projects Manager Gaver has led, such as the facade and home improvement grants, Zoning Code, and Vision Plan, to name a few. She thanked Manager Gaver for her contributions to the City.

Council Members thanked Manager Gaver for all she has done for the City of Marysville and wished her well in future endeavors.

Councilwoman Takitch said October 7th will be the next opportunity for community members to contribute to the Comprehensive Plan. She said she has seen negative comments about it on social media. However, this is everyone's chance to share their voice. She encouraged everyone not to let this opportunity pass them by. If people cannot make it, she encouraged participation in additional engagement opportunities that will be available.

President Hunter provided a reminder that it is dark in the morning at bus stops, and with a couple of more weeks before the time change, he encouraged drivers to continue to use extra caution. Additionally, he recognized the Guardians recent Division win.

THE POTENTIAL TO ADJOURN TO EXECUTIVE SESSION TO CONSIDER CONFIDENTIAL INFORMATION RELATED TO THE SPECIFIC BUSINESS STRATEGY OF APPLICANT FOR ECONOMIC DEVELOPMENT ASSISTANCE THAT INVOLVES PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE DIRECTLY RELATED TO THE ECONOMIC DEVELOPMENT PROJECT AND TO CONSIDER THE EMPLOYMENT A OF PUBLIC EMPLOYEE:
At 8:28 p.m., Councilman Bordner moved to adjourn to Executive Session to consider confidential information related to the specific business strategy of applicant for economic development assistance that involves public infrastructure improvements that are directly related to the economic development project, and to consider the employment a of public employee, Councilman Wolfe seconded, and the question put, stood:

Mr. Wolfe YES; Mr. Boerger YES; Mr. Hunter YES; Mrs. Takitch YES; Mr. Reams YES; Mrs. Young YES; Mr. Bordner YES.

Vote 7-0; Motion carried.

At 9:36 p.m., Council adjourned to Open Session.

ADJOURN: There being no further business to bring before Council, Councilman Bordner moved to adjourn the meeting. Affirmative voice vote in favor was unanimous. The meeting adjourned at 9:36 p.m.

EXHIBIT A

City Council

E 5th Street

Landscape Concept and Design

September 28, 2026

CITY OF marysville

Table of Contents

1. Historic Inspiration
2. Vision Plan: Gateway to Uptown
3. Streetscape Design
4. Preservation and Mitigation
5. Anticipated Schedule

Historic Inspiration

CITY OF marysville

Historic Inspiration



Looking West at Walnut Street

Historic Inspiration



Looking East from Southard's Residence

Historic Inspiration

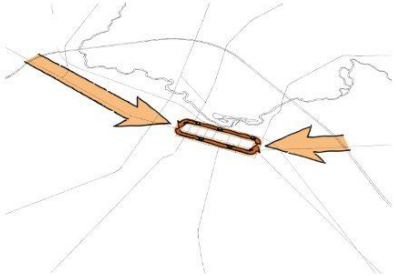


Looking West along 5th Street

Vision Plan

CITY OF marysville

Vision Plan





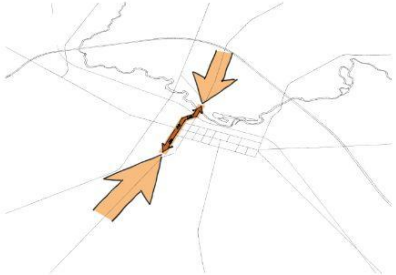
East / West Mobility

GUIDING PRINCIPLES

Delaware Avenue & Northwest Parkway:
Currently car-oriented, should incorporate landscape buffering and plan for future transition into a more mixed-use, walkable corridors.

4th & 6th Street:
Serve as key circulation routes around Uptown, incorporating bump-outs, on-street parking, and streetscape improvements to calm traffic and enhance walkability.

5th Street:
The city's most walkable corridor, should prioritize bike and pedestrian infrastructure, expanding sidewalks and activation spaces where parking is limited.





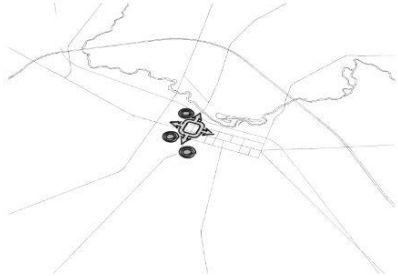
North / South Mobility

GUIDING PRINCIPLES

Main Street North:
Main Street North can extend Uptown's small-town feel with connected, walkable streets, active frontages, pedestrian-friendly design, and vibrant spaces inviting people to linger and explore.

Uptown Core:
The Uptown Core will be the community's most walkable, vibrant area, featuring pedestrian-first streets, active public spaces, and lively mixed-use development.

Main Street South:
Main Street South will serve as a welcoming, green gateway into Uptown, connecting the Health Campus with tree-lined, pedestrian-friendly streets.





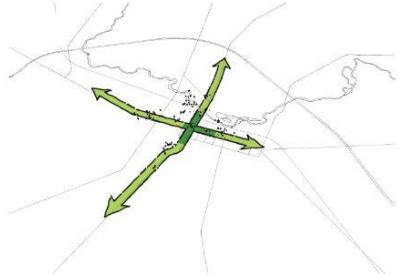
Parking Strategy

GUIDING PRINCIPLES

Pedestrian First Core:
Prioritize pedestrians at the intersection of 5th and Main, reallocating street parking to nearby lots to create a safer, more walkable, vibrant core.

Surface Lots on the Edges:
Surface lots strategically located along 4th and 6th edges, behind existing and new development, with active building frontages lining 5th Street.

Partnerships to Fund Parking Structures:
Develop strategic partnerships to fund parking structures located at edges, supporting future mobility, mixed-use hubs, and a pedestrian-friendly city core.





Pedestrian vs. Vehicular Priority

GUIDING PRINCIPLES

Street Trees and Landscape Buffers:
Street trees and landscape buffers transform streets from vehicle-focused to pedestrian-friendly, creating shade, comfort, and a safer, more inviting walking experience.

Outdoor Activation Spaces:
Convert more right-of-way to people-focused spaces, enabling outdoor activation such as dining, seating, public art, and vibrant community gathering areas.

Placemaking:
Integrate placemaking elements like seating, art, and landscaping to create engaging, pedestrian-priority areas that encourage gathering and community interaction.

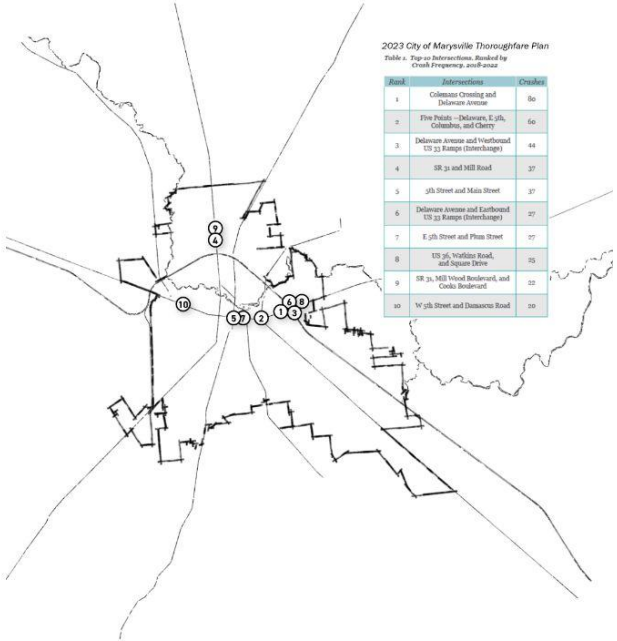
Vision Plan

PEDESTRIANIZE THE CORE

Strategies to Redirect Traffic Around the Uptown Core

Redistributing vehicular traffic around the Uptown core is essential for improving safety, walkability, and overall accessibility. By directing higher-volume traffic to surrounding corridors and reducing pass-through flow on key streets, Uptown can shift from functioning primarily as a vehicular route to becoming a pedestrian-first destination. Strategic circulation changes—including one-way conversions and perimeter routing—help calm traffic, ease congestion, and reduce conflict points within the district.

These adjustments create new opportunities for enhanced public spaces, outdoor dining, green street improvements, and future festival-street near key civic amenities. Reducing traffic pressure within the core supports a more comfortable environment for walking, biking, and gathering, ultimately strengthening Uptown's appeal and better accommodating the community's vision for a vibrant, people-oriented center.



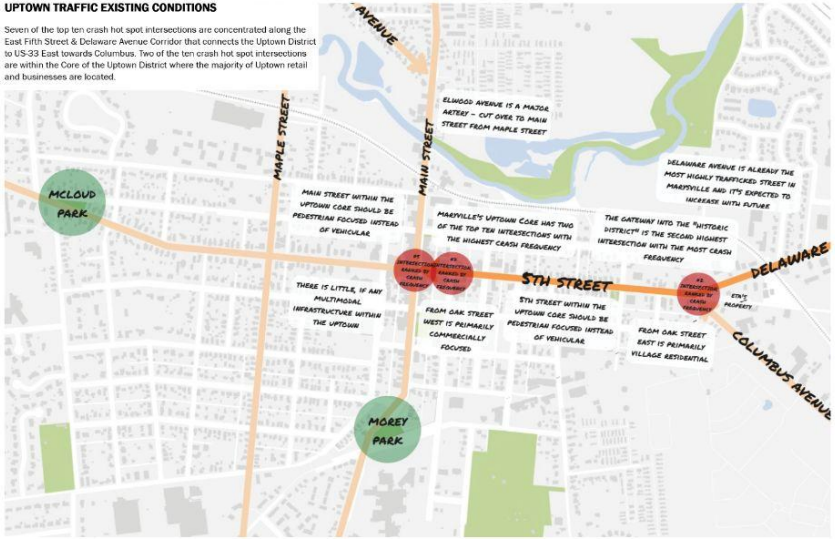
2023 City of Marysville Thoroughfare Plan

Table 1. Top 10 Intersections, Ranked by Crash Frequency, 2018-2022

Rank	Intersections	Crashes
1	Coleman Crossing and Delaware Avenue	80
2	Five Points – Delaware, E 5th, Columbus, and Cherry	60
3	Delaware Avenue and Westbound US 33 Ramps (Interchange)	44
4	SR 31 and Mill Road	37
5	5th Street and Main Street	37
6	Delaware Avenue and Eastbound US 33 Ramps (Interchange)	27
7	E 5th Street and Plum Street	27
8	US 36, Watkins Road, and Square Drive	25
9	SR 31, Mill Wood Boulevard, and Cooks Boulevard	22
10	W 5th Street and Damascus Road	20

UPTOWN TRAFFIC EXISTING CONDITIONS

Seven of the top ten crash hot spot intersections are concentrated along the East Fifth Street & Delaware Avenue Corridor that connects the Uptown District to US-33 East towards Columbus. Two of the ten crash hot spot intersections are within the Core of the Uptown District where the majority of Uptown retail and businesses are located.



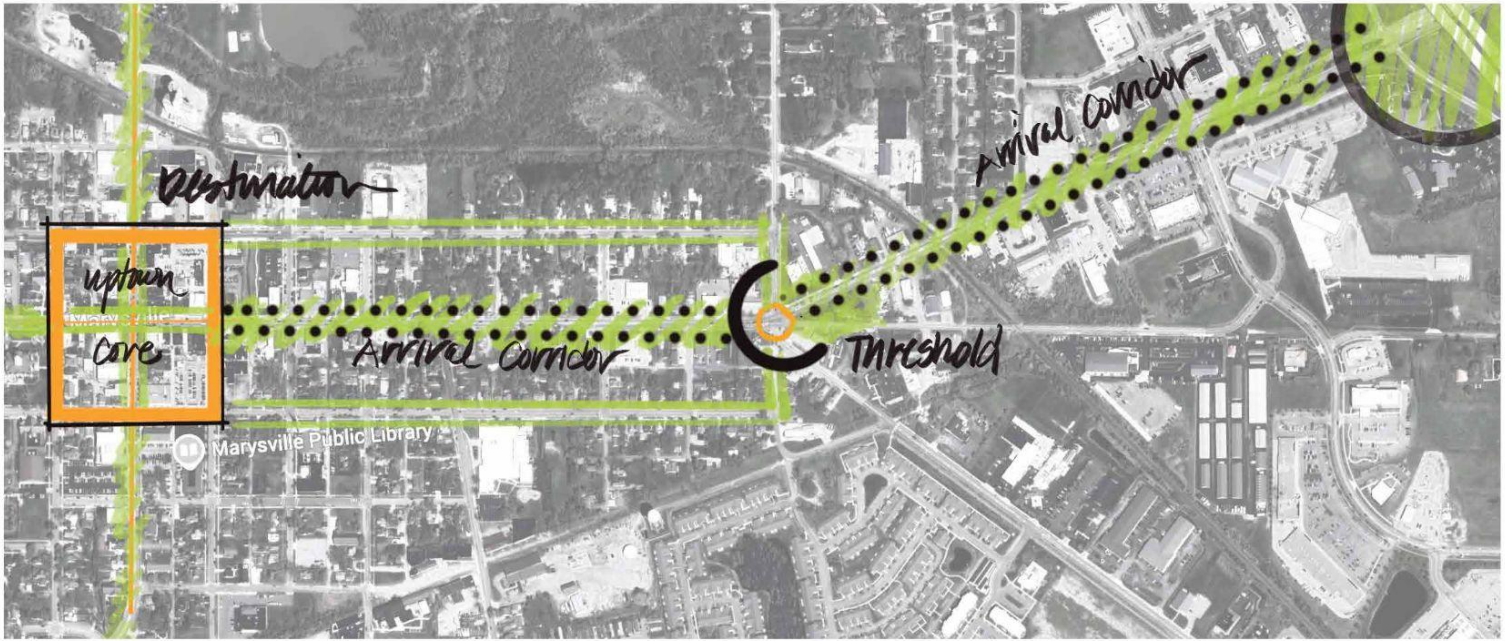
Vision Plan

CONTEXTUAL THINKING

VISION + CONTEXT

East 5th Street and Delaware Avenue serve as primary arrival sequences into the heart of the Uptown district.

Today, the experience of entering the city from Highway 36 and Highway 33 is visually fragmented and heavily automobile-oriented. Numerous utility poles and overhead power lines, inconsistent signage, unscreened parking areas, excessive curb cuts, and a lack of pedestrian and bicycle infrastructure contribute to a corridor that feels cluttered, undefined, and disconnected from the character of Uptown. As identified in the Vision Plan, the intersection of Highway 33 and Delaware Avenue should become a defining gateway landscape for the city, establishing a memorable and welcoming threshold into Marysville. Delaware Avenue, in turn, should evolve into a beautiful, tree-lined multimodal corridor that prioritizes not only vehicular movement, but also the comfort, safety, and experience of pedestrians and bicyclists. Together, Delaware Avenue, East 5th Street, and the Five Points intersection present a significant opportunity to redefine the city's eastern gateway and establish a cohesive civic landscape framework leading into Uptown.



Gateways and Mobility

EAST GATEWAY

GATEWAY TO UPTOWN

Strategies to Improve the Street and Intersection Conditions Towards Uptown

Improving the 5-Points intersection and 5th Street corridor requires a multi-faceted approach to enhance both vehicular flow and pedestrian safety while strengthening Uptown's identity. Strategies could include reconfiguring lanes to reduce conflict points, adding dedicated turn lanes, and optimizing signal timing to improve traffic operations. Enhanced crosswalks, pedestrian refuges, and curb extensions would make crossing safer and more comfortable. Streetscape improvements such as lighting, landscaping, and wayfinding elements can visually unify the corridor while signaling entry into a vibrant Uptown district.

Extending these improvements along the 5th Street corridor can create a cohesive gateway experience from SR-33. Incorporating bicycle lanes, bus stop enhancements, and street trees encourages multimodal travel, while activating adjacent building frontages with retail or civic uses engages pedestrians. Together, these strategies foster a safer, more efficient, and inviting entrance into Uptown.



5-POINTS STUDY 01 | REALIGN 5TH ST.



5-POINTS STUDY 02 | REDIRECT TRAFFIC TO 6TH



5-POINTS STUDY 03 | NEW CONNECTION TO 5TH



5-POINTS STUDY 04 | REALIGN DELAWARE AVE.



5-POINTS STUDY 04 | VIEW WEST TOWARDS UPTOWN



5TH STREET STUDY 01 | TURN LANES



5TH STREET STUDY 02 | TREE LINED CORRIDOR



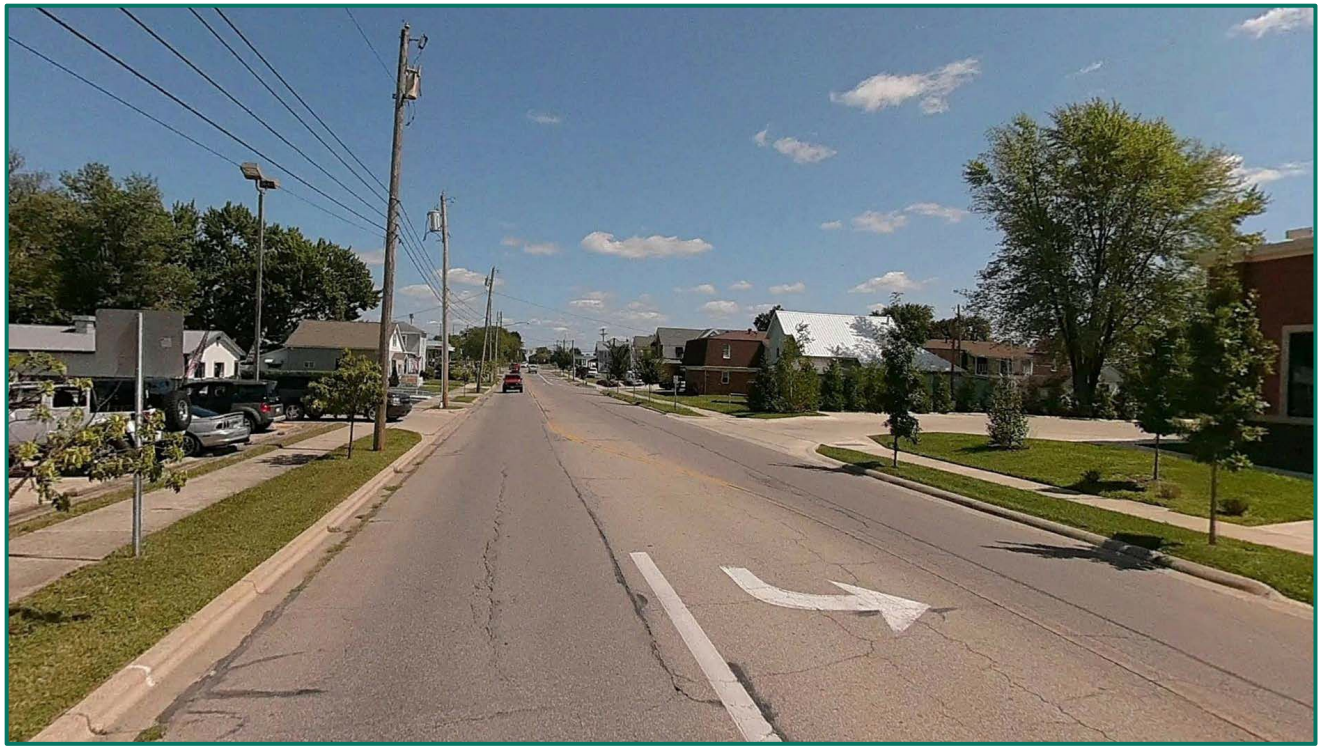
5TH STREET STUDY 03 | CENTRAL BOULEVARD

**Insert appropriate content from Vision Plan

Streetscape Landscape Design

CITY OF marysville

Existing Conditions



Looking East from Vine Street

Existing Conditions



Looking East from Chestnut Street

Proposed Design



CURRENT CONDITIONS

IRREGULAR · INCONSISTENT · CLUTTERED · NO SENSE OF PLACE



HISTORIC CONDITIONS

RHYTHM · CONSISTENT · SIMPLE · SENSE OF PLACE

Proposed Design

CEREMONIAL GATEWAY TO UPTOWN



EAST 5TH STREET + 5-POINTS INTERSECTION
(VEHICULAR DOMINANT)



CONSISTENT GREEN
(SHADED CITY)



PEDESTRIAN FIRST
(MULTIMODAL)



PLACEMAKING
(BRANDING & CHARACTER)

Proposed Design



1 | **MEDIUM SHADE TREES** 30' HT. (40' MAX.)



TREE LAWN | **FRONTIER ELM**

2 | **MEDIUM SHADE TREES** 30' HT. MAX



TREE LAWN | **AMERICAN HORNBEAM**



MEDIAN | **AMERICAN DREAM OAK**

3 | **MEDIUM SHADE TREES** 30' HT. MAX



TREE LAWN | **GOLDENRAIN TREE**



MEDIAN | **AMERICAN DREAM OAK**

4 | **MEDIUM SHADE TREES** 30' HT. MAX



TREE LAWN | **TRIDENT MAPLE**

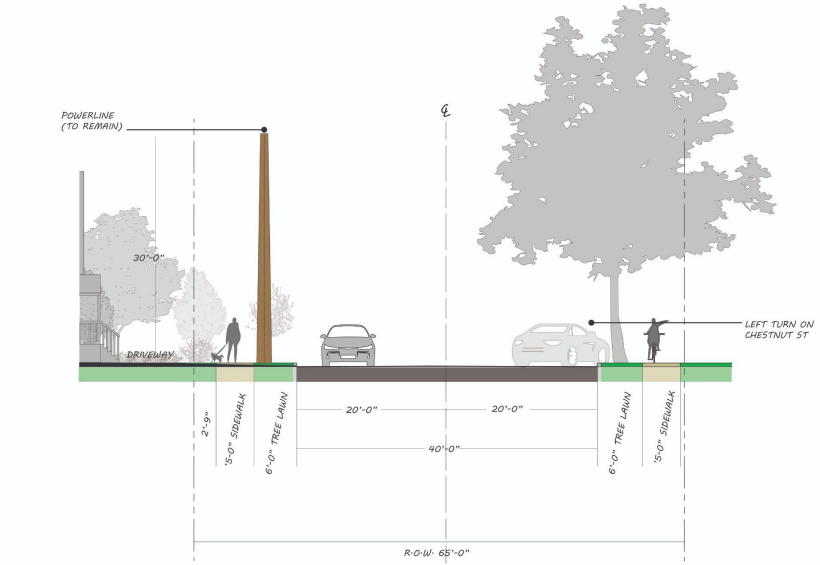


MEDIAN | **AMERICAN DREAM OAK**

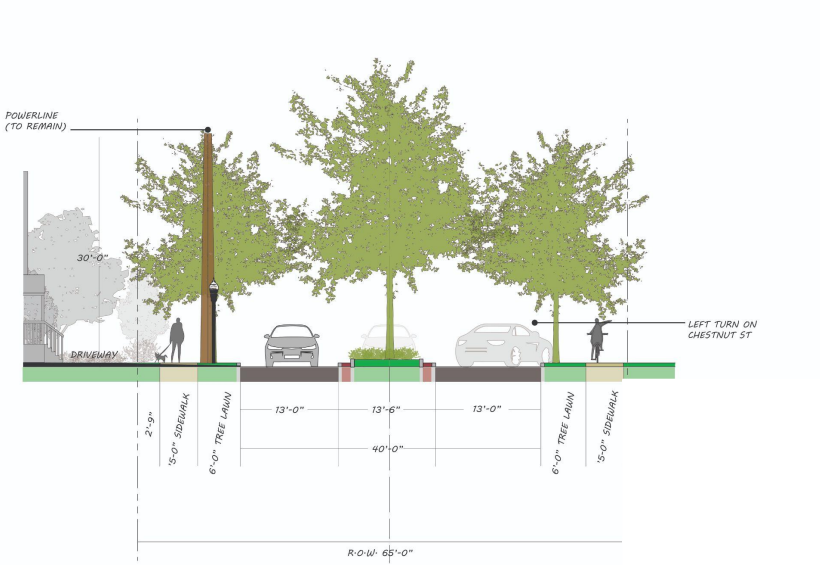
Proposed Design

Village Residential Zone

Existing Conditions



Proposed Design



Proposed Design

Why Should We Replace the Trees Along E 5th Street?

- Restores Historic Conditions (**Shaded City**)
- Creates **Consistency of Character** Along the Corridor
- **Promotes Shade and Walkability** for Pedestrians
- New Roadway Design Allows for **Larger Trees**
- **Increases Urban Tree Canopy** Coverage in Marysville

Preservation and Mitigation

CITY OF marysville

Preservation and Mitigation

- **Increasing the tree canopy along the street**
- **Street Trees**
  - To Remain In Place
  - Replacement
  - Relocation
    - Frontier Elms planned for Culbertson Park
  - Adoption
    - Relocate healthy, small street trees to residential yards.

Preliminary Preservation Plan



To Remain

To Relocate

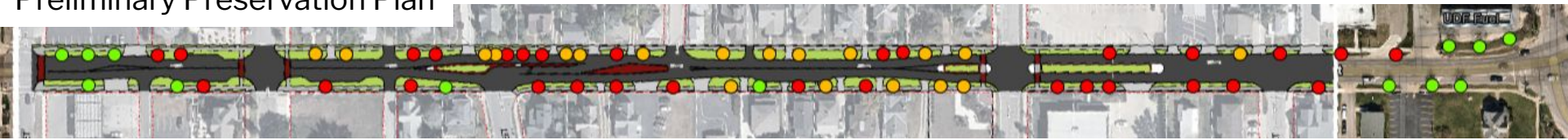
To Replace

Preliminary Preservation and Mitigation

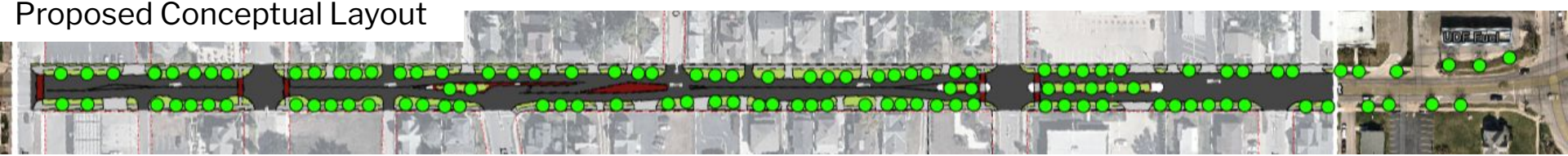
Existing Conditions



Preliminary Preservation Plan



Proposed Conceptual Layout



Schedule

CITY OF marysville

Schedule

3 Potential Options

1. **Winter Removal & Transplant / Spring Planting**
    - Within current Maintenance Of Traffic (MOT)
2. **Spring Removal & Transplant / Spring Planting**
    - Allows for continued due diligence and outreach
3. **Defer Landscaping Beyond 2027**
    - Extended exploration of undergrounding utilities

Schedule

- **Preferred Option**
  - Spring tree removal / Spring installation
    - Spring provides additional time for further discussion and communication
    - Unless discussions with other communities recommend waiting until underground installation happens

- **Utilities**
  - Conversations are ongoing about burying utilities which may impact the timeline of this project

Questions?

CITY OF marysville

Exhibit B

Building Community, Strengthening Uptown

Main Street
MARYSVILLE

IMPORTANCE OF MAIN STREET PROGRAMS

The Main Street program is designed to improve all aspects of a city's central business district.

Producing tangible and intangible benefits:

- Improving economic management
- Strengthening public participation
- Honoring historic preservation
- Beautification of the uptown
- Making the uptown a fun destination

Building on an uptown's inherent assets, Main Street Programs are meant to rekindle entrepreneurship, uptown cooperation and civic concern.

MAIN STREET MARYSVILLE: ABOUT

Purpose

To stimulate uptown economic development in Marysville through promotion, design, and economic vitality; and to receive, administer, and distribute funds in connection with any activities related to the above purposes.

Mission

To champion revitalization by preserving, enhancing, and promoting Marysville's Uptown District to create a sustainable and vibrant community.

MAIN STREET MARYSVILLE: Community Engagement

On Going:

Uptown Business Owners Meeting - Monthly engagement with Uptown businesses to foster communication, collaboration, and build community.

Monthly newsletter - Keeps Uptown businesses connected, informed, and engaged by sharing important updates, promoting local businesses, highlighting opportunities, and encouraging participation in initiatives that strengthen Uptown.

Hosted Events & Projects:

Egg Hunt - Spring celebration hosted in partnership with the Marysville Public Library featuring 5,000+ eggs, Easter Bunny appearance, and family activities.

Golden Egg Shopping Challenge - An extension of the Egg Hunt that encouraged visitors to explore and shop Uptown businesses

Uptown Clean-up- Held during warm weather months, this event is a way to give back to the community and make an impact on the environment.

Main Street Marysville Car Show: Revving into its second year

Uptown Car Show continued to gain momentum and build upon the City of Marysville's final Uptown Friday Night celebration!





Year Two. Full Throttle:

- 23 Awards given out
- 6,800 in attendance across both events
- 88 registered cars

Main Street Marysville FestiFair: Growing Stronger Every Year

FestiFair continues to be the cornerstone event of Uptown Marysville!



Celebrated the 45th anniversary with:

- 309 Vendors
  - 30% growth since 2024
  - 90+ vendors waiting list
- Record setting attendance
  - 13,200 visitors in 2025 (Highest in 45 years!)
  - 12,000 visitors in 2026 despite challenging weather
- Almost 100% Uptown retail and restaurant participation

Supported by over 400 volunteer hours

MAIN STREET MARYSVILLE: Community Engagement

Mural at Union County Building - In partnership with the City of Marysville and Union County, Main Street Marysville is transforming the Union County Administrative Building into a landmark public art installation and welcoming gateway to Uptown.



Planned completion: November 21, 2026

A vibrant artistic tribute to Union County's past, present, and future, celebrating the people, stories, and progress that have shaped our community.

Made possible, in part, through a $15,000 America 250 grant

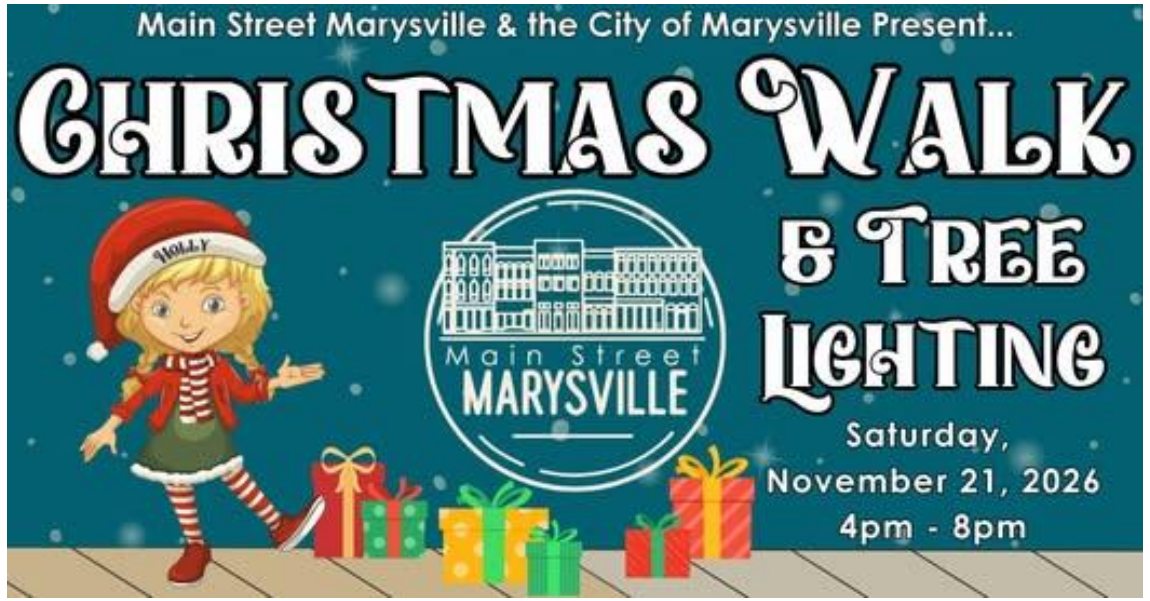
MAIN STREET MARYSVILLE: The Celebration Continues

* Street closures
* Spooky Market
* Mechanical Pumpkin
* Roller Rink

* Halloween Slide
* Hayrides
* Costume contest
* Arts and Crafts with Marysville Art League

Pet Costume Contest with Kurt Ludlow!





* Street closures
* Christkindl Market
* Carriage Rides
* Iceless skating

* Train Rides
* Mechanical Snowboard
* Arts and Crafts with Marysville Art League

MAIN STREET MARYSVILLE: Strengthening Partnerships

State of the City- Invited to present alongside community leaders at the City of Marysville's State of the City event, helping broaden community awareness of Main Street Marysville's mission, initiatives, and impact.

State of the Uptown - Hosted Main Street Marysville's inaugural State of the Uptown event, bringing together business owners, community leaders, stakeholders, and residents to share accomplishments, highlight upcoming initiatives, and communicate a vision for the continued growth and vitality of Uptown Marysville.

Business Impact Breakfast - Invited to speak at two Union County Chamber of Commerce Business Impact Breakfast events, expanding visibility of Main Street Marysville and strengthening engagement with local business leaders.

Marysville Business Association - Provides monthly updates on events and Uptown initiatives as well as panel participation to promote MSM's mission, recruit volunteers, and expand awareness and support within the local business community.

Direct engagement with City Manager - Participated in multiple strategic discussions with the City Manager to align on future priorities, organizational goals, and opportunities to advance the Main Street Marysville program, fostering strong collaboration and a shared vision for Uptown's continued growth and success.

MAIN STREET MARYSVILLE: Strengthening Partnerships continued…

Direct engagement with City Council - Main Street Marysville maintains a non-voting City Council seat on its Board of Directors to encourage communication and collaboration between the organizations. In addition, MSM leadership met with the President of Council to share the organization's mission, discuss future priorities, and strengthen the partnership between City Council and Main Street Marysville.

Direct engagement with County Commissioners - Main Street Marysville maintains a non-voting County Commissioner seat on its Board of Directors to encourage communication and collaboration between the organizations. In addition, MSM leadership participated in strategic discussions with Union County Commissioners to share MSM's mission, align on community priorities, and strengthen partnerships that support the continued growth and vitality of Uptown Marysville.

Participation in the NBHS Business Crawl - Connected National Business Honor Society students with Uptown business owners and community leaders while sharing Main Street Marysville's mission, community priorities, and efforts to support Uptown's continued growth and success.

Heritage Ohio Award Finalist - Nominee for the "Best Downtown Placemaking" Award for the Traffic Box Project. One of three finalists for the award, which will be announced at the Heritage Ohio Annual Conference, a ceremony that recognizes outstanding achievements in revitalization and historic preservation across Ohio.

We Hope to See You at Our Next Event.

Thank you

Exhibit C

THE GENERAL ASSEMBLY OF THE STATE OF OHIO

OHIO SENATE

HONORING
MAIN STREET MARYSVILLE
ON THE 2026 FESTIFAIR ARTS AND CRAFTS FESTIVAL

On behalf of the members of the Senate of the 136th General Assembly of Ohio, we are pleased to pay tribute to Main Street Marysville on the occasion of its Forty-fifth Annual FestiFair Arts and Crafts Festival, September 12, 2026.

This is, indeed, an exciting celebration, and it provides an ideal time to acknowledge the exceptional work done by the members of Main Street Marysville. Over the years, these fine people have organized the FestiFair Arts and Crafts Festival to showcase their community and the makers who call it home, and their accomplishments are a justifiable source of pride and an outstanding reflection on the whole of Marysville.

Throughout its history, Main Street Marysville has contributed to the quality of life in the area, and its generous initiatives with the FestiFair Arts and Crafts Festival over the past four and a half decades have delighted innumerable people and gained it the gratitude and esteem of the entire community. We are certain that as this worthy organization maintains its unfaltering commitment to bringing cheer to the area, it will continue in the tradition of excellence that has become its hallmark.

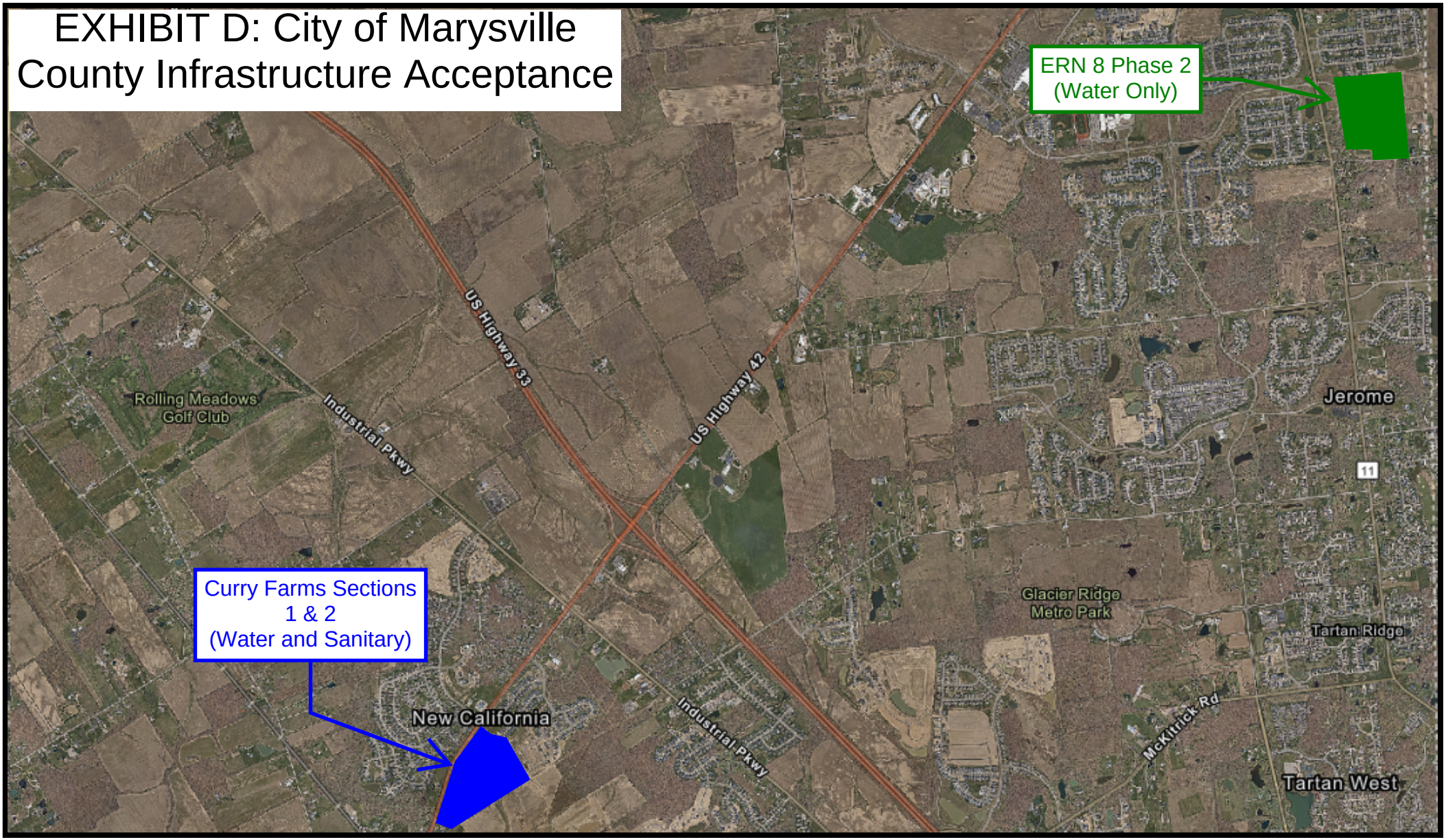
Thus, with genuine satisfaction, we commend Main Street Marysville on its Forty-fifth Annual FestiFair Arts and Crafts Festival and extend best wishes for ongoing success.

PRESIDENT OF THE OHIO SENATE

Senator Robert McColley
President of the Ohio Senate

Senator Bill Reineke
President Pro Tempore

EXHIBIT D: City of Marysville County Infrastructure Acceptance



ERN 8 Phase 2
(Water Only)

Curry Farms Phases 1 & 2
(Water and Sanitary)

City of Marysville Staff Report

To: City Council

Date: September 14, 2026

From: Brad Lutz, Finance Director

Legislation: Ordinance 39-26

Title: TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE EXTENSION OF THE MURPHY EPSON CONTRACT THROUGH THE END OF 2026

Key Details:

- A supplemental appropriation is a request to City Council to authorize additional spending after the annual budget has already been adopted.
- When unexpected financial needs arise during the fiscal year, a supplemental appropriation is used to legally increase a department's spending limit.
- This Ordinance requests an increase to the General Fund, Professional Services Line Item, by $47,350 for the MurphyEpson contract in order to facilitate enhanced communications assistance with the public in the form of videos, social media and website materials.
- If passed, the 2026 Operating Budget will be amended accordingly.

Kimberly Sharp

ORDINANCE 39-26

TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE EXTENSION OF THE MURPHY EPSON CONTRACT THROUGH THE END OF 2026

WHEREAS, the City Administration requests to increase the MurphyEpson contract in order to facilitate enhanced communications assistance with the public in the form of videos, social media and website materials; and

WHEREAS, the previous contract with MurphyEpson has been fully utilized; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. That the appropriations in the General Fund be increased, as follows:

Account	**Description**	**Amount**
100-103-574016	Professional Services	$47,350

SECTION II. That the 2026 Annual Operating Budget of the City of Marysville be amended as identified above.

1st Reading September 14, 2026

2nd Reading September 28, 2026

3rd Reading _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

City of Marysville Staff Report

To: City Council

Date: September 14, 2026

From: Ashley Gaver, Planning & Development Manager

Legislation: Ordinance 41-26

Title: TO APPROVE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONING CODE AMENDMENTS TO PART ELEVEN – ZONING CODE, TO SECTION 1121.18 – UPTOWN COMMERCIAL DISTRICT, TO SECTION 1121.21 – UPTOWN TRANSITIONAL DISTRICT AND TO THE APPENDIX GLOSSARY OF TERMS, BY AMENDING THE DEFINITION FOR MEETING FACILITY

Key Details:

- Upon a review of the City's definition of Meeting Facility, it was discovered that the existing definition lacked the flexibility to host diverse events of varying sizes and types.
- City Staff researched various definitions throughout the State. A hybrid definition for a meeting facility and event venue was recommended to Planning Commission by City Staff and was approved.
- Existing Definition: Meeting Facility means a meeting facility, typically accommodating groups of students in multiple instructional spaces. Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. This definition also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.
- Proposed Definition: Meeting Facility means a **versatile venue specifically designed and equipped to accommodate a wide range of social, cultural, business, and community events.** These facilities are characterized by their **flexibility and ability to host diverse functions of varying sizes and types.** Examples of typical uses but not limited to include: hosting conferences, conventions, trade shows; weddings,

receptions, and other celebratory events; corporate meetings and seminars; cultural events, concerts, and performances; and community gatherings.

- This definition will allow applicants to bring versatile spaces to Marysville while creating continued vibrancy for a prosperous Uptown and beyond.
- Existing Permitted Districts: Suburban Commercial District (SCD), Neighborhood Commercial District (NCD), Hospital Mixed-Use District (HMO) and Regional Mixed-Use District (RMU).
- Proposed Districts: Uptown Commercial District (UC) - Permitted, Uptown Transitional (UT) - Conditional (in addition to the Existing Permitted Districts).

Planning Commission

ORDINANCE 41-26

TO APPROVE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONING CODE AMENDMENTS TO PART ELEVEN – ZONING CODE, TO SECTION 1121.18 – UPTOWN COMMERCIAL DISTRICT, TO SECTION 1121.21 – UPTOWN TRANSITIONAL DISTRICT AND TO THE APPENDIX GLOSSARY OF TERMS, BY AMENDING THE DEFINITION FOR MEETING FACILITY

WHEREAS, on September 1, 2026, the City Planning Commission initiated Zoning Code Amendments to Section 1121.18 – Uptown Commercial District, Section 1121.21 – Uptown Transitional District, and to the Appendix – Glossary of Terms, as set forth in Appendix A, incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendments as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days' notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the Zoning Code Amendments to Section 1121.18 – Uptown Commercial District, Section 1121.21 – Uptown Transitional District and to the Appendix – Glossary of Terms, by amending the definition for Meeting Facility.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading September 14, 2026

2nd Reading September 28, 2026

3rd Reading _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

EXHIBIT A

RESOLUTION: 07-2026

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, APPENDIX GLOSSARY OF TERMS, SECTION 1121.18 - UPTOWN COMMERCIAL DISTRICT AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

WHEREAS, on September 1, 2026, the City Planning Commission initiated a Zoning Code Amendment to Appendix Glossary of Terms, 1121.18 - Uptown Commercial District, and Section 1121.21 - Uptown Transitional District as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendment, which is set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO,That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Appendix Glossary of Terms, 1121.18 - Uptown Commercial District, and Section 1121.21 - Uptown Transitional District be **APPROVED** in accordance with this Resolution.

Passed: 09-01-2026

_____

Chairman of Planning Commission

ATTEST:

Planning and Development Manager, Ashley Gaver

APPENDIX A

Appendix Glossary of Terms

MEETING FACILITY means a versatile venue specifically designed and equipped to accommodate a wide range of social, cultural, business, and community events. These facilities are characterized by their flexibility and ability to host diverse functions of varying sizes and types. Examples of typical uses but not limited to include: hosting conferences, conventions, trade shows; weddings, receptions, and other celebratory events; corporate meetings and seminars; cultural events, concerts, and performances; and community gatherings.

Section 1121.18 - Uptown Commercial District (UC)

V. PERMITTED USES:

- Artisan Studio
- Artisan Workshop
- Commercial Recreation (indoor), excluding adult entertainment
- Institutional/Government Offices
- Medical and Dental Office/Clinic
- Meeting Facility
- Minor Home Occupation
- Multi-family (upper floor only)
- Neighborhood Market
- Personal Services
- Professional Offices
- Restaurant (sit down)
- Retail, Sales and Services
- Specialty Food and/or Beverage Facility

VI. CONDITIONAL USES:

- Health and Fitness Studio
- Hotels and Motels
- Major Home Occupation
- Multi-Family
- Parking Area or Structure
- Religious Places of Worship
- Retail Nurseries, Lawn and Garden Supply Stores
- Single-Family (attached)

Section 1121.21 - Uptown Transitional District (UT)

V. PERMITTED USES:

- Artisan Studio
- Artisan Workshop
- Bed and Breakfast
- Childcare, Type A
- Childcare, Type B
- Community Center
- Minor Home Occupation
- Professional Office
- Residential Care Facility, (1—5 Unrelated Persons)
- Residential Care Facility, (6—8 Unrelated Persons)
- Single-Family Home (Detached)

VI. CONDITIONAL USES:

- Community Garden
- Cultural Institution
- Institutional/Government Offices
- Major Home Occupation
- Meeting Facility
- Multi-Family, see Section 1123.27
- Neighborhood Market
- Park/Playground
- Personal Services
- Religious Places of Worship
- Retail, Sales and Services
- School (K-12)
- Single-Family (attached)
- Specialty Food and/or Beverage Facility

City of Marysville Staff Report

To: City Council

Date: October 12, 2026

From: Nate Burns, Fire Chief

Legislation: Ordinance 42-26

Title: TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE HIRING OF THREE FULL-TIME FIREFIGHTERS IN THE CITY OF MARYSVILLE

Key Details:

- Firefighters in the City of Marysville work a "24/48" schedule, meaning they work for 24 hours and then have 48 hours off, resulting in three shifts. The Fire Division operates out of two stations, and serves the City of Marysville, as well as Darby, Dover and Paris Townships. The Division averages 15 calls per day - which represents a combination of Fire and Emergency Medical Service (EMS) responses. This average has continued to increase over the years. With increased population, increased EMS units are needed to maintain and enhance quality safety services.
- In 2025, the City applied for the Staffing For Adequate Fire and Emergency Response (SAFER) Grant through the Federal Emergency Management Agency (FEMA) to fund six new firefighter positions, and was unsuccessful. The City applied for the Grant in 2026, and found out on September 24th that we were unsuccessful in obtaining the Grant. In the meantime, staffing needs in order to meet the goals of the Strategic Plan have continued. Therefore, the supplemental appropriation will be used for the addition of three Firefighters immediately, the first step in placing a fourth (Advanced Life Support) ALS ambulance in service. The cost to employ an additional three Firefighters, for a total of six, will be discussed during the 2027 Budget process. Recruitment is set to begin following the passage of this Ordinance, in order to place a fourth (Advanced Life Support) ALS ambulance in service during each of the City's three shifts.
- This Ordinance requests an appropriate increase of $137,000 in the Security of Persons and Property and Capital Improvement Funds.
- If passed, the 2026 Operating Budget will be amended accordingly.

Kimberly Sharp

ORDINANCE 42-26

TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR THE HIRING OF THREE FULL-TIME FIREFIGHTERS IN THE CITY OF MARYSVILLE AND TO AMEND THE 2026 BUDGET

WHEREAS, the City Administration requests to increase the Fire Department personnel as a step toward placing a fourth Advanced Life Support (ALS) ambulance in service for each shift; and

WHEREAS, the Personnel Budget in the 2026 Budget needs to be increased in order to fund the applicable salaries, benefits and equipment; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. That the appropriations in the Security of Persons and Property and Capital Improvement Funds be increased, as follows:

Account	Description	Amount
232-132-511037	Firefighters	$60,800
232-132-521050	Overtime	$7,600
232-132-521052	Hospital/Medical Insurance	$27,500
232-132-521057	Medicare	$1,200
232-132-521058	Workers Compensation	$700
232-132-521059	Clothing Allowance	$2,300
232-132-521061	Fire Pension	$16,400
232-132-521063	Holiday Pay	$1,100
232-132-521064	Recruitment/Physicals	$3,600
439-400-557001-FIRE	Capital Improvement (Turnout Gear/ Class A Uniform)	$16,500

SECTION II. That the appropriations in the General Fund be increased, as follows:

Account	Description	Amount
100190-564017	Transfer Out	$137,700

SECTION III. That the estimated receipts in the Security of Persons and Property Fund be increased, as follows:

Account	Description	Amount
232060-460434	Transfer In	$121,200

SECTION IV. That the 2026 Annual Operating Budget of the City of Marysville be amended as identified above.

1st Reading September 28, 2026

2nd Reading _____

3rd Reading _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

City of Marysville Staff Report

To: City Council

Date: September 28, 2026

From: Kimberly Sharp, City Manager

Legislation: Ordinance 43-26

Title: TO AMEND CHAPTER 925 - WASTEWATER RATES, CHAPTER 931 - WATER RATES, AND TO ENACT CHAPTER 933 - UTILITY CAPACITY BOARD

Executive Summary

Rapid economic growth in Union County continues to increase demand on Marysville's utility infrastructure. Currently, large-scale utility requests are evaluated by staff on a case-by-case basis, analyzing local utilities demand , such as water, wastewater, and power. Ordinance 43-26 establishes a formal, transparent governance framework by amending utility rate codes and creating a dedicated **Utility Capacity Board** (Chapter 933) to govern high-volume service requests.

Utility Capacity Board Intent & Responsibilities

The proposed Board replaces staff technical reviews with an objective, publicly accountable decision-making process for major utility requests. Core objectives include:

- **Transparent Evaluation:** Applying standardized, objective criteria to assess large-scale requests consistently across all applicants, ensuring utility capacity, infrastructure requirements and operational impacts are evaluated in light of the City's comprehensive plan, i.e. future growth projections.
- **Capacity Safeguards:** Monitoring high-volume demands to prevent overcommitting the City's existing water and wastewater supplies, while planning for future capacity.
- **Holistic Impact Assessment:** Balancing utility demands against long-term infrastructure costs, fiscal returns, sustainability, and community alignment.

Committee Recommendation

The Public Safety/Service Committee reviewed and supported Ordinance 43-26 on September 14, 2026, incorporating feedback regarding the Board's authority, membership structure, review criteria, and governance. It is recommended to establish the Utility Capacity Board for the future growth of Marysville.

Donald Boerger
Steven Wolfe
Kelsey Takitch

ORDINANCE 43-26

TO AMEND CHAPTER 925 - WASTEWATER RATES, CHAPTER 931 - WATER RATES, AND TO ENACT CHAPTER 933 - UTILITY CAPACITY BOARD

WHEREAS, the rates set forth in Chapter 925 – Wastewater Rates, are fixed as the fair proportional and reasonable rates for sewer service charges and user charges based upon the metered consumption of water; and

WHEREAS, the rates set forth in Chapter 931 – Water Rates, are fixed as the fair proportional and reasonable rates for water service charges and user charges based upon the metered consumption of water; and

WHEREAS, while economic development can have positive impacts to the local economy, it often spurs questions related to the potential strain on local utilities, such as water, wastewater, power and land use; and

WHEREAS, over the course of the last year, City Council and City Staff have discussed the need for an enhanced governance framework related to exceptionally large utility service requests. Accordingly, City Council desires to ensure that significant utility-capacity decisions are made through a transparent, consistent, and publicly accountable process; and

WHEREAS, as a result, City Council desires to create and adopt Chapter 933 – Utility Capacity Board, in the City of Marysville; and

WHEREAS, Chapter 933 and the aforementioned amendments are set forth in Exhibit A which is attached and incorporated herein.

WHEREAS, Chapter 933 and the amendments to Chapter 925 and 931 were presented to the Public Safety/ Service Committee on September 14, 2026 and were supported; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

Section I. The amendments to Chapter 925 – Wastewater Rates, Chapter 931 – Water Rates, and the enactment of Chapter 933 – Utility Capacity Board, of the City of Marysville Codified Ordinances, are hereby adopted as set forth in Exhibit A.

Section II. The remainder of Title Three, Public Utilities, shall remain intact.

1st Reading: September 28, 2026

2nd Reading: _____

3rd Reading: _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

EXHIBIT A

TITLE THREE PUBLIC UTILITIES

CHAPTER 925. WASTEWATER RATES[1]

Sec. 925.01. Wastewater rates.

(A) The definitions set forth in Section 900.01 apply to this chapter.

(B) The rates set forth in this section are hereby fixed as the fair, proportional and reasonable rates for sewer service charges and user charges based upon the metered consumption of water. In cases where large industrial users have installed sewage flow meters to measure the volume of sewage discharged to the sewage collection system, sewer service charges and user charges shall be based on metered sewage flow. If the sewage flow meter malfunctions or becomes inoperable during all or part of the billing period, sewer service charges and user charges shall be based on a volume of sewage determined by multiplying the metered water consumption during the billing period times the average ratio of metered sewage flow divided by metered water consumption for those billing periods during the preceding twelve months for which sewage flow records and water consumption records are available. All users discharging waste to the sewage collection system shall be billed for wastewater treatment services, including governmental or institutional users, such as schools, public utilities or other public buildings.

(C) Residential, commercial, and industrial rates per one hundred (100) cubic feet or fraction thereof:

CITY OF MARYSVILLE - WASTEWATER RATES					
Tier	Monthly Usage (in ft^3)	Current	Effective January 1, 2026	Effective January 1, 2027	Effective January 1, 2028
1	First 200 (or any part thereof)	$10.61	$10.61	$10.61	$10.61
2	Next 3,800	$7.16	$7.16	$7.16	$7.16
3	Next 46,000	$6.95	$6.95	$6.95	$6.95
4	Over 50,000	$6.79	$6.79	$6.79	$6.79
Minimum Charge		$21.22	$21.22	$21.22	$21.22
Note: Rates are calculated per 100 cubic feet or fraction thereof					

(D) Per the Asset Purchase Agreement (dated December 19, 2005) between the City and Union County, all customers outside the City Corporation Limits will be assessed wastewater capacity fees and user rates

[1]Cross reference(s)—Wastewater System Rules and Regulations, Ch. 921.

State law reference(s)—Compulsory sewer connections, ORC 729.06

equivalent to a rate greater than the capacity fees and user fees charged for comparable customers located within the corporation limits of the City of Marysville.

(E) Periodic sampling shall be performed on large industrial user waste in order to ensure that the concentration of ammonia (NH3-N) in its wastewater does not exceed twenty-five percent (25%) of the concentration of ammonia usually found in normal domestic waste.

(F) Fees to inspect sewer lateral connections for residential properties will be assessed at the rate of seventy-five dollars ($75.00) at the tap and seventy-five dollars ($75.00) from the tap to the building for single-family residences. Fees to review plans and inspect sewer connections for all other instances shall be in accordance with Section 1100.01.

(G) The sewer service charge and user charges shall be reviewed annually by the City in order to determine whether or not they are sufficient to defray the fixed charges, amortization costs and annual costs of operation and maintenance of the wastewater system. If the difference between the total annual revenue derived and the total annual cost is sufficient to justify an increase or decrease in the sewer service charge or user charges, the City will adjust the rates as required. The purpose of the annual review is also to maintain a proportional user charge and industrial cost recovery system.

(Ord. 56-13. Passed 12-5-2013; Ord. No. 060-2025, Passed 12-15-2025.)

Sec. 925.015. Surcharges.

(A) Sewage or industrial wastes above normal sewage strength, but acceptable for discharge into the wastewater system, shall be subject to a surcharge. The surcharge shall be determined on the basis of any or all five (5) constituents of the water or wastes:

(1) Total suspended solids (TSS);

(2) CBOD;

(3) Phosphorus;

(4) Ammonia-Nitrogen; and/or

(5) Excess pounds of oil and grease.

(B) When any or all the total suspended solids, the CBOD, phosphorus, ammonia-nitrogen, and oil and grease accepted for admission to the system exceeds the values of their constituents for normal sewage, the excess concentration in any or all five (5), as the case may be, shall be subject to a surcharge as follows:

CITY OF MARYSVILLE - WASTEWATER SURCHARGE RATES				
Item	2011	2026	2027	2028
Carbonaceous Biochemical Oxygen Demand (CBOD)	$0.41	$0.45	$0.50	$0.55
Total Suspended Solids (TSS)	$0.23	$0.25	$0.28	$0.31
Excess Phosphorous	$4.60	$5.06	$5.57	$6.13
Excess Ammonia/Nitrogen	$2.55	$2.77	$3.05	$3.36

Excess Oil and Grease	$1.65	$1.82	$2.00	$2.20

In addition to the surcharge, the user will pay the user charges as defined in Section 925.01(C).

(C) The pounds of CBOD per day, pounds of phosphorus per day, pounds of ammonia-nitrogen per day, pounds of oil and grease per day, and pounds of total suspended solids per day, above the concentrations previously described for normal strength sewage that are discharged to the wastewater system, shall be determined by the City or its authorized representative. In addition to a surcharge on CBOD, total suspended solids, phosphorus, ammonia-nitrogen, and oil and grease, the City shall have the right to surcharge any user for the discharge of any other pollutant into the sewage system or for any other reason that it deems necessary and appropriate, such as excessively high rates of discharge.

(Ord. 56-13. Passed 12-5-2013; Ord. No. 060-2025, Passed 12-15-2025.)

Sec. 925.02. New wastewater system connections.

(A) *New Sewer Connections:* The Wastewater Capacity Fees shall be as follows:

CITY OF MARYSVILLE - WASTEWATER CAPACITY FEES		
Meter Size (inches)	Meter Equivalents	Connection Charge
¾	1.0	$6,562.00
1	2.2	$14,436.00
1½"	6.4	$41,997.00
2"	10.0	$65,620.00
3"	20.0	$131,240.00
4"	40.0	$262,480.00
Note: The capacity fees for users requesting a meter greater than a four (4) inch meter or a peak flow greater than 50,000 gallons per day shall be calculated by the Public Utilities Department.		

Commented [JH1]: To match the newly created UCB (Chapter 933)

Deleted: 200

(1) The Wastewater Capacity Fees for individual units contained in a multi-unit dwelling shall be assessed, regardless of meter size, based on a seven-tenths (0.7) customer equivalent.

(B) Reserved.

(C) *Adena Pointe Sewer District.* An amount of four hundred dollars ($400.00) shall be collected for each residential connection in the Adena Pointe Sewer District for the purpose of funding wastewater system maintenance and improvements within the Adena Pointe sewershed.

(D) Section 925.02(C) shall expire upon the development of all lands or after twenty (20) years from the effective date of Ordinance 5-14, whichever occurs earlier.

(Ord. 5-14. Passed 2-27-2014; Ord. 99-14. Passed 12-18-2014; Ord. 40-18. Passed 6-25-2018; Ord. No. 060-2025, Passed 12-15-2025.)

Editor's note(s)—Ordinance 3-07, passed January 25, 2007 permits annual indexing of the Wastewater Capacity fees based on the Municipal Cost Index. The City shall have a feasibility study completed to determine if the

Capacity Fees are adequate for the City's capital project requirements every five (5) years at a minimum. Rates based on the indexing of the Capacity Fees will be effective annually by May 1.

Editor's note(s)—Former subsection (B) hereof was repealed by Ordinance 45-15.

Sec. 925.03. Exceptions.

To determine the amount of any periodic billing for wastewater service pursuant to such special arrangements:

(A) Multiple families using a master meter or common service shall be billed based on the number of units utilizing the master meter or existing common service.

(B) When multiple businesses use the same wastewater facilities, each business shall be separately charged for wastewater usage.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 925.04. Commencement of wastewater charges.

Wastewater charges shall commence at such time as water service is provided for the property and the sewer is connected.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 925.05. Billing.

(A) The City shall cause a bill to be mailed to each user monthly based on the water usage for the latest period available.

(B) The owner of the premises served shall be responsible for the payment of all wastewater service supplied to their premises.

(C) Bills will be mailed to the address of the premises served unless the owner requests, in writing, that they shall be sent to some other address supplied by him. Failure to receive a bill shall not relieve the owner from obligation to pay for service rendered when due.

(D) Each bill for water service remaining unpaid fifteen (15) days after the bill date shall become delinquent and subject to a five percent (5%) surcharge for late payment.

(E) *Sewer Billing Exceptions/Modifications.*

(1) *Pool credits.* There is one time per year credits for filling private swimming pools. Prior to filling the pool the customer shall call the City and request a meter reading. The City shall conduct a field verification of the pool and document the size of the pool. Once the pool is filled, the customer shall call the City and request a second meter reading. A separate pool credit will not be given if the resident has a secondary meter. Commercial accounts do not qualify for the pool credit.

(2) *The Utility Claims Board of Appeals.* This Board will establish an application and procedures as required. The Board will review applications for credits if it can be determined that there was a special circumstance for the use of the water and such water used was not returned to the wastewater system for treatment. Such circumstances may include but are not limited to: new lawn and landscape establishment, leaks, etc. Proof of such uses shall be required in the form of receipts, photographs, or other forms as required.

(3) *Secondary meters for outside water usage.* The City of Marysville offers secondary meters to customers who wish to have their outside water usage (watering lawns and gardens, washing vehicles, etc.) monitored for the sole purpose of receiving a sewer credit for that usage. Customers who have a secondary meter installed for the purpose of monitoring outside water usage are not eligible to receive the Summer sewer credit. Customers wishing to proceed with the installation of a secondary meter should follow the procedures below:

(a) Customers wishing to participate in the secondary meter program shall fill out an application at the City. The application will be reviewed and upon its approval, the customer shall purchase a meter from the City at the current cost. Payment shall be made to the City before the meter will be issued.

(b) Once payment is received, the City will schedule an appointment with the customer to have the meter installed. All plumbing and fittings shall be in place prior to the scheduling of such appointment. All material must meet City of Marysville standard specifications.

(c) Once the meter is installed, the secondary meter will be added to the customer's account. This will keep track of the outside water usage.

(d) Anyone caught tampering with the meter or making any attempts to utilize this meter or its appurtenances in any way that it was not intended, is subject to the loss of privileges of the secondary meter and penalties.

(4) *Application for Outdoor Watering.* A utility customer may apply for a credit on wastewater billing for circumstances such as watering for the installation of a new lawn or landscaping when a secondary meter is not already installed at a property. For existing properties, a customer may apply for a credit that would be based on consumption over the prior 12-month period. In order to be considered, an application for a credit on wastewater billing under this provision, shall be made no later than December 31st of the year for which the credit is requested. For a new build customer, a credit would be calculated by the following prescribed sod watering table:

SOD WATERING CREDIT	
CUBIC FEET PER MONTH	HOUSEHOLD SIZE
200	1 Resident
400	2 Residents
500	3 Residents
600	4 Residents
700	5 Residents
800	6 Residents
900	7 Residents

(Ord. 56-13. Passed 12-5-2013; Ord. 30-16. Passed 9-12-2016; Ord. 41-18. Passed 6-25-2018; Ord. 46-19. Passed 7-22-2019; Ord. 035-2020. Passed 8-24-2020; Ord. No. 054-2022. Passed 11-14-2022.)

Sec. 925.06. Vacant premises; reoccupancy.

(A) If a single-family residence requests water service to be temporarily disconnected, the sewer portion of the monthly utility bill will also be temporarily suspended pending re-establishment of water service to that residence. If it is determined the resident in said single-family residence continues to utilize the sewer service once water service has been disconnected that residence will be charged an amount equivalent to the minimum monthly sewer rate from the time water service was disconnected to the date of reconnection.

(B) In case of destruction which renders a building uninhabitable, sewer charges to that property owner or tenant shall cease as of that date.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 925.07. Collection; refunds.

(A) All bills for sewer service delinquent as of July 15th of each year shall have a final written notice issued with full payment due by July 31st. Delinquent accounts after such final notice shall be forwarded to the County Auditor who shall place such amount on the tax duplicate and collect such charges and penalties in the same manner as other taxes are collected. At such time, the Director of Finance may certify such charges, together with a penalty of five percent (5%) thereon, to the County Auditor, who shall place such amount on the tax duplicate and collect such charges as penalties in the same manner as other taxes are collected.

(B) Refunds or credits shall not be made for service discontinued for periods of less than four weeks (a full calendar month).

(C) Amounts of less than five dollars and one cent ($5.01) shall not be collected or refunded.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 925.08. Sewer sealing.

The cost for the City to complete this work will be completed on a "time and materials" basis.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 925.99. Penalty.

(A) Except as provided in subsection (B) hereof, whoever violates or fails to comply with any of the provisions of this chapter shall be fined not less than five hundred dollars ($500.00) for the first offense and one thousand dollars ($1,000.00) on the second offense, nor more than five thousand dollars ($5,000.00) for each additional offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this chapter or the orders, rules and regulations issued hereunder.

(Ord. 56-13. Passed 12-5-2013.)

CHAPTER 930. WATER SYSTEM RULES AND REGULATIONS[2]

Sec. 930.01. General regulations governing connections.

(A) The definitions set forth in Section 900.01 apply to this chapter.

[2]State law reference(s)—Fluoridation, ORC 6111.13; water pollution, ORC 715.08, 743.25.

(B) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any portion of the existing public water system without first obtaining a written permit from the City. All work on the water system is to be performed by a contractor licensed with the City of Marysville.

(C) The owner of a premises or their agent shall make application on a special form furnished by the City.

(D) All applications for service must state the uses to which the water is to be applied. Upon the commencement of service by the City, the customer becomes obligated to pay for the water service furnished, and both the City and the customer become obligated to abide by all the terms and provisions of the regulations then in effect and as the same may be lawfully altered, amended or otherwise modified.

(E) When a change of occupancy occurs in any premises receiving water service, an application by the new occupant must be made to the City. Each person accepting water service from the City without making proper application shall be deemed to be a customer for the purpose of all applicable City fees. However, the City may terminate service, upon seven (7) days' notice, until proper application is made.

(F) Where no notice has been given to the City of a change of occupancy for a premises, the current owner shall be liable to the City for the payment of water service.

(G) When an application for water service is made, or when the City deems it necessary, the City has the right to require a cash deposit to secure the payment of bills.

(H) No agreement will be made by the City with any applicant for residential water service until all arrearages and charges due from the applicant for water service or other services rendered by the City to the applicant at any other residential premises shall have been paid. If necessary, the City may consider outstanding customer debt on previous properties when considering termination of utility service.

(I) The owner of a house, building or property used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley, Right-of-Way or easement in which there is now located or may in the future be located a public water main of the City, is hereby required, at the owner's expense, to connect to the proper public main in accordance with the rules and regulations within ninety (90) days after the date of official notice to do so, provided the foundation wall of the structure to which service is to be provided is less than two hundred (200) feet from the nearest boundary of the Right-of-Way or public utility easement which the water main is located.

(J) No person shall be permitted to connect to the City water system unless it has been determined by the City that there is sufficient capacity in the system to provide the water necessary for service.

(K) Reserved.

(L) The water components for the Jerome Village development shall be operated under these Codified Ordinances, including Chapter 930 Water Rules and Regulations and Chapter 931 Water Rates, all federal and state laws relating to waterline and water usage, all administrative regulations implementing City ordinances, state and federal laws. The Service Agreement between the following entities: the Jerome Village Community Authority; Union County and the City of Marysville shall control the ownership and maintenance responsibilities of this infrastructure.

(M) All parcels included within the Growth Area of the City of Marysville and contiguous to the City's corporate limits, with the exception of those containing residential dwellings existing prior to December 19, 2005, shall annex into the City in order to connect to the City utility system. Connection is dependent on the rules and regulations being met and an Annexation Agreement being signed by the property owner(s). The language of the Agreement shall generally state "Annexation of this property to the City shall occur (at the discretion of the City) when this property becomes contiguous to the City."

(N) All parcels included within the City of Marysville Exclusive Service Area may connect to the City Utility system provided that all rules and regulations are met. Properties outside of this area must obtain permission from the Union County Commissioners to connect to the City Utility System.

(Ord. 56-13. Passed 12-5-2013; Ord. No. 001-2023. Passed 1-9-2023.)

Editor's note(s)—Former subsection (K) hereof was repealed by Ordinance 45-15.

Sec. 930.02. General regulations governing service.

(A) When the supply of water is to be temporarily shut off by the City, the City will give as much advance notice (except in case of emergency) as is practicable under the circumstances to all customers to be affected by the shut off, stating the probable duration of the interruption of services.

(B) In the interest of public health, mains, service lines or other pipes may not be connected with any service line or piping which the City knows or has good reasons to believe is connected with any other source of water supply, nor may such mains, service lines or other pipes be connected in any way to any piping, tank, well or other apparatus which contains liquids, chemicals or any other matter which may flow back into the public mains, service lines or other pipes and which may endanger or otherwise contaminate the water supply.

(C) The City shall not be liable for a deficiency or failure, regardless of cause, (except as a result of willful misconduct or negligence) in the supply of water or in the pressure, nor for any damage caused thereby, or by the bursting or breaking of any main or service line or any attachment to the mains and service lines or other facilities used by the City. All damage to a customer's boilers or other equipment depending upon pressure in mains and service lines to keep them supplied with water shall be borne exclusively by the customer.

(D) When an application is made for the installation of a City service line or for water service, the City shall be entitled to assume that the piping and fixtures to which the service will be supplied are in good order to receive such service, but reserves the right to inspect such facilities to assure against possible damage and cross connections.

(E) Water will not be provided where pipes are inferior, defective or not in compliance with City Specifications. When such conditions are discovered, the supply of water may be terminated until repairs are made.

(F) The City shall have the sole right to determine the size, type and location of meters, meter settings, valves, service lines and connections necessary to provide the service applied for.

(G) Exclusive operating control of all service lines from main to meter, and of meters and meter installations shall at all times remain with the City, and shall not be interfered with in any respect.

(H) When a supply of water for building construction purposes is applied for, such supply shall be furnished under the regulations applicable to regular, permanent service. Special, temporary requirements for water service may be met by applying for the same at the City.

(I) The customer shall not, without City consent, use water for any purpose or upon any premises not stated in the application for service.

(J) The City may discontinue with notice all or any part of its service to any customer for any of the following reasons:

(1) For the use of water for any other purpose or upon any premises not stated in their application.

(2) To prevent waste or reasonably avoidable loss of water.

(3) For tampering with any service line, meter, curb stop, curb box, seal or other appliance under the control of, or belonging to, the City.

(4) For continued vacancy of the premises.

(5) For failing to make deposit when required.

(6) For connecting the service line, or any pipe directly or indirectly connected therewith, with any other source of supply or with any apparatus which may, in the opinion of the City, contaminate the City's water supply.

(7) The denial to the City of reasonable access to the premises for purpose of inspection, installation, reading, repairing or removing meters or meter reading equipment.

(8) For any other violation of, or failure to comply with, the regulations of the City.

(K) In any case in which two or more customers are supplied through one service line, ("combined" or "common service") and the City is entitled under the preceding paragraph to discontinue service to any one of them, the City may shut off such service line.

(L) If a customer whose service has been discontinued for non-payment of bills or for violations of or failure to comply with the regulations of the City, desires a reconnection, such reconnection may only be made after the customer has met the conditions set forth in Chapter 931.

(M) When a customer's meter cannot be read for a period of thirty (30) days after the latest prior reading, the City may discontinue service to the customer upon giving seven (7) days written notice to them of its intention to do so, unless the customer shall promptly make access to the meter possible during the City's regular business hours on any day except Saturday, Sunday and holidays, and notify the City thereof. If the customer notifies the City that they can promptly make access to the meter possible only during a time and day other than during the City's regular business hours, the City shall make a charge for the actual cost of such meter reading service.

(N) Any employee or agent of the City seeking access to the dwelling or structure of a customer shall identify themselves, provide proper City photo identification, and shall state the reason for their visit. Upon request, the employee or agent shall identify themselves to the person responsible for the dwelling or structure. Entrance will not be sought or gained by subterfuge or force. The City shall be responsible for any damage done by its employees when such damage results from willful misconduct or negligent act and within the scope of employment.

(O) Complaints with regard to the character of service furnished, or to the reading or registration of meters or to the bills rendered, must be made with the City. A record of such complaint will be kept by the City.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.03. Cost to be owner's responsibility.

(A) All costs and expenses incident to the installation, connection, repair and maintenance of the customer service line shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be caused by installation of the customer service line.

(B) All costs and expenses incident to or resulting from interference with the public water system or damages resulting from interference with the public water system shall be the responsibility of the person causing or creating such interference.

(C) It is the intent of the City to discontinue "combined" or "common services" existing combined services will be maintained. However, at such time as maintenance is required, the combined service shall be split into two separate services with costs for such services to be the responsibility of the customer. The City may require customers to install (or allow to be installed) separate service shut off valves.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.04. Material specifications and construction.

All water lines and appurtenances, including materials and installation procedures, shall be designed and constructed in accordance with the current rules and regulations of the City of Marysville.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.05. Backflow prevention system required.

(A) If, in the judgment of the City a backflow prevention device is necessary for the safety of the public water system, the City will give notice to the water consumer to install an approved device immediately. The water customer shall, at their own expense, install an approved backflow device at a location and in a manner approved and designated by the City. Prior to approval, the backflow device must be inspected and tested as required by the City.

(B) No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained, any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Division of Water may enter the supplier distribution system of the City, unless such private, auxiliary or emergency water supply in the method of connection and use of such supply shall have been approved by the City and by the Ohio Environmental Protection Agency.

(C) It shall be the duty of the City to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys or investigations shall be made a matter of public record and shall be repeated as often as the City shall deem necessary for proper protection of the public water supply.

(D) The City shall have the right to enter, at any reasonable time, any property served by connection to the public water supply or distribution system of the Division of Water, for the purpose of inspecting the piping system or systems thereof. On demand, lessees or occupants of any property so served shall furnish to the City any information which he may request regarding the piping system or systems or water used on such properties. The refusal of such information, when demanded, shall, within the discretion of the City be deemed evidence of the presence of improper connections as provided in this chapter.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.06. Service lines.

(A) The application for the installation of the City service line must state the uses to which the water is to be applied, and the correct lot and street number or other complete identification of the premises to be supplied.

(B) The application for installation of a City service line will be accepted subject to the conditions that there shall exist, adjacent to the premises to be served, a supply of water sufficient to provide the service requested.

(C) A City service line may not be used to supply more than one premises.

(D) Service lines shall be installed to provide for inside meter settings, except in special cases where the City has approved outside meter settings.

(E) The curb stop or outside meter vault shall be installed at a place designated by the City between the curb line and the property line.

(F) Curb stops or valves in the City's service lines are for the exclusive use and under the exclusive control of the City.

(G) The owner shall at their expense install, maintain and repair the customer service line. Where a service line is to be installed in a paved or improved street, the cost of removing and replacing the street surface to City Standards shall also be paid for by the applicant.

(H) When a leak in a customer service line is discovered, the City may turn off the water service until the leak is repaired. Without limiting the authority of the City under the preceding sentence, the City will endeavor, when the circumstances are such as to make it practicable, to give notice to the customer before discontinuing such service, in order to afford him a reasonable time to make such repairs.

(I) If a City service line is to be installed where any portion of the line must pass through property not owned by an applicant, the applicant must assume full responsibility for acquiring the right to pass through such property.

(J) When the installation of a customer service line has been completed, the owner shall leave the service line turned off until it is inspected and approved for use by the City.

(K) The City service line (from the curb box to the main) shall be operated and maintained by the City.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.07. Metered service.

(A) A meter will be installed by the City after the customer service line has been inspected by the City and plumbing has been made ready for such installation by the customer. The meter and setting shall conform to specifications as they may be prescribed from time to time by the City and shall be operated and maintained by the City.

(B) Meters so installed shall remain the City's property and shall not be moved or tampered with in any manner.

(C) Each service line must be separately metered and no meter may be used to serve more than one premises, except in the instance when a special arrangement shall be entered into by the City with an applicant for service to:

(1) A building or combination of buildings, of the same ownership, housing two or more rental units, each of which is designed or used for single-family occupancy as a residence or by a person for professional or business purposes, or both; or

(2) A building housing two or more units, not of the same ownership, each of which is designed or used for single-family occupancy as a residence or by a person for professional or business purposes, or both,

(3) A mobile home or trailer park or court, of the same ownership, containing pads, lots or locations for two or more mobile homes or trailer units, not of the same ownership, each of which units is designed or used for single-family occupancy as a residence for single-family occupancy or by a person for professional or business purposes, or both.

Such special arrangement shall be entered into solely at the discretion of the City and shall provide for the metering of water service through one or more meters to two or more residential or professional business units, or combination thereof, per meter. The billing for water service shall be made to the applicant for service or their heirs, successors or assigns, who shall be considered to be the customer of the City, regardless of the ownership of the units provided with water service through such meter or meters. One billing shall be made with respect to each meter through which water service is provided pursuant to such special arrangements as specified in Chapter 931.

(D) All meters placed in buildings shall be located in the basement, or if there is no basement, then in the first floor, as near as possible to the point of entrance of the service line, in a clean, dry, safe place, not subject to

great variation in temperature, so located as to be easily accessible for installation or disconnection and for reading, and suitable for the purpose.

(E) Each meter shall be located at a point approved by the City so as to measure the entire supply delivered to the premises served, and a proper place and protection for the meter shall be provided. A valve approved by the City shall be provided on the service line on the inlet side of and near the meter, and a valve on the outlet side of and near the meter. An approved backflow device shall be provided between the meter and the valve on the outlet side of the meter, if required by the City to prevent water backing up through the meter. If an approved backflow device is required, a safety valve must be inserted at some convenient point on the house piping to relieve the excess pressure due to heating water. The control of the water supply by the customer shall be by means of the separate valve, to be provided by the customer, located at the outlet side of the meter.

(F) Curb stops and all other valves between the main and the meter are for the exclusive use of the City and shall not be used by the customer for turning on or shutting off the water supply.

(G) Meters will be maintained by the City so far as ordinary wear and tear are concerned. Damages resulting from freezing within the customer's premises, hot water backflow, or negligence or purposeful act of the customer shall be paid by the customer.

(H) The City reserves the right to remove and test any meter at any time, and substitute another meter in its place. In case of a disputed charge for service involving a question as to the accuracy of a meter, procedures to be followed are set forth in Section 931.07 Billing and Service Claims.

(I) All meters used for measuring quantity of water delivered to a customer shall be in good mechanical condition and shall be adequate in size and design for the type of service which they measure and shall be accurate in accordance with AWWA Standards or the manufacturer's requirements.

(J) A new meter shall only be placed in service if it meets all manufacturer requirements.

(K) If the City finds as a result of the customer's willful act a meter seal has been broken, or any bypass inserted, or there is other evidence that the meter has been tampered with, the water may be shut off. Reconnection will not occur until the following has been paid by the customer:

(1) A reconnection or turn off fee as set forth in Section 931.05(C).

(2) The cost to restore the meter to proper working order.

(3) The cost of the estimated quantity of water used based on the usage history for a comparable period of time.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.08. Private fire protection service.

(A) Where a customer desires both regular water service and water service to private fire protection facilities on their premises which require either or both the service line and the meter to be of a larger size or of a different type than would be approved by the City for supplying and measuring the regular water service, the fire protection service shall be supplied through a separate service line. Exceptions because of low pressure or other operational issues may be approved by the City Division of Fire when recommended in writing by the City.

(B) A written application for private fire protection service shall be accepted subject to the condition that there shall exist, adjacent to the premises to be served, a supply of water sufficient to provide the service. The acceptance and approval of any application for, and the furnishing of, such service shall be on the basis of

pressures as they may exist in the locality, which pressures are not guaranteed by the City and may fluctuate significantly from time to time.

(C) Due to the unusual requirements for safety, continuity and adequacy of private fire protection service, the use of water through private fire protection facilities must and shall be limited to the combating of fires only.

(D) A customer applying for private fire protection service shall present to the City a complete description of the requested service, giving the details of feeder lines and connections, hydrants, sprinklers, hose connections, etc., installed or to be installed in the customer's premises, and the City shall determine whether or not such service requires metering. The rate applying to this service is a flat rate and strict compliance with these regulations is necessary in order to make the use of this type of rate practical and satisfactory. However, unusual circumstances may exist at the time the application is made, or may develop in the future, whereby it may be necessary to meter such service. The City, therefore, reserves the right, at any time, to install a meter or flow-detecting device of a type acceptable to and approved by the Ohio Insurance Service Office. The cost of such meter or flow-detecting device, and of the installation thereof, shall be paid by the customer.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.09. Public fire protection.

(A) Public fire hydrants shall be installed on all mains of sufficient size hereafter constructed at spacing which shall be in conformance with reasonable utility engineering practices and as required by the Division of Fire.

(B) No person shall take water from any public fire hydrant, except for the purpose of combating fire. Should any other proposed use of a public fire hydrant be requested, arrangements must be made with the City and are subject to the City's approval of such use.

(C) Once a fire hydrant has been installed and if thereafter any person requests a change of its location for any reason, the entire cost of relocation shall be paid by the person requesting the change.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.10. Water restriction policy.

In the event of a drought, the City will attempt to monthly forecast our anticipated month's reserve of raw water. A policy will be established to determine the best course of action regarding voluntary water conservation steps taken by City Utility Customers.

(Ord. 56-13. Passed 12-5-2013.)

Sec. 930.11. Groundwater Well and Private Water System Restrictions.

(A) No owner, agent or lessee of real estate within the City, except for the municipal government of the City shall drill, dig or use or allow to be drilled, dug or used any water well (or private water system) on real estate to be located within the City for any purpose without first obtaining a permit from the following entities: City of Marysville; Union County Health Department; Ohio Environmental Protection Agency (if applicable).

(B) For the safety of the public water system, an approved backflow prevention device will be required when necessary. All requirements of Section 930.05 - Backflow prevention system required will apply.

(C) If a property currently within the City is served by a water well (or private water system) and in the event that water service is subsequently made available to the property, such property owner shall continue to have the right to use any such private water system granted hereunder or any private water system in existence prior to the enactment of this section, including the right to repair and maintain such private water system. However, if such public water service is available, then such property owner shall not be entitled to install a new private water system on the property, but shall be required to connect this property to such water service.

(D) Only one well (or private water system) shall be allowed per parcel and such well (or private water system) shall not supply a parcel other than the one in which it is located.

(Ord. No. 060-2025, Passed 12-15-2025)

Sec. 930.99. Penalty.

Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not less than five hundred dollars ($500.00) for the first offense and one thousand dollars ($1,000.00) on the second offense, nor more than five thousand dollars ($5,000.00) for each additional offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this chapter or the orders, rules and regulations issued hereunder.

(Ord. 56-13. Passed 12-5-2013.)

CHAPTER 931. WATER RATES[3]

Sec. 931.01. Bills and payments for services.

(A) All definitions set forth in Section 900.01 shall apply to this chapter.

(B) The owner of the premises served shall be responsible for the payment of all water and water services supplied to their premises.

(C) Bills will be mailed to the address of the premises served unless the owner requests, in writing, that they shall be sent to some other address supplied by him. Failure to receive a bill shall not relieve the owner from obligation to pay for service rendered when due.

(D) Each bill for water service remaining unpaid fifteen (15) days after the bill date shall become delinquent and subject to a five percent (5%) surcharge for late payment.

(E) Bills for water service shall be rendered monthly and shall show the quantity of water and the period for which the bill is rendered.

(F) Bills for private fire protection shall be rendered in advance.

(G) A customer's bill will be accepted as "on time" if mailed on or before the past due date indicated on the bill. The stamped post office date will determine the mailing date of the customer's payment. The bill will be considered "past due" if it does not meet these stipulations. All past due bills will be assessed a five percent

[3]State law reference(s)—Waterworks mortgage revenue bonds, ORC 715.09 et seq.; weekly deposit of water works money collected, ORC 743.06.

(5%) penalty. The City may assess/credit this amount to the customer's account and include this amount within the next billing cycle if sufficient proof is provided and approved by the City.

(H) All bills for water service delinquent as of July 15th of each year shall have a final written notice issued with full payment due by July 31st. At such time, the Director of Finance may certify such charges, together with a penalty of five percent (5%) thereon, to the County Auditor, who shall place such amount on the tax duplicate and collect such charges as penalties in the same manner as other taxes are collected.

(I) Upon request of the customer for termination of service, the City shall make a final meter reading and shall render a final billing. Bills rendered upon such termination of service must be paid on or before the past due date indicated on the bill. Such bills may be increased by the reasonable cost of collection, which may not exceed fifty percent (50%) of the gross amount due.

(J) In cases in which a meter cannot be read, whatever the cause, the City may require a payment equal to a representative charge for a period of similar length for service rendered to the same premises, or if that cannot be ascertained, then to similar premises.

(K) The payors of dishonored checks returned unpaid shall be charged twenty-five ($25.00) dollars to cover processing costs.

(L) Amounts of less than five dollars and one cent ($5.01) shall not be collected or refunded.

(Ord. 56-13. Passed 12-5-2013; Ord. 11-18. Passed 2-26-2018.)

Sec. 931.02. Rates for metered water service.

(A) The rates for metered water service shall be as follows:

CITY OF MARYSVILLE - WATER RATE					
Tier	Monthly Usage (in $ft.^3$)	Current	Effective January 1, 2026	Effective January 1, 2027	Effective January 1, 2028
1	First 200 (or any part thereof)	$11.50	$11.50	$11.50	$11.50
2	Next 3,800	$6.75	$6.75	$6.75	$6.75
3	Next 46,000	$3.60	$4.00	$4.45	$4.90
4	Over 50,001	$2.90	$3.20	$3.55	$3.90
Minimum Charge		$23.00	$23.00	$23.00	$23.00
Note: Rates are calculated per 100 cubic feet or fraction thereof					

(B) Minimum charges per month are established as follows:

CITY OF MARYSVILLE - WATER MINIMUM BILLING							
Meter Size (inches)	Actual Peak Flow (gallons per day)	Meter Equivalents	Water Allowed Per Month (Cubic Feet)	Current Minimum Charge	Effective January 1, 2026	Effective January 1, 2027	Effective January 1, 2028
⅝"		1.0	200	$23.00	$23.00	$23.46	$23.92

1"		2.2	440	$39.20	$39.20	$40.00	$40.77
1½'		6.4	1,280	$95.90	$95.90	$97.87	$99.74
2"		10.0	2,000	$128.75	$144.50	$147.48	$150.28
3"		20.0	4,000	$200.75	$279.50	$285.28	$290.68
4"		40.0	8,000	$344.75	$439.50	$457.96	$476.42
6"		64.0	12,800	$517.55	$631.50	$671.56	$711.62
8"		112.0	22,400	$863.15	$1,015.50	$1,098.76	$1,182.02
X	50,000	250	100,000		$3,774.85	$4,162.90	$4,550.95
X	200,000	1,000	400,000		$13,539.99	$14,996.56	$16,453.14
X	500,000	2,500	1,000,000		$33,070.71	$36,663.46	$40,256.21
X	1,000,000	5,000	2,035,000		$65,621.93	$72,774.96	$79,928.00
Note: The minimum user rates for all users requesting (or utilizing) peak daily volume exceeding 50,000 gallons per day will be calculated by the City at a rate that must guarantee fifty (50) percent of that usage on a daily basis. For large users exceeding this threshold, this rate will be memorialized via a separate water / wastewater service agreement.							

Deleted: 500

Commented [JH2]: To match the newly created UCB (Chapter 933)

(C) Per the Asset Purchase Agreement (dated December 19, 2005) between the City and Union County, all water customers outside the City Corporation Limits will be assessed capacity fees greater than the water capacity fees charged for comparable customers located within the corporation limits of the City of Marysville.

(D) Beginning January 1, 2015, the rate per 1,000 gallons sold shall be ten dollars ($10.00). For bulk water purchases utilizing a fire hydrant where a fire hydrant meter shall be required, there shall be a set-up fee of thirty-five dollars ($35.00) for those customers unable to install the hydrant meter.

(E) For Bulk Water purchases utilizing a fire hydrant meter, there shall be a set-up fee of thirty-five dollars ($35.00) for those customers unable to install the hydrant meter using the proper tools and supports. A deposit equivalent to the cost of the bulk water meter shall be made with the City prior to the setting of the meter. Any damage to the bulk meter will be the responsibility of the customer.

(Ord. 56-13. Passed 12-5-2013; Ord. 93-14. Passed 12-4-2014; Ord. 60-18. Passed 11-13-2018; Ord. No. 060-2025, Passed 12-15-2025)

Sec. 931.03. Reserved.

Ord. No. 013-2022, adopted April 11, 2022, repealed § 931.03, which pertained to rates for private fire protection, and derived from Ord. 56-13, adopted Dec. 5, 2013.

Sec. 931.04. Multiple unit billing.

(A) Each service line shall be separately metered and no meter may be used to serve more than one (1) premises except in the instance when a special arrangement has been entered into by the City with an application for service to:

(1) A building or combination of buildings of the same ownership, housing two or more rental units each of which is designed or used as a single-family residence or by a person for professional or business purposes or both.

(2) A building housing two or more units, not of the same ownership, each of which is designed or used for single-family occupancy as a residence or by a person for professional or business purposes, or both, or

a mobile home trailer park or court, of the same ownership containing pads, lots or locations for two or more mobile home or trailer units, not of the same ownership, each of which unit is designed or used for single-family occupancy or by a person for professional or business purposes, or both.

(B) Such special arrangement shall be entered into solely in the discretion of the City and shall provide for the metering of water service through one (1) or more meters to two (2) or more residential or professional business units, or combination thereof, per meter. The billing for water service shall be made to the applicant/owner or their heirs, successors or assigns, who shall be considered to be the customer of the City regardless of the ownership of the units provided with water service through such meter or meters. One billing shall be made with respect to each meter through which water service is provided pursuant to such special arrangement. The amounts of each such billing shall be determined on the basis of the "customer equivalents" provided by the meter employed. The customer equivalents utilized are those recommended by the American Water Works Association (AWWA) in Manual M6, Water Meters Selection, Installation, Testing & Maintenance. Such relationship is as follows:

CITY OF MARYSVILLE - WATER METER EQUIVALENTS	
Meter Size (inches)	Meter Equivalents
⅝"	1.0
1"	2.2
1½"	6.4
2"	10.0
3"	20.0
4"	40.0
6"	64.0
8"	112.0
Note: The meter equivalents for all meters larger than eight (8) inches will be calculated by the City based on actual meter capacity.	

(C) To determine the amount of any periodic billing for water service pursuant to such a special arrangement:

(1) Multiple families or structures using a master meter or common service shall be based on the number of units utilizing the City's utility system. A vacant lot within a mobile home park is not considered a unit.

(2) When multiple businesses use the same water meter (via master meter or common service), each business shall be charged based on the total number of units proposed to be connected to the City's utility system. If the actual number of units exceeds the design total, the number of units can be increased.

(3) Where existing service installations do not conform with the meter requirements under Chapter 930, the billing to the customer will be prorated based on the water consumption used.

(D) *Mobile Home Park Vacant Lot Reporting.* Prior to the first day of each month, the manager or his designee of a mobile home park shall file with the City Finance Department a report (on a form furnished by the Finance Department) of the number of vacant lots in the park. A vacant lot is one on which there is no home, trailer or structure.

(E) The filing of an erroneous report or the failure to timely file a report will result in a fee of $200.00, which will be assessed on the utility account of the mobile home park.

(Ord. 96-14. Passed 12-18-2014; Ord. 35-18. Passed 4-23-2018; Ord. 60-18. Passed 11-13-2018; Ord. No. 060-2025, Passed 12-15-2025)

Sec. 931.05. Disconnection and reconnection of service.

(A) Water service may be shut off not less than seven (7) days after the City mails a disconnection notice informing the customer of the delinquent balance for any or all utility services provided by the City. Such services include, but are not limited to, water, sewer, stormwater, and refuse. A disconnection processing fee of $25.00 shall be applied if the customer has not paid in full the delinquent balance, provided it is greater than $30.00, by 5:00 p.m. on the due date set forth on the delinquency notice.

(B) All partial payments received shall be applied to the oldest outstanding utility balance.

(C) If a customer who has been disconnected for nonpayment of any or all utility service bills or for violation of, or failure to comply with, the regulations of the City, desires a reconnection, such reconnection may be made after the customer:

(1) Has paid all unpaid bills for all delinquent utility services owed to the City.

(2) Has paid a reconnection or turn-on fee as set forth on the City's rate schedule.

(3) Has corrected any condition in violation of the regulations of the City.

(4) Has made or maintained a deposit as required.

(5) Has made payment plan arrangements with the City in lieu of total payment.

Violation of the payment terms in the payment plan arrangement previously approved by the City shall result in immediate disconnection without further notice.

(D) The disconnection processing fee and reconnection fee shall be as follows:

(1) Disconnection process fee: $25.00

(2) Normal business hours (Monday-Friday 8:00 a.m.—5:00 p.m.): $25.00 (reconnection)

(3) After business hours, weekends or holidays: $50.00 (reconnection)

(E) The fees for voluntary disconnection and reconnection of service (for a period of more than seventy-two (72) hours) shall be as follows:

(1) Normal business hours: $25.00 (disconnection)

(Monday-Friday 8:00 a.m. 5:00 p.m.): $25.00 (reconnection)

(2) After business hours, weekends or: $50.00 (disconnection)

Holidays: $50.00 (reconnection)

(F) When a customer's meter cannot be read for a period of thirty (30) days after the latest prior reading, the City may discontinue service to the customer upon giving seven (7) days written notice to them of its intention to do so, unless the customer shall promptly make access to the meter possible during the City's regular business hours on any day except Saturday, Sunday and holidays, and notify the City thereof. If the customer notifies the City that they can promptly make access to the meter possible only during a time and day other than during the City's regular business hours, the City shall make a charge for the actual cost of such meter reading service.

(Ord. 56-13. Passed 12-5-2013.; Ord. 23-14. Passed 5-8-2014; Ord. 71-14. Passed 10-23-2014.)

Sec. 931.06. Capacity fees, inspection charges and other fees.

(A) *New Water Connections:* The Water Capacity Fees shall be as follows:

CITY OF MARYSVILLE—WATER CAPACITY FEES						
Meter Size (inches)	Requested Peak Flow (gallons per day)	Meter Equivalents	Current Total	2026 Total	2027 Total	2028 Total
⅝"		1.0	$4,950	$5,445	$5,990	$5,990
1"		2.2	$10,890	$11,979	$13,177	$13,177
1½"		6.4	$31,680	$34,848	$38,333	$38,333
2"		10.0	$49,500	$54,450	$59,895	$59,895
3"		20.0	$99,000	$108,900	$119,790	$119,790
4"		40.0	$198,000	$217,800	$239,580	$239,580
X	50,000			$750,000	$750,000	$750,000
X	200,000			$3,000,000	$3,000,000	$3,000,000
X	500,000			$7,500,000	$7,500,000	$7,500,000
X	1,000,000			$15,000,000	$15,000,000	$15,000,000
Note: The City calculates capacity fees at $15.00 per gallon per day exceeding 50,000 gallons. Subject to parameters set by the Utility Capacity Board (UCB), the UCB may reduce the peak flow capacity fee calculations to the standard meter equivalents or waive them completely for qualifying end users.						
Note: The capacity fees for users requesting a meter greater than a four (4) inch meter or a peak flow greater than 50,000 gallons per day shall be determined by City Staff.						

Commented [JH3]: This is how we have always calculated our capacity fees (the old way)

Deleted: 200

(1) As part of the connection process, all capacity fees include the City's cost for the water meter and automated metering infrastructure. Due to the cost fluctuations, this pass-through cost shall be reviewed annually and approved by the Board of Control (provided the change in cost not exceed twenty (20) percent). If the cost does exceed twenty (20) percent, City Council shall review.

(2) The Water Capacity Fees for individual units contained in a multi-unit dwelling shall be assessed, regardless of meter size, based on a seven-tenths (0.7) customer equivalent.

(B) The Water Capacity Fees for fire service lines shall be fifteen percent (15%) of the rate for a normal water service.

CITY OF MARYSVILLE - FIRE PROTECTION CAPACITY FEES				
Meter Size (inches)	AWWA Pipe Equivalents	Current Total	2026 Total	2027 Total
1"	2.5	$1,856.25	$2,042	$2,246
1½"	5.0	$3,712.50	$4,084	$4,492
2"	8.0	$5,940.00	$6,534	$7,187
3"	15.0	$11,137.50	$12,251	$13,476
4"	25.0	$18,562.50	$20,419	$22,461
6"	50.0	$37,125.00	$40,838	$44,921
8"	80.0	$59,400.00	$65,340	$71,874
10"	275.0	$205,187.50	$224,606	$247,067
12"	400.0	$297,000.00	$326,700	$359,370
16"	500.0	$371,250.00	$408,375	$449,213

(C) Inspection fees will be assessed at the rate of seventy-five dollars ($75.00) per tap from the water main tap to the curb box and seventy-five dollars ($75.00) from the curb box to the building at the meter for single-

family residences. Fees to review plans and inspect water connections for all other instances shall be in accordance with Section 1100.01.

(D) Charges will be assessed for all water users for water meters including the replacement of frozen or purposely damaged water meters. This assessment will include labor and materials to install meters and radio transmitters and will be based on the current price invoiced to the City by the manufacturer.

(E) Abandonment costs shall be paid by the applicant as follows:

When in street or alley$1,000.00

Otherwise$500.00

(F) In the event of demolition or destruction of a property by fire, conscious act or otherwise, lines shall be abandoned within ninety (90) days. Upon re-development, all previous connection charges paid to the City will be credited to the respective parcel.

(G) Reserved.

(H) Pursuant to the recent fire flow upgrades required for the Jerome Village development, developments (in excess of ten (10) Equivalent Residential Units (ERUs)) located downstream of the Fladt Road Water Tower and outside of the Jerome Village Authority District and customers located within the Authority District are subject to a water connection surcharge. This requirement is memorialized within the "First Amendment to and Amended and Restated Article Two of the Asset Purchase Agreement Dated December 19, 2005 between Union County and the City of Marysville" which shall control the ownership and maintenance responsibilities of this infrastructure.

(Ord. 56-13. Passed 12-5-2013; Ord. 98-14. Passed 12-18-2014; Ord. 39-18. Passed 6-25-2018; Ord. No. 060-2025, Passed 12-15-2025.)

Editor's note(s)—Former subsection (G) hereof was repealed by Ordinance 45-15.

Sec. 931.07. Billing and service claims.

(A) Should a customer object to any bill and file a written objection, the City will accept payment of the net bill within seven (7) days after the customer has been notified of the results of the City's investigation made in response to the complaint.

(1) Should a customer question the accuracy of a meter in a billing dispute the meter will be removed for test. Such meters will be tested in accordance with the current rules and regulations of the City of Marysville. In the event the meter so tested is found to have an error in registration, the advanced fee will be refunded or credited with and the bill corrected accordingly. The correction shall apply to both over and under registration.

(2) The customer shall, upon requesting a meter test, advance to the City a charge of twenty-five dollars ($25.00) for meters up to and including three-fourths inch (3/4") in size and at actual cost to the City (including time and materials) for all meters over three-fourths inch (3/4") in size. The advance charge will be refunded only if the meter fails to meet City specifications.

(B) Should a customer determine that the City's investigation of a billing or other water service dispute is not satisfactory, the customer shall file a written objection to the Board of Utility Claims to hear and resolve the billing dispute. Both the customer and the City may be present at the hearing to present details concerning the claim. The Board shall render a decision based on City ordinance and details of the claim.

(Ord. 56-13. Passed 12-5-2013.)

CHAPTER 933. - UTILITY CAPACITY BOARD

Sec. 933.01. - Established.

A Utility Capacity Board is hereby established, consisting of the City Manager (or City Manager appointed designee), the Public Utilities Director, Chair of the Public Safety/Service Committee, Chair of the Finance Committee, and City Council representative as appointed by the President of Council.

Sec. 933.02. - Powers.

The Utility Capacity Board shall be responsible for reviewing and approving or approving with modifications, or disapproving, all proposed Water and Wastewater Capacity Agreements where peak daily usage is in excess of 50,000 gallons per day. The Board shall also create an objective Scoring Matrix to be used for the review of the proposed Water Capacity Agreement(s). The Scoring Matrix shall consider the evaluation and scoring of the following factors to include, but not be limited to: number of jobs created, payroll, location, volume of water usage, and amount of investment and financial impact to the community.

The Utility Capacity Board shall have the authority to reduce capacity fees based on economic development benefits to the community.

Sec. 933.03. - Rules of procedure.

The Clerk of Council shall be responsible for scheduling, by March 1st of each year ,an organizational meeting, at which the Board shall appoint a chair, vice chair, and delegate the responsibility for taking meeting minutes. Any member can call an additional meeting, which for purposes of public notice will be a special meeting, by contacting the Clerk of Council. All action by the Board shall be taken by a majority vote of all the members. This Board shall be considered a public body and all meetings shall comply with Ohio's Open Meetings Act.

City of Marysville Staff Report

To: City Council

Date: September 28, 2026

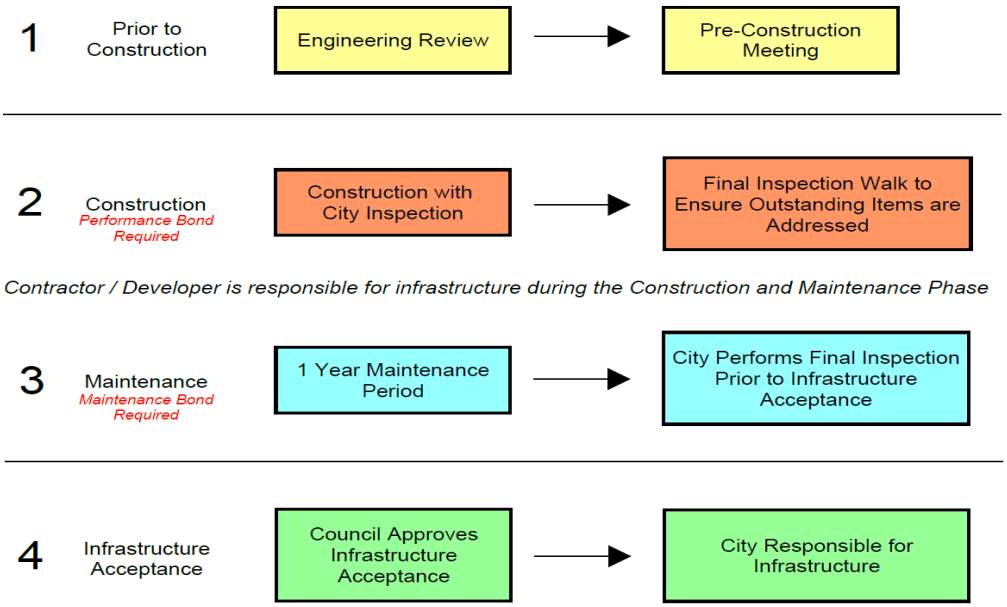
From: Jamie Fink, City Engineer

Legislation: Ordinance 44-26

Title: TO ACCEPT THE DEDICATION OF THE CURRY FARMS, SECTIONS ONE AND TWO, PUBLIC INFRASTRUCTURE

Key Details:

- Municipalities accept public infrastructure such as water lines, sanitary sewers, storm sewers and public roadway built by private developers to ensure that essential community systems are safely integrated, legally managed, and maintained for public use.
- For properties in the County, the City accepts water and/or sewer. For properties located in the City, the City accepts water, sewer, storm sewer and/or roadway. The infrastructure accepted varies by the property and the agreements in place.
- For this Ordinance, located in the County, the City will accept water lines and sanitary sewers.
- A diagram explaining the process can be found below:



Donald Boerger
Steven Wolfe
Kelsey Takitch

ORDINANCE 44-26

TO ACCEPT THE DEDICATION OF THE CURRY FARMS, SECTIONS ONE AND TWO, PUBLIC INFRASTRUCTURE

WHEREAS, the City Administration has reported that the improvements for the water lines, sanitary sewers, and associated appurtenances shown on the final as-built construction plans for the Curry Farms, Sections 1 and 2, public infrastructure, have been satisfactorily completed per City of Marysville specifications, and have been maintained by the developer for a period in excess of one year; and

WHEREAS, the developer has offered for dedication for public use certain land for water lines, sanitary sewers, and associated appurtenances as shown on said final as-built construction plans; and

WHERAS, this information was reviewed by the Public Safety/ Service Committee on September 14, 2026 and was accepted; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. Council accepts and approves the final as-built construction plans for the Curry Farms, Sections 1 and 2, public infrastructure. The Final Plat, Exhibit A, is attached and incorporated into this Dedication Ordinance.

SECTION II. The dedication of the water lines, sanitary sewers and associated appurtenances, all as shown whereon, are accepted and confirmed.

SECTION III. The Clerk of Council is authorized to cause this dedication to be recorded with the Recorder of Union County as provided by law.

1st Reading: September 28, 2026

2nd Reading: _____

3rd Reading: _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

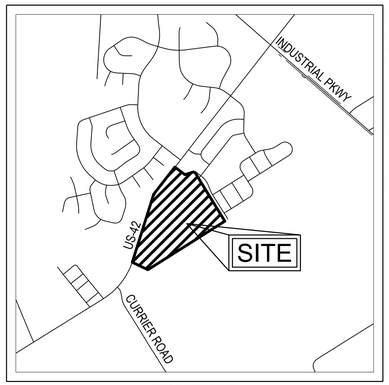
SANITARY SEWER IMPROVEMENT PLAN

CURRY FARM

NOVEMBER 2024

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME

VIRGINIA MILITARY SURVEY #1440



VICINITY MAP
N.T.S.

DEVELOPER:
AMH DEVELOPMENT, LLC
781 BROOKSEDGE PLAZA DRIVE
WESTERVILLE, OH 43081
EMAIL: JAMARTIN@AMH.COM
CONTACT: JAMES MARTIN
PHONE: (704) 634-1703

ENGINEER:
CESO, INC.
2800 CORPORATE EXCHANGE DRIVE
SUITE 400
COLUMBUS, OH 43231
PHONE: (614) 794-7080
CONTACT: JON BUCHANAN

OWNER:
HAROLD CURRY
7898 HOSKINS RD
RADNOR, OH 43066
PHONE: (740) 833-5261

SURVEY PROVIDED BY:
CESO, INC.
2800 CORPORATE EXCHANGE DRIVE
SUITE 400
COLUMBUS, OH 43231
PHONE: (614) 794-7080
CONTACT: JEFF MILLER

CONTRACTOR TO VERIFY EXISTING CONDITIONS PRIOR TO BID AND CONSTRUCTION.

GOVERNING AGENCIES AND UTILITY COMPANIES:

ELECTRIC	ELECTRIC	FIBER OPTIC	GAS	WATER
UNION RURAL ELECTRIC 15461 U.S. HIGHWAY 36 MARYSVILLE, OH 43040 (937) 642-1826	AES 1900 DRYDEN RD. DAYTON, OH 45439 (937) 554-9063	WIDE OPEN WEST 3765 CORPORATE DR. COLUMBUS, OH 43231 (614) 948-4653	COLUMBIA GAS OF OHIO 1600 DUBLIN ROAD COLUMBUS, OH 43215 (614) 481-1057	CITY OF MARYSVILLE 209 SOUTH MAIN ST. MARYSVILLE, OH 43040 (937) 645-7358

PHONE	FIBER OPTIC	FIBER OPTIC	CABLE	LIGHTING & SIGNAL
FRONTIER 19 E. CENTRAL AVE. #1944 DELAWARE, OH 43015 (740) 383-0686	FIBER FARMS 484 EAST MIAMI ST. DEGRAFF, OH 43318 (918) 295-7156	ZAYO FIBER SOLUTIONS 4199 KINDROSS LAKES PKWY. SUITE 10 RICHFIELD, OH 44286 (918) 295-7156	CHARTER SPECTRUM 3760 INTERCHANGE DR. COLUMBUS, OH 43204 (614) 255-6349	ODOT, DISTRICT 6 400 EAST WILLIAM ST. DELAWARE, OH 43015 (740) 815-6015



INDEX MAP
SCALE: 1"=200'

BENCHMARKS (NAVD88):

BM #1:
BENCHMARK ON TELEPHONE POLE, LOCATED APPROXIMATELY 28 FEET WEST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 353' SOUTH OF DRIVEWAY BELONGING TO RESIDENCE LOCATED AT 9439 US 42.
ELEV=966.97'

BM# 2:
SPIKE IN POWER POLE, LOCATED APPROXIMATELY 30' EAST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 124' SOUTH EAST OF DRIVEWAY BELONGING TO RESIDENCE LOCATED AT 9439 US 42.
ELEV=962.43'

BM# 3:
BENCHMARK ON ANCHOR POLE, LOCATED APPROXIMATELY 27' WEST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 567' FEET NORTH OF THE DRIVEWAY BELONGING TO RESIDENCE LOCATED AT 9439 US 42.
ELEV=961.15'

BM# 4:
BENCHMARK ON POWER POLE, LOCATED APPROXIMATELY 30' EAST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 390' SOUTH EAT OF THE CENTERLINE INTERSECTION OF US 42 AND NEW CALIFORNIA DRIVE.
ELEV=976.04'

NOTES:

1. ENVIRONMENTAL FEATURES SHOWN AS FIELD DETERMINED BY LAWHON AND ASSOCIATES, INC. JUNE/JULY 2021.
2. ALL DIMENSIONS AND AREAS SHOWN ON THIS PLAN ARE APPROXIMATE.
3. SANITARY AND WATER SERVICE TO BE PROVIDED BY THE CITY OF MARYSVILLE.
4. REFERENCE SANITARY SEWER IMPROVEMENT PLAN FOR CURRY FARM PREPARED BY CESO, INC.
5. REFERENCE PUBLIC STREET, STORM SEWER, AND WATER IMPROVEMENT PLAN FOR PIONEER CROSSING PHASE 1 & 2 PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC.
6. REFERENCE PUBLIC STREET, STORM SEWER, AND WATER IMPROVEMENT PLAN FOR PIONEER CROSSING PHASE 4 & 5 PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC.

HORIZONTAL DATUM:

OHIO STATE PLANE COORDINATE SYSTEM, OHIO NORTH ZONE, NAD83 (2011) AS DETERMINED BY OPUS POST PROCESSED STATIC SESSION.

VERTICAL DATUM:

NAVD 88 AS DETERMINED BY OPUS POST PROCESSED STATIC SESSIONS USING GEOID 18 (CONUS)

UTILITY DISCLAIMER:

THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES LOCATED HERE ON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES LOCATED ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. OUPS NOTIFICATION DATE: OCTOBER 26, 2021; TICKET NUMBER B129901993-00B AND OUPS NOTIFICATION DATE: FEBRUARY 1, 2023; TICKET NUMBERS B303200482-00B, B303200473-00B, AND A227903518-01B.

DATE OF FIELD SURVEY: OCTOBER 21, 2021 & FEBRUARY 7, 2023
DATE OF SURVEY MAP: OCTOBER 22, 2021 & FEBRUARY 8, 2023

FLOODPLAIN:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SHOWS THAT THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS ZONE X. ZONE X IS DEFINED AS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM); 39159C0388D, EFFECTIVE DATE (DECEMBER 16, 2008).

STANDARD DRAWINGS	
CITY OF MARYSVILLE	
SAS-01	SAS-08
SAS-02	SAS-09
SAS-03	SAS-11
SAS-04	SAS-12
SAS-05	SAS-13
SAS-06	SAS-14
SAS-07	

DRAWING INDEX

SHEET NUMBER	SHEET TITLE
1	COVER SHEET
2	GENERAL NOTES
3	TRIBUTARY MAP
4-10	PLAN & PROFILE
11	OVERALL LIFT STATION SITE
12	LIFT STATION NOTES
13-15	LIFT STATION DETAILS
16-21	FORCE MAIN PLAN & PROFILE

APPROVED BY:
SIGNATURES BELOW SIGNIFY ONLY CONCURRENCE WITH THE GENERAL PURPOSES AND GENERAL LOCATION OF THE PROJECT. ALL TECHNICAL DETAILS REMAIN THE RESPONSIBILITY OF THE ENGINEER PREPARING THE PLANS.

JONATHAN S. BUCHANAN, P.E.
REGISTERED ENGINEER
OHIO LICENSE NO. E-81752

STATE OF OHIO
JONATHAN S. BUCHANAN
E-81752
REGISTERED
PROFESSIONAL ENGINEER

11/18/2024
DATE

THIS IS TO CERTIFY THAT GOOD ENGINEERING PRACTICES HAVE BEEN UTILIZED IN THE DESIGN OF THIS PROJECT AND THAT ALL MINIMUM STANDARDS FOR UNION COUNTY, INCLUDING THOSE STANDARDS GREATER THAN MINIMUM WHERE, IN OUR OPINION, THEY ARE NEEDED TO PROTECT THE SAFETY OF THE PUBLIC. ANY VARIANCES TO THE ABOVE STANDARDS ARE CONSISTENT WITH SOUND ENGINEERING PRACTICES AND ARE NOT DETRIMENTAL TO THE PUBLIC SAFETY AND CONVENIENCE.

Ohio Utilities Protection Service
Call 811 before you dig

FORTY-EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: OHIO811 UTILITIES PROTECTION SERVICE AT 811 OR 1-800-362-2764 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF OHIO811 UTILITIES PROTECTION SERVICE

MARYSVILLE CITY MANAGER — DATE

MARYSVILLE PUBLIC SERVICE DIRECTOR — DATE

MARYSVILLE CITY ENGINEER — DATE

COUNTY ENGINEER, UNION COUNTY — DATE

CESO
WWW.CESOINC.COM
2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 888.208.4826

AMH DEVELOPMENT, LLC

CURRY FARM
SANITARY SEWER IMPROVEMENT PLAN
JEROME TOWNSHIP
UNION COUNTY, OHIO

Revisions / Submissions

ID	Description	Date

© 2022 CESO, INC.

Project Number:	759171-01
Scale:	1"=200'
Drawn By:	RJL
Checked By:	JSB
Date:	NOVEMBER 2024
Issue:	PERMIT

Drawing Title:
COVER SHEET

W:\PROJECTS\AMH DEVELOPMENT\759171-01 Curry Farms\03-CIVIL\PLAN\FINAL ENGINEERING\759171 - SAN - COVER SHEET.dwg - 11/13/2024 - Riley Lake

STREET, STORM SEWER, AND WATER IMPROVEMENT PLAN

CURRY FARM

OCTOBER 2024

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF JEROME

VIRGINIA MILITARY SURVEY #1440

GOVERNING AGENCIES AND UTILITY COMPANIES:

ELECTRIC
UNION RURAL ELECTRIC
15461 U.S. HIGHWAY 36
MARYSVILLE, OH 43040
(937) 642-1826

PHONE
FRONTIER
19 E. CENTRAL AVE. #1944
DELAWARE, OH 43015
(740) 383-0686

FIBER OPTIC
WIDE OPEN WEST
3765 CORPORATE DR.
COLUMBUS, OH 43231
(614) 948-4653

CABLE
CHARTER SPECTRUM
3760 INTERCHANGE DR.
COLUMBUS, OH 43204
(614) 255-6349

WATER
CITY OF MARYSVILLE
209 SOUTH MAIN ST.
MARYSVILLE, OH 43040
(937) 645-7358

ELECTRIC
AES
1900 DRYDEN RD.
DAYTON, OH 45439
(937) 554-9063

FIBER OPTIC
FIBER FARMS
484 EAST MIAMI ST.
DEGRAFF, OH 43318
(918) 295-7156

FIBER OPTIC
ZAYO FIBER SOLUTIONS
4199 KINDROSS LAKES PKWY.
SUITE 10
RICHFIELD, OH 44286
(918) 295-7156

GAS
COLUMBIA GAS OF OHIO
1600 DUBLIN ROAD
COLUMBUS, OH 43215
(614) 481-1057

LIGHTING & SIGNAL
ODOT, DISTRICT 6
400 EAST WILLIAM ST.
DELAWARE, OH 43015
(740) 815-6015

BENCHMARKS (NAVD88):

BM #1:
BENCHMARK ON TELEPHONE POLE, LOCATED APPROXIMATELY 28 FEET WEST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 353' SOUTH OF DRIVEWAY BELONGING TO RESIDENCE LOCATED AT 9439 US 42.
ELEV=966.97'
N: 175129.94
E: 1759844.54

BM# 2:
SPIKE IN POWER POLE, LOCATED APPROXIMATELY 30' EAST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 124' SOUTH EAST OF DRIVEWAY BELONGING TO RESIDENCE LOCATED AT 9439 US 42.
ELEV=962.43'
N: 175349.17
E: 1759973.26

BM# 3:
BENCHMARK ON ANCHOR POLE, LOCATED APPROXIMATELY 27' WEST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 567' FEET NORTH OF THE DRIVEWAY BELONGING TO RESIDENCE LOCATED AT 9439 US 42.
ELEV=961.15'
N: 176012.11
E: 1760121.98

BM# 4:
BENCHMARK ON POWER POLE, LOCATED APPROXIMATELY 30' EAST OF THE CENTERLINE OF US 42. ALSO BEING LOCATED APPROXIMATELY 390' SOUTH EAT OF THE CENTERLINE INTERSECTION OF US 42 AND NEW CALIFORNIA DRIVE.
ELEV=976.04'
N: 176515.33
E: 1760537.47



INDEX MAP
SCALE: 1"=200'



VICINITY MAP
N.T.S.

NOTES:

1. DATE OF FIELD SURVEY: OCTOBER 21, 2021 & FEBRUARY 7, 2023
2. DATE OF SURVEY MAP: OCTOBER 22, 2021 & FEBRUARY 8, 2023
3. ENVIRONMENTAL FEATURES SHOWN AS FIELD DETERMINED BY LAWHON AND ASSOCIATES, INC. JUNE/JULY 2021.
4. ALL DIMENSIONS AND AREAS SHOWN ON THIS PLAN ARE APPROXIMATE.
5. SANITARY AND WATER SERVICE TO BE PROVIDED BY THE CITY OF MARYSVILLE.
6. REFERENCE SANITARY SEWER IMPROVEMENT PLAN FOR CURRY FARM PREPARED BY CESO, INC.
7. REFERENCE PUBLIC STREET, STORM SEWER, AND WATER IMPROVEMENT PLAN FOR PIONEER CROSSING PHASE 1 & 2 PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC.
8. REFERENCE PUBLIC STREET, STORM SEWER, AND WATER IMPROVEMENT PLAN FOR PIONEER CROSSING PHASE 4 & 5 PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC.

FLOODPLAIN:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SHOWS THAT THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS ZONE X. ZONE X IS DEFINED AS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM); 39159C0388D, EFFECTIVE DATE (DECEMBER 16, 2008).

STANDARD DRAWINGS					
CITY OF MARYSVILLE				ODOT	UNION COUNTY
STREET	EROSION	WATER	STORM	STORM	ROAD
STR-01	SEC-01	WTR-01	STS-01B	CB-2-2B	DRAWING NO. 4
STR-02	SEC-02	WTR-03	STS-02B	CB-2-3	DRAWING NO. 7
STR-03	SEC-03	WTR-04	STS-03A	CB-3	
STR-07		WTR-05	STS-04	MH-3	
STR-15		WTR-06	STS-05	HW-2.1	
STR-16		WTR-08	STS-06		
STR-17		WTR-09	STS-07		
			STS-08		
			STS-10		
			STS-14		
THE STANDARD DRAWINGS LISTED ON THIS PLAN SHALL BE CONSIDERED A PART THEREOF.					

VARIANCE TABLE			
NO.	DESIGN SECTION	VARIANCE REQUEST	APPROVAL DATE
1	SECTION 406: ROAD OR STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS	MINIMUM RIGHT-OF-WAY WIDTH OF 50 FEET FOR COLLECTOR STREETS AND LOCAL STREET OR ROADS	11/10/2022

DRAWING INDEX	
SHEET NO.	SHEET TITLE
1	COVER SHEET
2	GENERAL NOTES
3	TYPICAL SECTION
4	EXISTING CONDITIONS
5-6	OVERALL UTILITY MAP
7-8	GRADING PLAN
9-14	INTERSECTION DETAILS
15	CUL-DE-SAC DETAIL
16	PRIVATE ACCESS DRIVE DETAIL
17-18	AMENITY DETAIL
19-20	US 42 W PLAN & PROFILE
21	HARVESTER STREET PLAN & PROFILE
22-23	PEWAMO LANE PLAN & PROFILE
24-25	SAGEWOOD STREET PLAN & PROFILE
26	TILLAGE WAY PLAN & PROFILE
27	CROP ROW COURT PLAN & PROFILE
28-30	BASIN DETAILS
31-33	STORM PROFILES
34	STORM SEWER STRUCTURE AND PIPE TABLES
35-36	SIGNAGE & STRIPING PLAN
37	WATER DETAILS
38	EROSION & SEDIMENT CONTROL COVER SHEET
39	EROSION & SEDIMENT CONTROL NOTES
40-41	EROSION & SEDIMENT CONTROL DETAILS
42-46	EROSION CONTROL PLAN
47-48	DITCH MAINTENANCE PLAN

DEVELOPER:
AMH DEVELOPMENT, LLC
781 BROOKSEDGE PLAZA DRIVE
WESTERVILLE, OH 43081
EMAIL: JAMARTIN@AMH.COM
CONTACT: JAMES MARTIN
PHONE: (704) 634-1703

OWNER:
HAROLD CURRY
7898 HOSKINS RD
RADNOR, OH 43066
PHONE: (740) 833-5261

ENGINEER:
CESO, INC.
2800 CORPORATE EXCHANGE DRIVE
SUITE 400
COLUMBUS, OH 43231
PHONE: (614) 794-7080
CONTACT: JON BUCHANAN

SURVEY PROVIDED BY:
CESO, INC.
2800 CORPORATE EXCHANGE DRIVE
SUITE 400
COLUMBUS, OH 43231
PHONE: (614) 794-7080
CONTACT: JEFF MILLER

CONTRACTOR TO VERIFY EXISTING CONDITIONS PRIOR TO BID AND CONSTRUCTION.

APPROVED BY:
SIGNATURES BELOW SIGNIFY ONLY CONCURRENCE WITH THE GENERAL PURPOSES AND GENERAL LOCATION OF THE PROJECT. ALL TECHNICAL DETAILS REMAIN THE RESPONSIBILITY OF THE ENGINEER PREPARING THE PLANS.

MARYSVILLE CITY MANAGER DATE

MARYSVILLE PUBLIC SERVICE DIRECTOR DATE

MARYSVILLE CITY ENGINEER DATE

COUNTY ENGINEER, UNION COUNTY DATE

JONATHAN S. BUCHANAN, P.E. DATE
REGISTERED ENGINEER
OHIO LICENSE NO. E-81752

THIS IS TO CERTIFY THAT GOOD ENGINEERING PRACTICES HAVE BEEN UTILIZED IN THE DESIGN OF THIS PROJECT AND THAT ALL MINIMUM STANDARDS FOR UNION COUNTY, INCLUDING THOSE STANDARDS GREATER THAN MINIMUM WHERE, IN OUR OPINION, THEY ARE NEEDED TO PROTECT THE SAFETY OF THE PUBLIC. ANY VARIANCES TO THE ABOVE STANDARDS ARE CONSISTENT WITH SOUND ENGINEERING PRACTICES AND ARE NOT DETRIMENTAL TO THE PUBLIC SAFETY AND CONVENIENCE.

Ohio Utilities Protection Service
Call 811 before you dig

FORTY-EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: OHIO811 UTILITIES PROTECTION SERVICE AT 811 OR 1-800-362-2764 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF OHIO811 UTILITIES PROTECTION SERVICE

CESO
WWW.CESOINC.COM
2800 Corporate Exchange Dr., Suite 400
Columbus, OH 43231
Phone: 614.794.7080 Fax: 888.208.4826

AMH DEVELOPMENT, LLC

CURRY FARM
STREET, STORM SEWER, AND WATER IMPROVEMENT PLAN
JEROME TOWNSHIP
UNION COUNTY, OHIO

Revisions / Submissions

ID	Description	Date

© 2022 CESO, INC.

Project Number:	759171-01
Scale:	1"=200'
Drawn By:	RJL
Checked By:	JSB
Date:	OCTOBER 2024
Issue:	PERMIT

Drawing Title:
COVER SHEET

W:\PROJECTS\AMH DEVELOPMENT\759171-01 Curry Farms\03-CIVIL\PLAN\FINAL ENGINEERING\759171-COVER SHEET AND TYPICAL SECTION.dwg - 10/7/2024 - Eli Cowan

City of Marysville Staff Report

To: City Council

Date: September 28, 2026

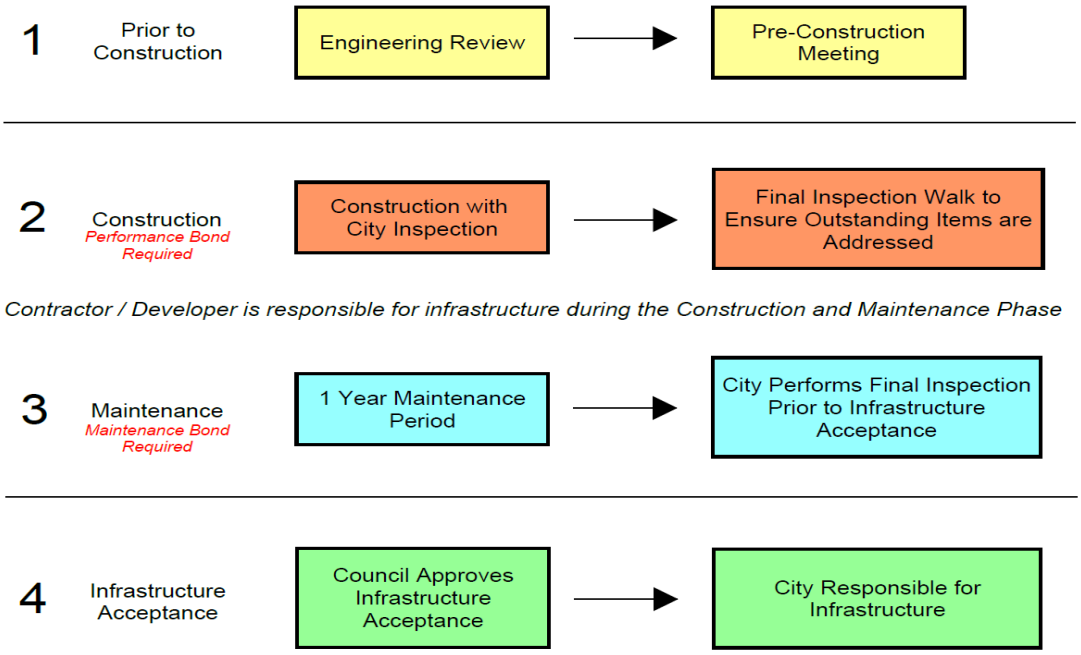
From: Jamie Fink, City Engineer

Legislation: Ordinance 45-26

Title: TO ACCEPT THE DEDICATION OF THE JEROME VILLAGE EVERSOLE RUN NEIGHBORHOOD, SECTION EIGHT, PUBLIC INFRASTRUCTURE

Key Details:

- Municipalities accept public infrastructure such as water lines, sanitary sewers, storm sewers and public roadway built by private developers to ensure that essential community systems are safely integrated, legally managed, and maintained for public use.
- For properties in the County, the City accepts water and/or sewer. For properties located in the City, the City accepts water, sewer, storm sewer and/or roadway. The infrastructure accepted varies by the property and the agreements in place.
- For this Ordinance, located in the County, the City will accept water lines.
- A diagram explaining the process can be found below:



Donald Boerger
Steven Wolfe
Kelsey Takitch

ORDINANCE 45-26

TO ACCEPT THE DEDICATION OF THE JEROME VILLAGE EVERSOLE RUN NEIGHBORHOOD, SECTION EIGHT, PUBLIC INFRASTRUCTURE

WHEREAS, the City Administration has reported that the improvements for the water lines and associated appurtenances shown on the final as-built construction plans for the Jerome Village Eversole Run Neighborhood, Section 8 public infrastructure, have been satisfactorily completed per City of Marysville specifications, and have been maintained by the developer for a period in excess of one year; and

WHEREAS, the developer has offered for dedication for public use certain land for water lines and associated appurtenances as shown on said final as-built construction plans; and

WHERAS, this information was reviewed by the Public Safety/ Service Committee on September 14, 2026 and was accepted; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. Council accepts and approves the final as-built construction plans for the Jerome Village Eversole Run Neighborhood, Section 8, public infrastructure. The Final Plat, Exhibit A, is attached and incorporated into this Dedication Ordinance.

SECTION II. The dedication of the water lines and associated appurtenances, all as shown whereon, are accepted and confirmed.

SECTION III. The Clerk of Council is authorized to cause this dedication to be recorded with the Recorder of Union County as provided by law.

1st Reading: September 28, 2026

2nd Reading: _____

3rd Reading: _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

STREET, STORM & WATER IMPROVEMENT PLAN FOR

JEROME VILLAGE
EVERSOLE RUN NEIGHBORHOOD
SECTION 8

VIRGINIA MILITARY SURVEY (VMS) 2990
JEROME TOWNSHIP, UNION COUNTY, OHIO

MARCH, 2024

OWNER/DEVELOPER

JEROME VILLAGE

JEROME VILLAGE COMPANY, LLC
ATTN: GARY NUSS
375 N. FRONT STREET, SUITE 200
COLUMBUS, OH 43215
P: 614-857-2334
F: 614-857-2346
E: NUSSG@NATIONWIDE.COM

SURVEYOR

KORDA
ATTN: DAN QUICK
1650 WATERMARK DR
COLUMBUS, OHIO 43215
P: 614-487-1650
E: DAN.QUICK@KORDA.COM

BENCH MARKS

BASIS OF BEARINGS:
BASIS OF BEARINGS: THE BEARINGS SHOWN UPON THIS PLAT ARE BASED ON THE CENTERLINE OF JEROME ROAD BEING N 11° 15' 03" W AS REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM (NORTH ZONE) NAD 83 (NSRS 2011). THE COORDINATES ARE BASED ON AN ASSUMED SYSTEM. A LOCALIZATION SHALL BE PERFORMED IN ORDER TO USE GPS EQUIPMENT ON THIS PROJECT.

BM#1
IRON PIN CHISELED "X" ON THE SOUTHEASTERLY FLANGE BOLT OF FIRE HYDRANT.
N40°11'15.22", W83°10'31.73"
ELEV=950.20 (NAVD 88)

BM#2
IRON PIN CHISELED "X" ON THE SOUTHWESTERLY FLANGE BOLT OF FIRE HYDRANT.
N40°11'14.95", W83°10'36.70"
ELEV=953.39 (NAVD 88)

BM#3
IRON PIN CHISELED "X" ON THE EASTERLY FLANGE BOLT OF FIRE HYDRANT.
N40°11'11.29", W83°10'46.30"
ELEV=952.70 (NAVD 88)

BM#4
IRON PIN CHISELED "X" ON THE EASTERLY FLANGE BOLT OF FIRE HYDRANT.
N40°10'59.87", W83°10'43.22"
ELEV=948.80 (NAVD 88)

CONTROL POINTS:
CP#1
3/4"X30" IRON PIN SET WITH PROJECT CONTROL CAP
N190500.369, E1780152.578
ELEV=946.380 (NAVD 88)

CP#2
3/4"X30" IRON PIN SET WITH PROJECT CONTROL CAP
N189215.684, E1780267.962
ELEV=945.035 (NAVD 88)

CP#3
3/4"X30" IRON PIN SET WITH PROJECT CONTROL CAP
N188723.916, E1780305.299
ELEV=931.280 (NAVD 88)

CP#4
3/4"X30" IRON PIN SET WITH PROJECT CONTROL CAP
N188631.878, E1778950.512
ELEV=941.500 (NAVD 88)

CP#5
3/4"X30" IRON PIN SET WITH PROJECT CONTROL CAP
N190345.184, E1778646.707
ELEV=961.730 (NAVD 88)

STORMWATER MANAGEMENT

THE STORMWATER MANAGEMENT CALCULATIONS ARE BASED ON THE CRITICAL STORM CALCULATION. DEVELOPED AREAS SHALL BE REQUIRED TO RELEASE THE CRITICAL STORM AND ALL LESSER STORMS AT A RATE NO GREATER THAN THE PREDEVELOPED ONE YEAR STORM EVENT. ALL STORMS OF GREATER INTENSITY THAN THAT OF THE CRITICAL STORM SHALL RELEASE AT THEIR RESPECTIVE PREDEVELOPED RATES PER UNION COUNTY REGULATIONS.

THE EXISTING LAND USE CONSISTS OF EXISTING FARM GROUND. THE NORTH TRIBUTARY AREA FOR THIS STUDY ACCUMULATE AND DISCHARGE TO EXISTING WET-EXTENDED DETENTION BASIN P-300. DESIGNED WITH VILLAGE NEIGHBORHOOD SECTION 5.

WATER QUALITY
WATER QUALITY VOLUMES WILL BE CONTAINED IN THE PROPOSED WET-EXTENDED DETENTION BASINS AND RELEASED IN ACCORDANCE WITH THE OHIO EPA NPDES GENERAL PERMIT NO. OHC000006.

FLOODPLAIN

THE DEVELOPMENT SITE IS LOCATED IN ZONE X, OUTSIDE OF 500-YEAR FLOODPLAIN ON FLOOD INSURANCE RATE MAP, UNION COUNTY, OHIO, #39159C0385D & #39159C0395D, EFFECTIVE DATE DECEMBER 16, 2008.

OPEN SPACE

OPEN SPACE TO BE OWNED AND MAINTAINED BY JEROME VILLAGE COMMUNITY AUTHORITY. USE OF OPEN SPACE IS TO BE RESTRICTED TO NECESSARY STORMWATER MANAGEMENT FACILITIES, UTILITY EASEMENTS AND RECREATIONAL USE.

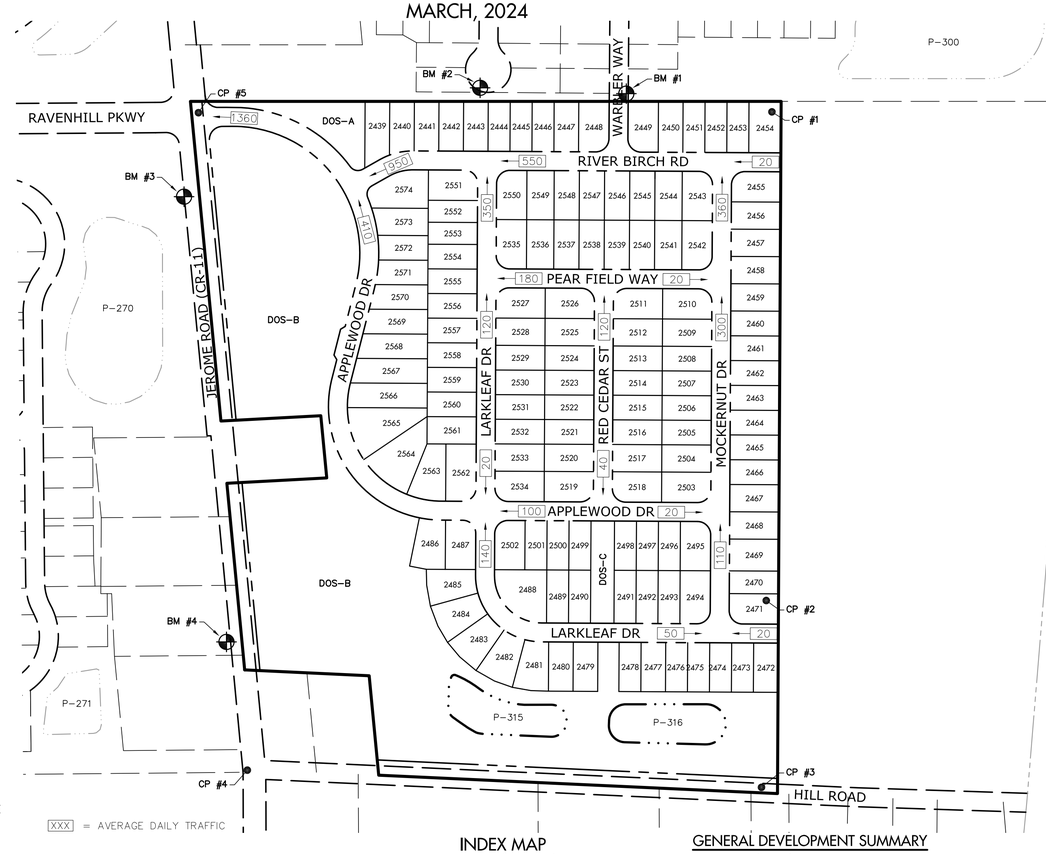
ZONING

THE SITE IS ZONED PLANNED DEVELOPMENT DISTRICT (PD) IN ACCORDANCE WITH THE PROVISIONS OF CASE #PD06-110, AS AMENDED.

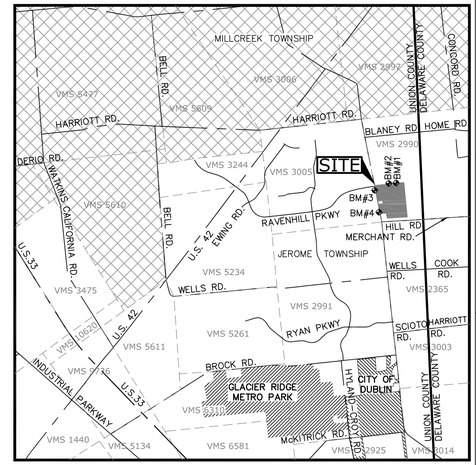
VARIANCE

PREVIOUSLY GRANTED:
VARIANCE FROM THE UNION COUNTY SUBDIVISION REGULATIONS, SECTION 406, MINIMUM RIGHT-OF-WAY WIDTHS TO ALLOW A 50' RIGHT-OF-WAY WIDTH FOR ALL LOCAL STREET CLASSIFICATIONS WITHIN JEROME VILLAGE. RESOLUTION #23-442. DATED 11-04-23.

OHIO Utilities Protection SERVICE
811 or 1-800-362-2764 Call Before You Dig



INDEX MAP
SCALE: 1" = 200'



LOCATION MAP
SCALE: 1" = 4000'

SHEET INDEX

1	COVER SHEET
2	GENERAL NOTES & QUANTITIES
3	TYPICAL SECTIONS
4	DETAILS
5-6	WATERLINE DETAILS
7	CORP STOP LOCATIONS
8	EXISTING CONDITIONS PLAN
9-17	STREET PLAN & PROFILE
18	WATERLINE PLAN & PROFILE
19	SIGHT DISTANCE EXHIBIT
20	SIGNAGE & STRIPING PLAN
21-24	ADA CROSSWALK & INTERSECTION DETAILS
25	STORM INDEX MAP
26-37	STORM PLAN & PROFILE
38-41	GRADING PLAN
42-45	PREGRADE PLAN
46-47	DITCH MAINTENANCE EXHIBIT "A"
48	SPPP COVER SHEET
49-50	BASIN P-315 & P-316 DETAIL
51-54	EROSION & SEDIMENT CONTROL PLAN
55-57	STORMWATER POLLUTION PREVENTION NOTES
58-61	STORMWATER POLLUTION PREVENTION DETAILS
62	SEEDING & FENCE PLAN

STANDARD DRAWINGS

THE FOLLOWING STANDARD DRAWINGS SHALL BE CONSIDERED A PART OF THIS PLAN:

ODOT	DCEO
BP-4.1	DCED-S168
BP-7.1	DCED-S169
CB-3A	
CB-3	CITY OF MARYSVILLE
CB-2X2B	WTR-01
CB-2X3	WTR-03
CB-2X4	WTR-05
CB-2X5	WTR-08
MH-3	WTR-09
COC	UNION COUNTY
2319	NO. 9

GENERAL DEVELOPMENT SUMMARY

TOTAL AREA (ACRES)					57.558
OPEN SPACE					17.413
RIGHT-OF-WAY					11.155
EXISTING					1.530
PROPOSED					9.625
LOTS					28.990
NUMBER OF LOTS					136
55' LOT WIDTH					26
60' LOT WIDTH					81
70' LOT WIDTH					27
80' LOT WIDTH					1
90' LOT WIDTH					1
DENSITY (UNITS/ACRE)					
GROSS (# LOTS/TOTAL AREA)					2.363
NET (# LOTS/LOT AREA)					4.678
MINIMUM LOT AREA					
55' LOT WIDTH				7150 SF	
60' LOT WIDTH				7800 SF	
70' LOT WIDTH				9100 SF	
80' LOT WIDTH				10400 SF	
90' LOT WIDTH				11700 SF	
BUILDING SETBACKS (BS)	55'	60'	70'	80'	90'
FRONT YARD SETBACK	20'	20'	20'	20'	20'
REAR YARD SETBACK	20'	20'	20'	20'	20'
SIDE YARD SETBACK	5'	5'	5'	6'	8'

DOS = DEDICATED OPEN SPACE

ENGINEER'S STATEMENT:

THIS IS TO CERTIFY THAT SOUND ENGINEERING PRACTICES HAVE BEEN UTILIZED IN THE DESIGN OF THIS PROJECT AND THAT ALL MINIMUM STANDARDS, AS DELINEATED IN THE UNION COUNTY "TECHNICAL DESIGN STANDARDS" AND "SUBDIVISION REGULATIONS" AND THE CITY OF MARYSVILLE "WATER DIVISION SPECIFICATIONS" HAVE BEEN MET. ADDITIONALLY, THE DESIGN INCLUDES STANDARDS GREATER THAN THE MINIMUM WHERE, IN MY OPINION, THEY ARE NECESSARY FOR PROTECTION OF THE SAFETY OF THE PUBLIC. ANY VARIANCES TO THE ABOVE STANDARDS ARE CONSISTENT WITH SOUND ENGINEERING PRACTICES AND ARE NOT DETRIMENTAL TO THE PUBLIC SAFETY AND CONVENIENCE. ANY VARIANCE UTILIZED HAS BEEN LISTED ON THESE PLANS AND HAVE BEEN APPROVED BY UNION COUNTY AND THE CITY OF MARYSVILLE.

REGISTERED PROFESSIONAL ENGINEER NO. DATE

APPROVALS:

THE UNION COUNTY SIGNATURES ON THIS PLAN SIGNIFY ONLY CONCURRENCE WITH THE GENERAL PURPOSE AND LOCATION OF THE PROPOSED IMPROVEMENTS. ALL TECHNICAL DETAILS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL ENGINEER WHO PREPARED AND CERTIFIED THESE PLANS.

UNION COUNTY ENGINEER DATE

CITY OF MARYSVILLE APPROVAL:

THE CITY OF MARYSVILLE SIGNATURES ON THIS PLAN (BELOW) SIGNIFY ONLY CONCURRENCE WITH THE GENERAL PURPOSES AND GENERAL LOCATION OF THE PROPOSED IMPROVEMENTS. ALL TECHNICAL DETAILS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL ENGINEER WHO PREPARED AND CERTIFIED THESE PLANS.

CITY OF MARYSVILLE, CITY ENGINEER DATE

CITY OF MARYSVILLE, PUBLIC SERVICE DIRECTOR DATE

CITY OF MARYSVILLE, CITY MANAGER DATE

GRAPHIC SCALE
200 100 0 200
(IN FEET)
1 inch = 200 ft.

CHANGE ORDER SCHEDULE

#	DESCRIPTION OF CHANGE	BY	DATE

REVISION

TerrainEvolution
Your bridge between Vision and Success
720 East Broad Street | Suite 203 | Columbus, OH 43215
P: 614.385.1090 | F: 614.385.1085 | E: info@terrainevolution.com

JEROME TOWNSHIP, UNION COUNTY, OHIO
JEROME VILLAGE
EVERSOLE RUN NEIGHBORHOOD SECTION 8
COVER SHEET

DRAWING SET STATUS:
- ☐ PRELIMINARY ENGINEERING SET
- ■ AGENCY REVIEW SET
- ☐ CONSTRUCTION DOCUMENT SET
- ☐ AS-BUILT DOCUMENT SET

DESIGN	DRAFT	CHECK
DGR	DGR	JPW

PROJECT NO.: 22-047
DATE: MARCH, 2024
SCALE: HORIZONTAL: 1" = 200' VERTICAL: N/A
SHEET NO.: 1/62

T:\22\22047 JEROME\Engineering\Sheet Files\22047COV.dwg by jpilliner on 3/20/2024 8:07:30.80 pm - © Terrain Evolution, Inc.

City of Marysville Staff Report

To: City Council

Date: September 28, 2026

From: Ashley Gaver, Planning and Development Manager

Legislation: Ordinance 46-26

Title: TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR ADDITIONAL SCOPE OF SERVICES WITH PLANNING NEXT FOR THE 2040 COMPREHENSIVE PLAN

Key Details:

The City has engaged with Planning Next to develop the **2040 Comprehensive Plan**, which is a planning document to provide greater predictability and clarity for City staff, elected and appointed officials, and residents to guide future development decisions and plan for utilities and amenities to support such development.

The 2040 Comprehensive Plan process launched in spring 2026. Since that time, additional engagement, analysis and scope items have been requested of the consultant, including:

- More detailed analysis of several key topics, including housing growth and options, job growth and fiscal health.
- A financial model developed to allow analysis per land use, density and location options.
- Additional public engagement and stakeholder interviews and reviews. This is imperative to ensure the broader community is represented and has an opportunity to be a part of the solution for future growth, development and changes. This will build upon the engagement that was conducted through the Community Vision process - further refining and analyzing the ideas from the Vision to ensure they are implementable and reflected in future land use policies.
- Continued services in 2027 will be budgeted.

With that, the additional items listed above will require an additional $132,000, pending Council approval with this Ordinance. If passed, the 2026 Operating Budget will be amended accordingly.

Kimberly Sharp

ORDINANCE 46-26

TO AUTHORIZE A SUPPLEMENTAL APPROPRIATION FOR ADDITIONAL SCOPE OF SERVICES WITH PLANNING NEXT FOR THE 2040 COMPREHENSIVE PLAN

WHEREAS, the City Administration requests to increase scope of services for the 2040 Comprehensive Plan; and

WHEREAS, the Capital Improvement Fund in the 2026 Budget needs to be increased in order to fund the additional services; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. That the appropriations in the Capital Improvement Fund be increased, as follows:

Account	Description	Amount
439400-557001-COU	Capital Improvement	$132,000

SECTION II. That the appropriations in the General Fund be increased, as follows:

Account	Description	Amount
100190-564017	Transfer Out	$132,000

SECTION III. That the estimated receipts in the Capital Improvement Fund be increased, as follows:

Account	Description	Amount
439400-460434	Transfer In	$132,000

SECTION IV. That the 2026 Annual Operating Budget of the City of Marysville be amended as identified above.

1st Reading September 28, 2026

2nd Reading _____

3rd Reading _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

City of Marysville Staff Report

To: City Council

Date: October 14, 2026

From: Eric Phillips, Economic Development Director

Legislation: Ordinance 47-26

Title: TO APPROVE THE TENTH AMENDMENT TO THE AGREEMENT OF THE MARYSVILLE-JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT, AUTHORIZING THE INCLUSION OF CERTAIN ADDITIONAL PROPERTY WITHIN SAID DISTRICT, KNOWN AS THE HUNTINGTON BANK, JEROME VILLAGE, AMENDMENT

Overview:

- In Ohio, a CEDA (Cooperative Economic Development Agreement) and a JEDD (Joint Economic Development District) are legal tools used by local governments to foster business growth and share tax revenues outside of municipal boundaries. Once a CEDA is in place, a JEDD can be created. A JEDD is a formal contract, often between a municipality and a township. In this case, the JEDD is between the City of Marysville and Jerome Township.
- The core purpose is to develop commercial or industrial land and share the resulting income tax from the businesses and workers in the JEDD area.
- Each time there is an amendment to the JEDD boundaries, there is a legislative process followed by the City of Marysville and Jerome Township as outlined in the Ohio Revised Code.
- The term is for 50 years, with two automatic 25 year extensions.

Specifics of the Marysville-Jerome Township JEDD:

- City of Marysville is responsible for water and sewer service, income tax collection, and JEDD Board fiduciary responsibilities.
- Jerome Township is responsible for Township dedicated roads, law enforcement, fire protection, and zoning/land use.
- Joint Responsibilities are creating and supporting the JEDD operation and administration, joint infrastructure projects and economic development, County road service agreement and tax incentive approvals.

Income Tax:

- A 1.5% income tax on employees and corporate earnings is imposed on new businesses and employees located within the JEDD boundary that was originally created with the CEDA and redrawn with each subsequent amendment of the JEDD. Of the 1.5%:
    - 20% goes to Jerome Township.
    - 20% goes to the City of Marysville, which includes a 3% income tax collection fee.
    - 60% of the annual income tax goes back to the JEDD, with 55% used for infrastructure improvements, and 5% for JEDD Board administration.
        - This portion will go back into infrastructure improvements in the area, which are controlled by the JEDD Board.

Financial Impacts to Date:

- Since the inception of the Board, below is a summary of the financial impacts:
    - Total income tax receipts since collections began in 2024: $1,517,160
    - Distributions to Jerome Township: $283,623
    - Distributions to City of Marysville (includes 3% admin. fee): $327,568
    - Total JEDD Expenditures: $16,218
    - JEDD fund balance as of 10-7-26: $889,751
- As the area is built out, revenues to the City, and Jerome Township, will continue to increase.

ORDINANCE 47-26

TO APPROVE THE TENTH AMENDMENT TO THE AGREEMENT OF THE MARYSVILLE-JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT, AUTHORIZING THE INCLUSION OF CERTAIN ADDITIONAL PROPERTY WITHIN SAID DISTRICT, KNOWN AS THE HUNTINGTON BANK, JEROME VILLAGE, AMENDMENT

WHEREAS, Ohio Revised Code Chapter 715 (the "Act") empowers certain political subdivisions to form joint economic development districts to share in the costs of improvements for economic development purposes; and

WHEREAS, pursuant to the Act and Ordinance No. 035-2022, passed by the City Council (the "Council") on June 13, 2022, the City of Marysville, Union County, Ohio (the "City") is party to the Marysville-Jerome Township Joint Economic Development District Agreement dated August 8, 2022 (the "Agreement") by and between the City and Jerome Township, Union County, Ohio (the "Township"), which Agreement creates and provides for the operation of a joint economic development district (the "District") known as the Marysville-Jerome Township Joint Economic Development District which is attached and incorporated herein as Exhibit A; and

WHEREAS, pursuant to Ohio Revised Section 715.72(L), the Township and the City now desire to amend the Agreement to add certain additional real property, Huntington Bank, Jerome Village, identified by the County Auditor of Union County, Ohio, by a portion of Permanent Parcel Number 140009011.0000 to the territory of the District, a form of which is attached hereto as Exhibit B; and

WHEREAS, the City and the Township now desire to amend the Agreement to add Huntington Bank, Jerome Village to the territory of the District by approving the Huntington Bank, Jerome Village Amendment; and

WHEREAS, The Huntington National Bank ("Huntington Bank") has acquired and desires to develop a parcel of land for commercial purposes at a site within the boundaries of the Township (the "Huntington Bank Additional Property") as set forth in Exhibit B, as the case may be, for commercial purposes (the "Project") at sites within the boundaries of the Township, provided that the appropriate economic development incentives are available to support the economic viability of such Projects; and

WHEREAS, pursuant to Ohio Revised Code Section 715.72, the City conducted a public hearing regarding the JEDD Amendment on October 26, 2026, with appropriate public notice, and made available for public examination all documents required by law for review; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The Council approves the JEDD Amendment in substantially the form attached to this Ordinance as Exhibit B, and authorizes the City Manager to sign the JEDD Amendment. The City Manager and the Clerk of Council are jointly authorized to execute and deliver any other agreements, documents or certificates, and take all other actions, necessary to accomplish the purposes of this Ordinance.

SECTION II. The Clerk of Council shall retain on file a copy of the JEDD Amendment and its exhibits, including (i) the depictions and identification of the parcel(s) constituting the Huntington Bank, Jerome Village Additional Property; and (ii) Ohio Revised Code Section 715.72 as effective on the date of the executed JEDD Amendment.

SECTION III. This Council hereby finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions occurred in meetings open to the public, in compliance with law, including Ohio Revised Code Section 121.22.

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

EXHIBIT A

ORIGINAL JEDD CONTRACT
(attached hereto)

CITY OF MARYSVILLE-JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT

This City of Marysville-Jerome Township Joint Economic Development District Agreement (the "Agreement") is made and entered into this [8th] day of [August], 2022, by and between the CITY OF MARYSVILLE, OHIO (the "City"), a municipal corporation duly organized and validly existing under the laws of, and a political subdivision of, the State of Ohio (the "State") and having an address for purposes hereof at 209 South Main Street, Marysville, Ohio 43040 and JEROME TOWNSHIP, UNION COUNTY, OHIO (the "Township" and, together with the "City", the "Contracting Parties" and each a "Contracting Party"), a political subdivision of the State and having an address for the purposes hereof at 9777 Industrial Parkway, Plain City, Ohio 43064, in accordance with the terms and provisions set forth herein.

WHEREAS, the City and the Township desire to promote cooperative economic development efforts by means of creating a joint economic development district (the "District" or the "JEDD") pursuant to Ohio Revised Code ("ORC") Sections 715.72 through 715.81 (the "Act"), which District shall facilitate economic development to create or preserve jobs and employment opportunities within the meaning of ORC Section 725.72(C), thereby improving the economic welfare of residents of the City, the Township, and the State of Ohio (the "State") generally; and

WHEREAS, pursuant to a Cooperative Development Agreement, dated [5-26], 2022 (the "Cooperative Development Agreement"), between the City and the Township, the Contracting Parties agreed to negotiate and execute a joint economic development district agreement to promote and support economic development within certain defined territory of the Township; and

WHEREAS, the City and the Township are located entirely within Union County, Ohio ("Union County") and share contiguous territorial boundaries; and

WHEREAS, the legislative authorities of the City and the Township have each approved, authorized and directed the City and the Township, respectively, to make and enter into this Agreement, by and through their respective officers in accordance with Ordinance No. [033]-2022 enacted by the City on [6-13], 2022, and Resolution No. [22-072], adopted by the Township on [8-1], 2022.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth in this Agreement, the Contracting Parties agree and bind themselves, their agents, employees and successors as follows:

Section 1. Creation of District and Purpose.

The City and the Township, as contracting parties within the meaning of ORC Section 715.72(A)(1), by their combined action evidenced by the adoption of legislation identified above and by the duly authorized execution of this Agreement, hereby create the District, which shall be known as the "City of Marysville-Jerome Township Joint Economic Development District." The District shall be a joint economic development district under, operating pursuant to, the Act.

Each Contracting Party hereby acknowledges and agrees as follows with respect to this Agreement and the District:

A. that it is entering into this Agreement freely and without duress or coercion;
B. that the creation of the District and the levy of an income tax within the District as provided herein will enable the City, the Township, and the District to more efficiently provide governmental services to the area within the District and to more effectively promote economic development within the District, the City, and the Township;
C. that the District shall, and it is the purpose of the District to, facilitate economic development to create or preserve jobs and employment opportunities and to improve public infrastructure (defined in Exhibit A) and the economic welfare of the people in the State, Union County, the City, and the Township; and
D. that consideration exists to support this Agreement.

Section 2. Territory of the District.

The territorial boundaries of the District are described in Exhibit B attached hereto and incorporated by reference into this Agreement. The territory of the District is located entirely within the territorial boundaries of the Township. The territory to be included in the District is currently zoned as a planned development district, which zoning designation is appropriate to the function of the District.

Section 3. Formation of the District.

It is the intent of the Contracting Parties that this Agreement be approved without an election by complying with the requirements of ORC Section 715.72(M). The Contracting Parties represent and warrant as follows:

A. The resolution approving this Agreement has been approved by a unanimous vote of the Township Trustees;
B. Owners of a majority of the properties and businesses located within the proposed District have requested by means of petition, as contemplated under the Act, that the District be formed; and
C. The territory to be included in the District is zoned in a manner appropriate to the proposed function of the District. The territory to be included does not include any residential properties except within a "mixed-use development," as that term is defined in ORC Section 715.72(A)(9).

The Township shall be responsible for filing with the Director of Development of the State the documents required by ORC Section 715.72(O). Each Contracting Party shall separately bear its own costs related to the establishment of the District, including professional engineering (including, for example, the costs of any maps that may be necessary in connection with establishing the District), legal counsel, or other services that may be necessary.

Section 4. Term.

The initial term of this Agreement shall commence on the date that the Agreement is first effective, being the date that is thirty-one (31) days after the Agreement is approved in accordance with ORC Section 715.72(M)(3), and shall be for a period of fifty (50) years. This Agreement shall automatically extend for two renewal terms of twenty-five (25) years each in duration unless (i) either the Township or City notifies the other Contracting Party in writing at least one year prior to the expiration of the original term that it does not intend to renew this Agreement, or (ii) either the Township or the City notifies the other Contracting Party in writing at least one year prior to the expiration of the original term or any renewal term that it is requesting to extend this Agreement beyond the originally contemplated term of fifty (50) years or the originally contemplated renewal term of twenty-five (25) years, as applicable, in which case this Agreement shall extend in accordance with such written request if such written request is accepted by the other Contracting Party. In the event of any expansion of the District pursuant to Section 6 herein, the Agreement shall begin a new Initial Term, followed by up to two Renewal Terms pursuant to the terms herein.

The Agreement shall continue in existence throughout its term and shall be binding on the Contracting Parties and on either Contracting Party's succeeding entities, whether such entities succeed by annexation, merger, or otherwise.

The provision herein for the initial term and any extension of this Agreement recognizes that the accrual of benefits to the Contracting Parties resulting from this Agreement may take decades.

Section 5. Amendments to the Agreement Other than to Amend to Add Property; Termination.

The Contracting Parties may amend or modify the terms of this Agreement or terminate this Agreement at any time by mutual agreement. An amendment or modification to this Agreement shall not be effective or binding on the Contracting Parties unless the legislative authorities of both Contracting Parties pass the appropriate legislation agreeing to and authorizing the amendment to this Agreement within ninety (90) days of each other.

This Agreement may only be terminated pursuant to its terms in accordance with this Section. If the Contracting Parties mutually agree to terminate this Agreement, such agreement to terminate must provide for the unwinding of this Agreement and must be approved by the legislative authorities of both Contracting Parties within ninety (90) days of each other. Upon termination of this Agreement, the City shall keep and maintain the records of the District in accordance with the City's records retention policy.

If any portion of this Agreement becomes null and void or illegal, or the performance of any provision of this Agreement becomes impossible, through any subsequent change, amendment or enactment of state law or through a ruling of any court that has jurisdiction over the Contracting Parties, the Contracting Parties agree to negotiate in good faith to reach mutual agreement regarding the manner and method of amending this Agreement to bring the Agreement into compliance with then applicable statutory provisions or case law and to maintain the intent of the Contracting Parties under this Agreement and/or to rebalance the equities between the Contracting Parties consistent with the intent of this Agreement.

In the event that the Contracting Parties are unable to reach a new agreement that is authorized and approved by the legislative authorities of both Contracting Parties, then the Contracting Parties may either mutually agree to terminate this Agreement in accordance with the provisions of the next paragraph, or either Contracting Party may apply to a court of competent jurisdiction to interpret the contract consistent with then applicable statutes or case law, and if necessary modify or terminate this Agreement in order to comply with then applicable statutes or case law and to preserve the equities of the Contracting Parties as set forth in this Agreement.

Section 6. Addition of Property to the District.

Subject to any applicable provisions of the ORC now existing or hereafter adopted, this Agreement, including exhibits hereto, may be amended from time to time to add property to the District. Property may be added to the District upon the filing with either Contracting Party of a request by the majority of the owners of the property to be added to the District and a majority of the owners of the businesses to be added to the District. Upon agreement of both Contracting Parties, the Agreement, including Exhibits A, B, and C hereto, shall be amended to add such property to the territory of the District pursuant to the request of the majority of the owners of that property and a majority of the owners of those businesses. Property added to the District shall meet all of the requirements of Section 3 herein and ORC Section 715.72(E), and all procedures of ORC Section 715.72(L) shall be followed in connection with any such addition of property to the District. Property shall not be removed from the District without the agreement of both Contracting Parties.

Section 7. Contributions and Covenants of the Contracting Parties.

A. The City shall:

i. Provide municipal water and sewer service to the District in accordance with all City policies, rules, and regulations.

ii. Collect, administer, enforce, and audit the JEDD income tax applicable in the District in accordance with this Agreement.

iii. Through its Finance Director, provide service as fiscal officer to the District, including administration and management of JEDD Board accounts.

iv. As provided in ORC Section 715.72(R), the City hereby agrees that, for so long as this Agreement is in effect, it shall not annex any real property within the District. To the extent not prohibited by law, the City shall not accept any such annexation within the District for so long as this Agreement is in effect.

B. The Township shall:

i. Provide the following services to the District: all usual and customary governmental services furnished by the Township to other unincorporated portions of the Township, including but not limited to maintenance and repair of dedicated and accepted Township roads, police and fire protection, and zoning.

ii. To the extent required by applicable law, be responsible for cooperating with the County with respect to the acceptance, dedication, and maintenance of all existing or future Township roads located within the District.

iii. Have the right to issue and reissue levies in all areas of the Township, including within the District.

C. The Contracting Parties shall:

i. promptly after the first meeting of the JEDD Board, contribute Two Thousand Dollars ($2,000), each, to the JEDD for the purposes of establishing an operating reserve account; and, in each subsequent year thereafter until the first year after Total Revenues in one year equals or exceeds Ten Thousand Dollars ($10,000), contribute One Thousand Dollars ($1,000), each, to the JEDD; provided that, the Contracting Parties shall be required to make the One Thousand Dollar ($1,000) contribution in any year following a year in which Total Revenues do not equal or exceed Ten Thousand Dollars ($10,000).

ii. jointly cooperate in carrying out the economic development plan for the District attached hereto as Exhibit A.

iii. collaborate through the District with respect to capital improvements in the event that the Contracting Parties determine that economic development in the District creates a demand for public infrastructure improvements serving the District or the area surrounding the District including, but not limited to, and solely upon written joint agreement of both Contracting Parties, paying costs of infrastructure improvements within or otherwise benefitting the District; which infrastructure improvements may include improvements relating to roads, water and sewer, electric, natural gas, fiber, cable, or any other capital improvements directly supporting non-residential development within the District, the Cooperative District, as defined in the Cooperative Development Agreement or, upon the written joint agreement of both Contracting Parties, otherwise benefitting the District, but which infrastructure improvements, except as explicitly provided in the immediately following sentence herein, shall not include ordinary maintenance or repairs (collectively, the "Infrastructure Improvements"). During any fiscal year of the JEDD beginning on or after the twentieth

anniversary of the effective date of the JEDD Agreement, the Board may determine through its annual budget to reallocate up to twenty (20) percent of income tax revenue assigned to costs of Infrastructure Improvements for costs of resurfacing or otherwise maintaining roadways within the JEDD District with asphalt, concrete, chip and seal, or such other materials or measures as may be deemed appropriate.

iv. upon approval of the Contracting Parties, pay equal shares of any District administrative costs in excess of income tax revenue received by the JEDD Board each year.

v. take all steps reasonably necessary to secure any amendments to the Union County-Marysville Water/Sewer Service Agreement as may be necessary to support the District.

vi. comply with the Union County Economic Development Incentive Policy (the "EDIP") to the extent adopted by the Township and, pursuant to ORC Section 715.72(U), obtain the express written consent of the other Contracting Party prior to granting any tax exemption for any real property located in the District. The foregoing limitation shall apply solely to tax exemptions set forth in ORC Section 715.72(U), which include exemptions established pursuant to ORC Chapter 1728 and ORC Sections 3735.67, 5709.62, 5709.63, and 5709.632, as applicable.

Section 8. Board of Directors of the District.

The Board is hereby established to govern the District. The Board shall consist of five members appointed as set forth in ORC Section 715.72(P).

A. The initial City member of the Board shall be the City Manager of the City, or a designee of the City Manager.

B. The initial Township member of the Board shall be a member of the Board of Township Trustees. Subject to any applicable restrictions in ORC Section 715.72(P), all future Township members of the Board shall be appointed by a majority vote of the Board of Township Trustees and shall serve at the pleasure of the Board of Township Trustees.

C. One member of the Board shall be a business owner or represent the business owners operating in the JEDD District, when applicable, and shall be appointed by the Township member described in Section 3(b)(ii).

D. One member of the Board shall be a representative of employees working in the JEDD District, when applicable, and shall be appointed by the City member described in Section 3(b)(i).

E. The fifth member of the Board shall be the Union County Engineer.

The members of the Board shall serve without compensation. Necessary and authorized expenses incurred by members on behalf of the District shall be reimbursed from District funds in accordance with procedures established by the Board.

The Board shall have the following officers (hereinafter, the "Officers"): a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. The Chairperson shall be the Board Member specified in ORC Section 715.72(P)(1)(e). The Board shall elect the Vice-Chairperson, who shall be a Board Member. The Treasurer of the Board shall be the Finance Director of the City. The Board shall elect the Secretary, provided that the Secretary is not required to be a Board Member. The Officers shall be elected at the first meeting of the Board and thereafter every other year for two-year terms and shall serve until their respective successors take office. The Board shall establish a procedure for conducting those elections. The Officers shall perform such duties as provided herein and such additional duties as may be provided from time to time by the Board. The Board may employ such additional personnel or professional services as may be necessary to assist the Board or the Officers in the performance of their duties.

Section 9. Power, Duties, and Functions of Board.

The Board shall meet at least once each calendar year on a date determined by the Board. The Board shall adopt procedures for holding and conducting regular and special meetings. The Parties shall provide the Board with necessary meeting space. The City shall also provide any necessary clerical and administrative assistance that the Board may need from time to time, including telephone services and a mailing address.

If the Board consists of five members, a minimum of three members shall constitute a quorum for Board meeting purposes. If the Board consists of three members, a minimum of two members shall constitute a quorum for Board meeting purposes. The Board shall act through resolutions adopted by the Board. A resolution must receive the affirmative vote of at least a majority of members present and constituting a quorum to be adopted. A resolution adopted by the Board shall be immediately effective unless otherwise provided in that resolution.

The Board may adopt by-laws for the regulation of its affairs and the conduct of its business consistent with this Agreement. The Chairperson shall preside over and conduct the meetings of the Board in accordance with its by-laws or other procedures adopted by the Board. Pursuant to ORC Section 715.72(P)(5), the Board is a public body for the purposes of ORC Section 121.22, the Ohio Public Meetings Act. All meetings of the Board, whether regularly scheduled or special meetings, must comply with the provisions of ORC Section 121.22 as amended from time to time.

The Vice-Chairperson shall act as Chairperson in the temporary absence of the Chairperson. The Secretary shall be responsible for the records of the Board including, but not limited to, correspondence and minutes of the meetings of the Board. The Finance Director of the City, as Treasurer of the Board, shall be the fiscal officer of the Board and shall be responsible for all fiscal matters of the Board including, but not limited to, the preparation of the budget and the appropriations resolution, paying or providing for the payment of expenses of operation of the Board, receiving, safekeeping, and investing, or providing for the receipt, safekeeping, and investment of, funds of the Board and maintaining, and providing for the maintenance of, accurate

accounts of all receipts and expenditures. The Board shall designate by resolution, or in its by-laws, those Officers who may sign documents on behalf of the Board.

All books, records, documentation and financial information belonging to the Board shall, upon request, be made available to the City and the Township and their agents for review and/or audit. The Board and the JEDD shall, to the extent permitted by law, fully cooperative with the City or the Township in fulfilling any such request.

The Board, upon the recommendation of the Finance Director of the City, shall adopt an annual budget for the District. The fiscal year of the District shall be the same as the fiscal year of the City. The budget shall estimate the revenues of the District and the expenses of the operation of the District. The Board shall establish an appropriations procedure to provide for payment of the long-term maintenance of the District and the distribution of income tax revenues in accordance with Section 10 herein.

The Board, on behalf of the District, shall:

A. establish and maintain such funds or accounts as it deems necessary, either of its own, or in conjunction with or through the Parties to this Agreement, which accounts shall be managed by the Finance Director of the City;

B. authorize one or more Officers to sign all instruments necessary or incidental to the performance of its duties and the execution of its powers under this Agreement;

C. adopt a resolution to levy an income tax within the District in accordance with ORC Section 715.72(F) and Section 10 herein;

D. apply the JEDD Board Revenue, as defined in Section 10(D) herein, which equals sixty percent (60%) of Total Revenues, as follows: fifty-five percent (55%) of Total Revenues for costs of Infrastructure Improvements to be constructed or improved within the District or, upon joint determination by the City and the Township, otherwise directly benefitting the District; and (B) five percent (5%) of Total Revenues for (i) Board administrative expenses, according to the annual budget approved under Section 9 of this Agreement, including costs of marketing the District if so determined by the Board, and (ii) the balance after taking into account Board administrative expenses, for costs of Infrastructure Improvements.

E. use any other revenues of the District available to the Board to carry out the economic development plan for the District as the same may be modified from time to time by the Contracting Parties under Section 9 of this Agreement;

F. apply for, receive and accept from any federal agency, state agency or other person or entity grants for or in aid of the construction or operation of any District facility, or for programs or other projects of the District, and receive and accept aid or contributions from any source of money, property, labor or other things of value, to be held, used and applied only for the benefit of the District and the purposes for which such grants, aid or contributions are made;

G. purchase liability insurance protecting the District, its Board or Officers against any liability and/or to purchase any necessary bonds to insure any Officer;

H. be authorized to execute any agreement, cooperative agreement, financing agreement, or other arrangement with any private entity and with any other political subdivision or governmental entity as may be permitted by law, including but not limited to Union County, the Township, and the City, to provide or facilitate the provision of public infrastructure improvements that benefit of the District or whenever otherwise necessary or convenient to carry out the powers granted in this Agreement, including, without limitation, any agreement related to any economic development program, tax increment financing program, special assessment program, or bond financing undertaking by any Contracting Party or political subdivision in cooperation with any Contracting Party;

I. be authorized to do all acts and things necessary or convenient to carry out the powers granted in ORC Section 715.72 or any successor provisions thereto; and

J. be authorized to do all acts and things necessary or convenient to carry out the powers granted in this Agreement.

The City and the Township agree that the JEDD Board may use any available revenues of the District to carry out the economic development plan for the District. The City and the Township may, from time to time, modify the economic development plan to better accomplish the public purposes of the District. Notwithstanding anything to the contrary herein, the City and the Township agree that the Board may determine to execute any agreement, cooperative agreement, financing agreement, or other arrangement with any private entity and with any other political subdivision, including but not limited to the City, the Township, and Union County, to provide or facilitate the provision of public infrastructure improvements to benefit the District or whenever otherwise necessary or convenient to carry out the powers granted in this Agreement, including, without limitation, any agreement related to any tax increment financing program, special assessment program, or bond financing undertaking by any Contracting Party or political subdivision in cooperation with any Contracting Party.

Section 10. Income Tax to be Levied in the District.

A. The Board at its initial meeting, which shall occur no later than 90 days after the effective date of this Agreement, shall adopt a resolution to levy a tax on income earned by persons working or residing within the District and based on net profits of businesses located in the District in accordance with ORC Section 715.72(F) (the "Income Tax Resolution"). The Board shall adopt subsequent Income Tax Resolutions as may be necessary to adjust the Employee/Resident Rate and the Business Rate, as defined herein, to equal the rate levied by the City from time to time. The Income Tax Resolution and any replacement thereof shall be effective until it is replaced by a subsequent Income Tax Resolution. Pursuant to ORC Section 715.72(F), all income tax collected from any business or entity within the District or any person working or residing within the District shall be subject to this Agreement and included in the total income tax revenue collected within the

District (collectively, the "Total Revenues"). The income tax shall go into effect as soon as legally permissible.

B. The Income Tax Resolution shall establish the income tax rate for employees working or residing in the District (the "Employee/Resident Rate"), which Employee/Resident Rate shall at all times during the term of this Agreement equal the rate levied in the City. As of the date of execution of this Agreement by the Contracting Parties, the City income tax rate is one and one half percent (1.5%). In each annual Income Tax Resolution, the Board shall adjust the Employee/Resident Rate as necessary so that it matches the rate of income taxation in the City.

C. The Income Tax Resolution also shall establish the income tax rate applicable to net profits of businesses located in the District (the "Business Rate"), which Business Rate shall at all times during the term of this Agreement equal the rate levied in the City. In each annual Income Tax Resolution, the Board shall adjust the Business Rate as necessary so that it matches the rate of income taxation in the City.

D. The Income Tax Resolution shall designate that: (i) sixty percent (60%) of the Total Revenues collected each year (the "JEDD Board Revenue") shall be paid to the JEDD Board pursuant to the terms hereof; (ii) twenty percent (20.0%) of Total Revenues collected each year shall be paid to the City pursuant to the terms hereof, which amount includes payment equal to three percent (3.0%) of Total Revenues to the City for its services administering the JEDD income tax, and which amount may be used by the City for any lawful purpose, including but not limited to expenses related to the District and its purposes; and (iii) twenty percent (20.0%) of Total Revenues collected each year shall be paid to the Township pursuant to the terms hereof to be used by the Township for any lawful purpose, including but not limited to expenses related to the District and its purposes.

E. The Board shall resolve that, pursuant to this Agreement, the City will collect, administer, and enforce the income tax within the District in accordance with this Agreement and the City's rules and regulations currently in effect and as may be amended from time to time regarding the collection, administration, and enforcement of income tax.

F. Pursuant to ORC Section 715.72(F)(5)(C), the Board shall enter into an agreement with the City (the "District Income Tax Collection and Distribution Agreement") as expeditiously as possible upon the District's creation to administer, collect and enforce the income tax on behalf of the District in accordance with this Agreement. The District Income Tax Collection and Distribution Agreement shall provide that the City is responsible for the receipt, safeguarding, and investment of the income tax revenues collected within the District and that the City shall make an annual written report to be mailed to the Board and the Township within sixty (60) days of the end of the fiscal year detailing the receipt and distribution of the income tax of the District during the previous fiscal year.

G. The Board may establish procedures by which the income tax levied on employee wages earned within the District is to be collected from employees employed within the District or withheld by businesses located in the District, and the Board shall establish procedures by which the income tax on net profits of businesses located in the District is to be collected from one or more businesses located in the District. Such procedures may provide for the payment of withholding or estimated taxes by those employees or businesses and the reconciliation of income taxes paid on net profits of businesses between fiscal years.

Section 11. Defaults and Remedies.

A failure to comply with the terms of this Agreement shall constitute a default hereunder. The Contracting Party in default shall have sixty (60) days after receiving written notice from the other Contracting Party of the event of default and demand to cure the default. If the default is not cured within that time period, the non-defaulting Contracting Party may sue the defaulting Contracting Party for specific performance under this Agreement or for damages or both. This Agreement may not be terminated because of default under the Agreement by either Contracting Party unless termination occurs as provided for in Section 5 of this Agreement.

The Contracting Parties agree that the nature of the Agreement is unique and monetary damages are inadequate to fully compensate a non-defaulting Contracting Party. Accordingly, the Contracting Parties agree that specific performance is an appropriate and available remedy for a breach of contract action brought pursuant to this Agreement in addition to any other remedy available at law and equity. Both Contracting Parties also agree that because monetary damages are inadequate to fully compensate a non-defaulting Contracting Party, a non-defaulting Contracting Party has the right to seek an injunction or other equitable relief to prevent the continued breach of this Agreement by a defaulting Contracting Party.

Section 12. Support of Contract.

This Agreement shall be binding upon the Contracting Parties and their lawful successors and assigns. The Contracting Parties agree to cooperate with each other and to use their best efforts to do all things necessary for the creation and continued operation of the District. In the event that this Agreement, or any of its terms, conditions, or provisions is challenged by any third party or parties in a court of law, the Contracting Parties agree to cooperate with one another and to use their best efforts in defending this Agreement with the object of upholding this Agreement. Each Contracting Party shall bear its own costs in any such proceeding challenging this Agreement or any term or provision herein.

Section 13. Severability.

With the exception of Section 7 or Section 10 of this Agreement, if any other paragraph, provision or section of this Agreement is held to be illegal or invalid for any reason, then:

(i) that illegality or invalidity shall not affect the remainder of any other paragraph, provision or section, all of which shall be construed and enforced as if the illegal or invalid portion were not contained herein;

(ii) the illegality or invalidity of any paragraph, provision or section shall not affect any legality or applicability of any other paragraph, provision, or section of this Agreement; and

(iii) each paragraph, provision, or section of this Agreement shall be deemed to be effective, operative, made, assumed, entered into, or taken in the manner and to the full extent permitted by law.

If any paragraph, provision, or part thereof of Section 7 or Section 10 of this Agreement is held to be illegal or invalid for any reason, then provisions of Section 5 shall be applicable.

Section 14. Appropriation.

The financial obligations of the City and the Township, as applicable, under this Agreement are expressly subject to future ordinances or resolutions of the City Council or the Township Trustees, respectively, appropriating and authorizing the expenditure of such funds as are necessary to meet their respective financial obligations occurring after the current fiscal year. Those obligations, as applicable, of the City are also subject to the certification of the Director of Finance of the City or the Township Fiscal Officer under ORC Sections 5705.41 and 5705.44. Notwithstanding anything to the contrary contained in this Agreement, however, the financial obligations of the City and Township, respectively, under this Agreement shall, to the extent funds are then available, be under the continuing obligation to appropriate the amount necessary to pay such obligations as they become due.

Section 15. Governing Law.

This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio, and in particular, ORC Section 715.72 in effect as of the date when the owners of property in the District and the owners of business in the District filed their respective petitions consenting to the formation of the District. A copy of ORC Section 715.72 in effect as of the date when the owners of property in the District and the owners of business in the District filed their respective petitions consenting to the formation of the District is attached hereto as Exhibit C. In the event that any of ORC Section 715.72 is amended or is supplemented by the enactment of one or more new sections of the ORC relating to joint economic development districts, the Contracting Parties shall follow the provisions of ORC Section 715.72 when the owners of property in the District and the owners of business filed their respective petitions consenting to the formation of the District, unless the Contracting Parties agree to amend this Agreement in accordance with Section 5 herein. If any amendment or subsequent enactment of one or more new sections of the ORC relating to joint economic development districts renders any

existing sections of ORC Sections 715.72 illegal or impossible, then the provisions of Section 6 of this Agreement shall apply.

Section 16. Miscellaneous.

Any notice or consent required or permitted to be given by or on behalf of either party to the other shall be given by mailing such notice or consent by United States certified or registered mail, postage prepaid and return receipt requested, or via a reputable express overnight mail service which provides proof of delivery addressed to the parties as set forth below or at such other address as may be specified from time to time in writing delivered to the other party. Notices shall be effective upon receipt or refusal, as the case may be.

If to the City:
209 South Main Street
Marysville, Ohio 43040
Attn: Law Director

If to the Township:
9777 Industrial Parkway
Plain City, Ohio 43064
Attn: Fiscal Officer

With copy simultaneously sent or delivered to:
Peter N. Griggs
Brosius, Johnson & Griggs, LLC
1600 Dublin Road, Suite 100
Columbus, Ohio 43215

The captions and headings herein are for convenience only and in no way define, limit, or describe the scope or intent of any provisions or sections herein.

This Agreement may be executed in one or more counterparts, each of which shall be regarded as an original and all of which together shall constitute but one and the same instrument.

[Signature Page Follows]

IN WITNESS WHEREOF, the Contracting Parties have caused this Agreement to be duly signed in their respective names by their duly authorized officers, all as of the date first hereinbefore written.

TOWNSHIP OF JEROME,
UNION COUNTY, OHIO

By: _____
Trustee

By: _____
Trustee

By: _____
Trustee

CITY OF MARYSVILLE, OHIO

By: _____
City Manager

Approved as to form and correctness:

_____
Tim Aslaner, Director of Law

CITY'S FISCAL OFFICER'S CERTIFICATE

The undersigned, Fiscal Officer of the City of Marysville, Ohio, hereby certifies that the moneys required to meet the obligations of the City during the year 2022 under the foregoing Agreement have been lawfully appropriated by the City Council of the City of Marysville, Ohio for such purpose and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.

Fiscal Officer
City of Marysville, Ohio

Dated: [8-8], 2022

TOWNSHIP'S FISCAL OFFICER'S CERTIFICATE

The undersigned, Fiscal Officer of Jerome Township, Union County Ohio, hereby certifies that the moneys required to meet the obligations of the Township during the year 2022 under the foregoing Agreement have been lawfully appropriated by the Board of Trustees of Jerome Township, Union County, Ohio for such purpose and are in the treasury of the Township or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.

Fiscal Officer
Jerome Township, Union County, Ohio

Dated: August 01, 2022

EXHIBIT A

ECONOMIC DEVELOPMENT PLAN

ECONOMIC DEVELOPMENT PLAN AND SCHEDULE FOR THE COLLECTION OF INCOME TAX

Introduction

The purpose of this plan, established pursuant to Section 715.72 of the Ohio Revised Code, is to set forth the economic development objectives of the City of Marysville-Jerome Township Joint Economic Development District (the "District"). This plan serves as a framework for the District's efforts to guide income and education attainment, prioritize talent retention, development, and attraction, attract employers, retain and grow the economic base, create more high-growth enterprises, and improve the civic infrastructure in Jerome Township (the "Township") and the City of Marysville (the "City") as well as throughout the region as a whole.

The District is comprised of unincorporated developable land located in growth priority development areas in the southeastern portion of Union County, Ohio, within Jerome Township, along US-33 (Ohio's 33 Smart Mobility Corridor), south of the City of Marysville. Land comprising the District is appropriately zoned for commercial, industrial, manufacturing, business, and similar uses, with the City providing municipal water and sewer services. The District is a collaborative approach between the Township and the City to support and implement the Southern Jerome Innovation area and the US 42 Growth area, each as identified and more fully described in the Union County Economic Development Strategy (2014).

The District is located along the northwestern outer-ring of the Columbus Region, at or near the border of Delaware, Franklin, Madison, and Union Counties. The District is an approximate 30-minute drive from downtown Columbus and has access to major metropolitan amenities. The Township was organized in 1821 and the City was platted in 1819. But most significant growth in the vicinity of the District has occurred during the last 40 years, led by the Honda Marysville Auto Plant's first manufactured Honda Accord in 1982. Union County has experienced rapid growth as a location of choice for new residents and businesses in the rapidly growing Columbus Region; during the period 2018 – 2019, Union County became the fastest growing county in Ohio. According to the Mid-Ohio Regional Planning Commission's insight2050 study (published in 2015 and regularly updated), Union County is expected to grow from approximately 58,000 population (2018) to more than 84,000 by 2050.

Goals

The District represents a collaborative approach to create and preserve jobs and employment opportunities throughout Union County, thereby improving the economic welfare of the residents of the Township, the City, and the State of Ohio. The District will foster and support business growth, particularly growth that is anticipated to occur on developable land within the Township's boundaries.

Schedule of New, Expanded, or Additional Services, Facilities or Improvements

EXHIBIT A

In the event that economic development in the District creates a demand for public infrastructure improvements serving the District or the area surrounding the District, the District will facilitate the provision of the following new, expanded, or additional services, facilities, or improvements:

- Roads, including in certain circumstances resurfacing and maintaining;
- Water and sewer;
- Electric;
- Natural gas;
- Fiber;
- Cable; or,
- Any other improvements directly supporting non-residential development within the District or otherwise benefitting the District.

Use of Total Revenues to Fund New, Expanded, or Additional Services, Facilities or Improvements

All income tax collected from any business or entity within the District or any person working or residing within the District will be included in the total income tax revenue collected within the District (collectively, the "Total Revenues"). Of such Total Revenues, the Board of Directors of the District (the "Board") will receive sixty percent (60%) each year (with such portion referred to as "JEDD Board Revenue"), the Township shall receive twenty percent (20%) each year, and the City shall receive twenty percent (20% each year). The Board will apply the JEDD Board Revenue to pay for new, expanded, or additional services, facilities, or improvements:

- Fifty-five percent (55%) for costs of public infrastructure improvements, which may include improvements relating to roads, water and sewer, electric, natural gas, fiber, cable, or any other capital improvements directly supporting development within the District or otherwise benefitting the District. At certain times during the life of the District and up to certain threshold amounts, such infrastructure improvements include resurfacing or otherwise maintaining roadways within the District with asphalt, concrete, chip and seal, or such other materials or measures as may be deemed appropriate

- Five (5%) for the Board's administrative expenses, including any marketing of the District as may be determined necessary by the Board, and any remaining balance to be directed to the costs of infrastructure improvements.

Schedule for the Collection of the Income Tax within the District

The District to be created pursuant to the provisions of the Agreement by and between the City and Township authorizes and anticipates the levy by the Board of a tax on the income of persons working or residing in the District and the net profits of businesses located in the District at the same rate levied by the City, as that rate may be adjusted from time to time, for distribution as set forth within Section 10 of the Agreement.

AMENDMENT TO CITY OF MARYSVILLE-JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT

HUNTINGTON BANK, JEROME VILLAGE

This Amendment to City of Marysville-Jerome Township Joint Economic Development District Agreement (the "Amendment") is executed [_____], 202__ (the "Effective Date") by and among the City of Marysville, Ohio (the "City"), and Jerome Township, Union County, Ohio, a township formed and existing under the laws of the State of Ohio, through its Board of Township Trustees (the "Township").

RECITALS:

A. Pursuant to Ohio Revised Code ("R.C.") Chapter 715, including particularly R.C. 715.72 of current law (the "JEDD Act"), the City and Township executed the City of Marysville-Jerome Township Joint Economic Development District Agreement (the "Original JEDD Contract") effective August 8, 2022. The Original JEDD Contract established the City of Marysville-Jerome Township Joint Economic Development District, as amended and expanded to date (referred to herein as "JEDD," or the "District").

B. The Township and City have amended and expanded the JEDD Area since the initial adoption of the JEDD Contract.

C. Pursuant to the Original JEDD Contract, the Board of Directors for the JEDD (the "JEDD Board") currently imposes a 1.50% tax on income withheld from employees working within the JEDD Area and on net business profits from operations within the JEDD Area.

D. The Huntington National Bank ("Huntington Bank") has acquired and desires to develop a parcel of land for commercial purposes (the "Project" or "Project Area") at a site within the boundaries of the Township (the "Huntington Bank Additional Property") which is further described on the attached Exhibit A and incorporated herein by this reference), provided that the appropriate economic development incentives are available to support the economic viability of the Project. The Huntington Bank Additional Property is located outside of the current JEDD Area. The current JEDD Area and the Huntington Bank Additional Property are referred to collectively herein as the "Expanded JEDD Area."

E. The City, Township, and Huntington Bank desire to facilitate the addition of the Huntington Bank Additional Property to the JEDD Area.

F. Ohio Revised Code Section 715.72(L) and Section 5 of the Original JEDD Contract authorize the amendment of the Original JEDD Contract upon certain conditions stated therein for the purposes of adding territory to the JEDD Area.

G. The City and Township have complied with all procedures of the JEDD Act related to the addition of the Huntington Bank Additional Property to the JEDD Area, including the public hearing and notice requirements of R.C. Section 715.72(L)(2).

H. As required by R.C. Section 715.72(L)(3), Huntington Bank has submitted or caused to be submitted, and the Township and the City have received the required property owner and business owner petitions (if any) (the "Petitions") necessary to add the Huntington Bank Additional Property to the JEDD Area.

I. Attached as Exhibit B pursuant to R.C. Section 715.72(F)(3) is an updated economic development plan for the JEDD, which includes the requisite information relating to infrastructure and services for the Expanded JEDD Area, if applicable, under R.C. Section 715(F)(8).

J. Pursuant to Ordinance No. _____ , passed _____, 202_, the City Council of the City has approved the execution of this Amendment. Pursuant to Resolution No. _____, passed _____, 202_, the Board of Township Trustees of the Township has approved the execution of this Amendment.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the receipt and sufficiency of which is hereby acknowledged, the parties herein agree as follows:

Section 1. Adding the Huntington Bank Additional Property to the JEDD.

Pursuant to Section 5 of the Original JEDD Contract and Ohio Revised Code Section 715.72, and effective on the Effective Date hereof, the Original JEDD Contract is hereby amended to include the Huntington Bank Additional Property within the Expanded JEDD Area. The territorial boundaries of the Huntington Bank Additional Property are depicted and identified in Exhibit A attached hereto and incorporated by reference into this Amendment. The territory of the Original JEDD Contract, as amended, is otherwise unchanged.

The Huntington Bank Additional Property is located entirely within the territorial boundaries of the Township. In accordance with Ohio Revised Code Section 715.72(E), no electors reside within the Huntington Bank Additional Property as of the date hereof.

Pursuant to the Township Resolution and the City Ordinance, the owner of the Huntington Bank Additional Property has given its consent to the inclusion within the Expanded JEDD Area of certain real properties depicted and identified in Exhibit A hereto, which also identifies the applicable zoning restrictions with respect to the Huntington Bank Additional Property.

Section 2. Remainder Unaffected. Notwithstanding anything to the contrary in the Original JEDD Contract or this Amendment, the remaining provisions of the Original JEDD Contract not expressly amended or modified by this Amendment shall remain in full force and effect.

Section 3. Counterparts. This Amendment may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Amendment may execute this Amendment by signing any such counterpart.

Section 4. Captions. Captions have been provided herein for the convenience of the reader and shall not affect the construction of this Amendment.

IN WITNESS WHEREOF, the City and Township have caused this Amendment to be executed in their respective names by their duly authorized officers or representatives, as of the date hereinabove written.

CITY OF MARYSVILLE, OHIO

By: _____

Its: _____

_____
City Law Director

BOARD OF TRUSTEES OF JEROME TOWNSHIP, UNION COUNTY, OHIO

By:_____
Brandon Stanley, Township Administrator

EXHIBIT A

DEPICTION OF JEDD EXPANSION

The real estate is situated in the State of Ohio, County of Union, Jerome Township, being approximately 1.805 acres of land, consisting of a portion of tax parcel number 140009011.0000 within the Planned Development District (PD) (including any subsequent combinations and/or subdivisions of such current parcel numbers) and having the following legal description:

[To be attached]

AMERICAN LAND SURVEYORS | Focused on Excellence

EXHIBIT A

October 24, 2025

DESCRIPTION OF A 1.805 ACRE TRACT
EAST OF U.S. ROUTE 42
SOUTH OF RAVENHILL PARKWAY
JEROME TOWNSHIP, UNION COUNTY, OHIO

Situated in the State of Ohio, County of Union, Jerome Township, Virginia Military Survey No. 5234, being 1.805 acres of land located in the remainder of that 164.395 acre tract of land as described in a deed to Jerome Village Company, LLC, of record in Official Record 716, Page 335, all references herein being to the records located in the Recorder's Office, Union County, Ohio and being more particularly described as follows;

BEGINNING at an iron pin set at the intersection of the southeasterly right-of-way line of U.S. Route 42 as shown and delineated on the plat entitled "U.S. 42", of record in Plat Book 6, Page 155A with the southwesterly right-of-way line as shown and delineated on the plat entitled "Dedication Plat of Ravenhill Parkway Phase 5 and Easements", of record in Plat Book 6, Pages 161A-161B;

Thence with the southwesterly right-of-way line of said Ravenhill Parkway Phase 5 the following courses;

1. With the arc of a curve to the right, having a radius of 50.00 feet, a central angle of 52° 42' 02", an arc length of 45.99 feet, the chord of which bears **South 79° 30' 08" East**, a chord distance of **44.39 feet** to an iron pin set at a point of tangency;

2. **South 53° 09' 07" East**, a distance of **242.67 feet** to an iron pin set;

Thence through the remainder of said 164.395 acre tract, with new lines of division, the following courses;

1. **South 36° 49' 59" West**, a distance of **227.22 feet** to a MAG nail set in a concrete gutter in the proposed northerly right-of-way line of "Sycamore Trace Phase 2" (not yet recorded);

2. **North 53° 10' 01" West**, along said proposed northerly right-of way line, a distance of **38.02 feet** to an iron pin set at the northwesterly right-of-way line of said proposed "Sycamore Trace Phase 2";

3. **South 36° 49' 59" West**, along the proposed westerly right-of way line of said "Sycamore Trace Phase 2", a distance of **59.90 feet** to an iron pin set at the northeasterly corner of a 4.241

1346 Hemlock Court N.E. • Lancaster, Ohio 43130 • 740-654-0600 (Lancaster Voice) • 740-654-0604 (fax)
614-837-0800 (Columbus-Voice) • 740-670-0800 (Newark-Voice) • 740-455-2200 (Zanesville-Voice)
EMAIL: jadcock@americanlandsurveyors.com WEBSITE: www.americanlandsurveyors.com

acre tract of land as described in a deed to Memorial Ohio Properties II, LLC, of record in Instrument No. 202412110009607;

Thence **North 53° 10' 01" West**, along the northerly line of said 4.241 acre tract, a distance of **244.53 feet** to an iron pin set in the southeasterly right-of-way line of said U.S. 42;

Thence **North 36° 51' 15" East**, along said southeasterly right-of-way line, a distance of **267.50 feet** to the **PLACE OF BEGINNING** and containing **1.805 acres** of land;

Iron pins set consist of a 5/8" x 30" rebar with a plastic cap inscribed "Jon Adcock S-8461".

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, North Zone, NAD 1983.

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio Licensed Professional Surveyor No. 8461 and is based on a field survey performed in September, 2025.

The above described 1.805 acre tract is situated entirely in Union County Auditor's Parcel No. 14-0009011.0000.

10/24/25

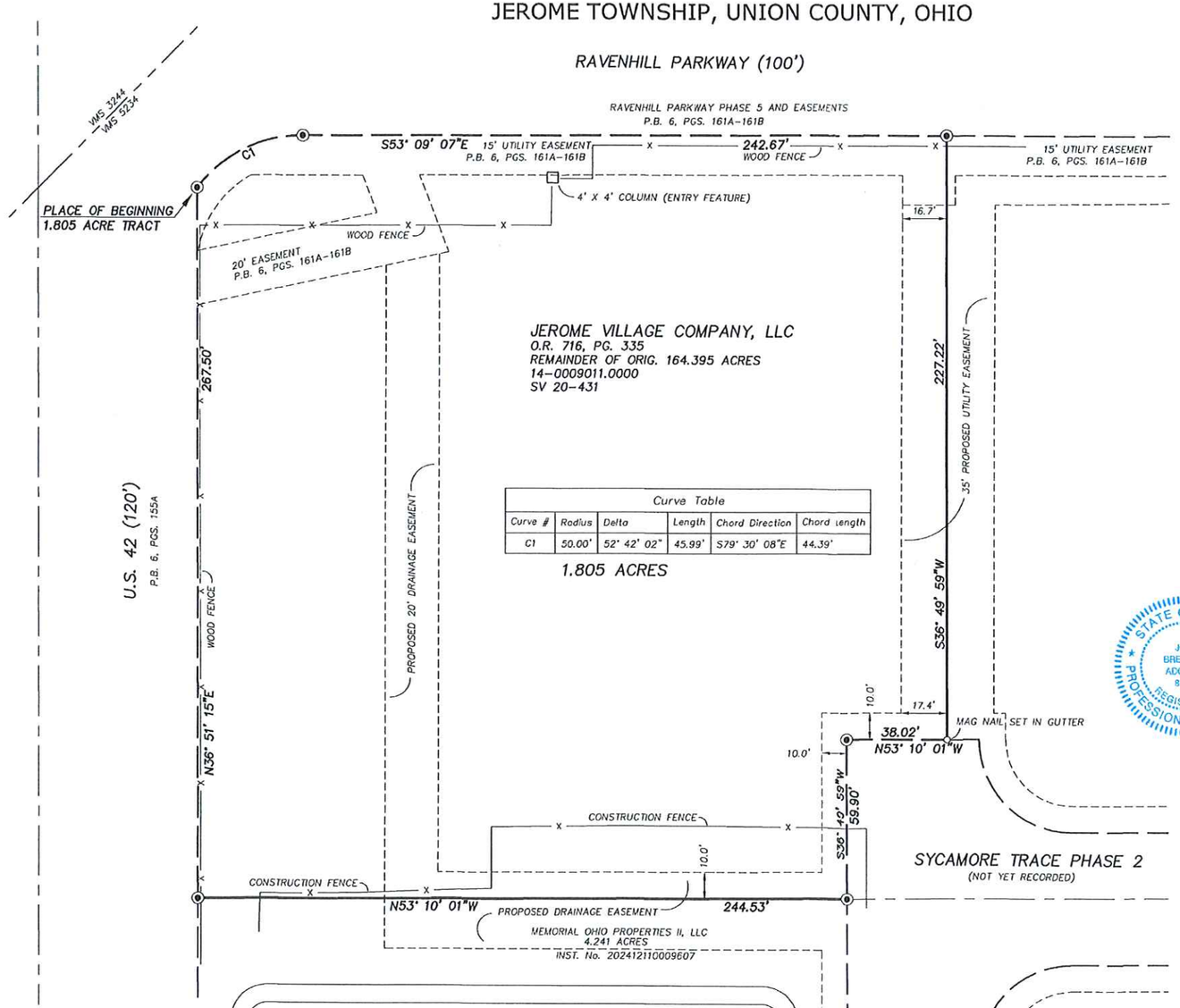
Jon B. Adcock, Ohio P.S. No. 8461 Date



1346 Hemlock Court N.E. • Lancaster, Ohio 43130 • 740-654-0600 (Lancaster Voice) • 740-654-0604 (fax)
614-837-0800 (Columbus-Voice) • 740-670-0800 (Newark-Voice) • 740-455-2200 (Zanesville-Voice)
EMAIL: jadcock@americanlandsurveyors.com WEBSITE: www.americanlandsurveyors.com

PLAT OF SURVEY

1.805 ACRE TRACT
SITUATED IN
VIRGINIA MILITARY SURVEY No. 5234
JEROME TOWNSHIP, UNION COUNTY, OHIO



GRAPHIC SCALE
30 15 0 30
(IN FEET)
1 inch = 30 ft.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS, BEING THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 1983.

LEGEND:

- ◉ IRON PIN SET – 5/8" X 30" REBAR WITH A PLASTIC CAP INSCRIBED "JON ADCOCK S-8461."
- ○ MAG NAIL SET

NOTES:

1. ALL PERTINENT DOCUMENTS USED FOR THIS BOUNDARY SURVEY ARE AS SHOWN HEREON.
2. IN GENERAL, ALL EVIDENCE OF OCCUPATION FOUND ALONG BOUNDARY LINES AGREES WITH THE LINES CITED IN THE DEEDS.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED IN SEPTEMBER OF 2025 AND MEETS ALL OF THE REQUIREMENTS FOR A BOUNDARY SURVEY AS SET FORTH IN THE OHIO ADMINISTRATIVE CODE CHAPTER 4733-37.

STATE OF OHIO · JON BRETTON ADCOCK 8461 · REGISTERED PROFESSIONAL SURVEYOR

JON B. ADCOCK — OHIO REG. No. 8461 — DATE 10/24/25

Jerome Township
Zoning Inspector
12/9/25
APPROVED

8439 Voris Road
Logan, OH 43138
Contact: Brett Adcock
(740) 654-0600 - Lancaster
(614) 837-0800 - Columbus
www.americanlandsurveyors.com

ALS AMERICAN LAND SURVEYORS — Focused on Excellence

FIELD	DRAFT	CHECK
JBA	JBA	JBA
JOB NO.:	25-001	
DATE:	OCTOBER 24, 2025	
SCALE:	1"=30'	

EXHIBIT B
ECONOMIC DEVELOPMENT PLAN

ECONOMIC DEVELOPMENT PLAN AND SCHEDULE FOR THE COLLECTION OF INCOME TAX

Introduction

The purpose of this plan, established pursuant to Section 715.72 of the Ohio Revised Code, is to set forth the economic development objectives of the City of Marysville-Jerome Township Joint Economic Development District (the "District"). This plan serves as a framework for the District's efforts to guide income and education attainment, prioritize talent retention, development, and attraction, attract employers, retain and grow the economic base, create more high-growth enterprises, and improve the civic infrastructure in Jerome Township (the "Township") and the City of Marysville (the "City") as well as throughout the region as a whole.

The District is comprised of unincorporated developable land located in growth priority development areas in the southeastern portion of Union County, Ohio, within Jerome Township, along US-33 (Ohio's 33 Smart Mobility Corridor), south of the City of Marysville. Land comprising the District is appropriately zoned for commercial, industrial, manufacturing, business, and similar uses, with the City providing municipal water and sewer services. The District is a collaborative approach between the Township and the City to support and implement the Southern Jerome Innovation area and the US 42 Growth area, each as identified and more fully described in the Union County Economic Development Strategy (2014).

The District is located along the northwestern outer-ring of the Columbus Region, at or near the border of Delaware, Franklin, Madison, and Union Counties. The District is an approximate 30-minute drive from downtown Columbus and has access to major metropolitan amenities. The Township was organized in 1821 and the City was platted in 1819. But most significant growth in the vicinity of the District has occurred during the last 40 years, led by the Honda Marysville Auto Plant's first manufactured Honda Accord in 1982. Union County has experienced rapid growth as a location of choice for new residents and businesses in the rapidly growing Columbus Region; during the period 2018 – 2019, Union County became the fastest growing county in Ohio. According to the Mid-Ohio Regional Planning Commission's insight2050 study (published in 2015 and regularly updated), Union County is expected to grow from approximately 58,000 population (2018) to more than 84,000 by 2050.

Goals

The District represents a collaborative approach to create and preserve jobs and employment opportunities throughout Union County, thereby improving the economic welfare of the residents of the Township, the City, and the State of Ohio. The District will foster and support business growth, particularly growth that is anticipated to occur on developable land within the Township's boundaries.

Schedule of New, Expanded, or Additional Services, Facilities or Improvements

In the event that economic development in the District creates a demand for public infrastructure improvements serving the District or the area surrounding the District, the District will facilitate the provision of the following new, expanded, or additional services, facilities, or improvements:

- Roads, including in certain circumstances resurfacing and maintaining;
- Water and sewer;
- Electric;
- Natural gas;
- Fiber;
- Cable; or,
- Any other improvements directly supporting non-residential development within the District or otherwise benefitting the District.

Use of Total Revenues to Fund New, Expanded, or Additional Services, Facilities or Improvements

All income tax collected from any business or entity within the District or any person working or residing within the District will be included in the total income tax revenue collected within the District (collectively, the "Total Revenues"). Of such Total Revenues, the Board of Directors of the District (the "Board") will receive sixty percent (60%) each year (with such portion referred to as "JEDD Board Revenue"), the Township shall receive twenty percent (20%) each year, and the City shall receive twenty percent (20% each year). The Board will apply the JEDD Board Revenue to pay for new, expanded, or additional services, facilities, or improvements:

- Fifty-five percent (55%) for costs of public infrastructure improvements, which may include improvements relating to roads, water and sewer, electric, natural gas, fiber, cable, or any other capital improvements directly supporting development within the District or otherwise benefitting the District. At certain times during the life of the District and up to certain threshold amounts, such infrastructure improvements include resurfacing or otherwise maintaining roadways within the District with asphalt, concrete, chip and seal, or such other materials or measures as may be deemed appropriate

- Five (5%) for the Board's administrative expenses, including any marketing of the District as may be determined necessary by the Board, and any remaining balance to be directed to the costs of infrastructure improvements.

Schedule for the Collection of the Income Tax within the District

The District to be created pursuant to the provisions of the Agreement by and between the City and Township authorizes and anticipates the levy by the Board of a tax on the income of persons working or residing in the District and the net profits of businesses located in the District

at the same rate levied by the City, as that rate may be adjusted from time to time, for distribution as set forth within Section 10 of the Agreement.

HUNTINGTON BANK, JEROME VILLAGE

PROPERTY OWNER PETITION

To: The City Council of the City of Marysville and the Board of Trustees of Jerome Township, Union County, Ohio

WHEREAS, the City of Marysville (the "City"), Union County, Ohio, and Jerome Township (the "Township"), Union County, Ohio, which are contiguous communities sharing a mutual interest in promoting economic development and growth, have entered into an agreement (the "Agreement") to create the City of Marysville - Jerome Township Joint Economic Development District (the "District"); and

WHEREAS, the following documents have been filed and are available for public inspection in the office of the City Clerk of the City and in the office of the Fiscal Officer of the Township:

(A) A copy of an Amendment to the Agreement (the "Amendment") to add certain territory to the proposed District, as is more particularly described in the Amendment (the "New Territory"); and

(B) A description of the New Territory, including a map in sufficient detail to denote the specific boundaries of the New Territory and to indicate any zoning restrictions applicable to the New Territory.

NOW, THEREFORE, the undersigned petitioners (the "Petitioners") hereby request the expansion of the City of Marysville - Jerome Township Joint Economic Development District and, to that end, petition and request that the City and the Township execute and deliver the Amendment at the earliest time permitted by law.

Each Petitioner represents and warrants with respect to the real property described or named next to the signature of the Petitioner (the "Property"):

(1) the Petitioner is owner of the Property;

(2) the Property is accurately described below;

(3) the Property is not residential property and no electors reside on the Property, except those residing in a mixed-use development, if any; and

(4) the Property is located within the New Territory and within the territory of the Township or the City.

HUNTINGTON BANK, JEROME VILLAGE

This Petition, which may be signed in counterparts (all of which shall constitute one Petition), is signed by a majority of the owners of property located within the area to be added to the District.

	PETITIONERS	**PROPERTY DESCRIPTION**
Name:	The Huntington National Bank	A portion of Parcel No. 140009011.0000 (see attached description)
Address:	5555 Cleveland Ave, GW1097, Columbus, OH 43231	
Signature:	Bryant Diss, VP	
Date:	April 19, 2026	
	BRYANT DISS, VICE PRESIDENT	

AMERICAN LAND SURVEYORS | Focused on Excellence

October 24, 2025

DESCRIPTION OF A 1.805 ACRE TRACT
EAST OF U.S. ROUTE 42
SOUTH OF RAVENHILL PARKWAY
JEROME TOWNSHIP, UNION COUNTY, OHIO

Situated in the State of Ohio, County of Union, Jerome Township, Virginia Military Survey No. 5234, being 1.805 acres of land located in the remainder of that 164.395 acre tract of land as described in a deed to Jerome Village Company, LLC, of record in Official Record 716, Page 335, all references herein being to the records located in the Recorder's Office, Union County, Ohio and being more particularly described as follows;

BEGINNING at an iron pin set at the intersection of the southeasterly right-of-way line of U.S. Route 42 as shown and delineated on the plat entitled "U.S. 42", of record in Plat Book 6, Page 155A with the southwesterly right-of-way line as shown and delineated on the plat entitled "Dedication Plat of Ravenhill Parkway Phase 5 and Easements", of record in Plat Book 6, Pages 161A-161B;

Thence with the southwesterly right-of-way line of said Ravenhill Parkway Phase 5 the following courses;

1. With the arc of a curve to the right, having a radius of 50.00 feet, a central angle of 52° 42' 02", an arc length of 45.99 feet, the chord of which bears **South 79° 30' 08" East**, a chord distance of **44.39 feet** to an iron pin set at a point of tangency;

2. **South 53° 09' 07" East**, a distance of **242.67 feet** to an iron pin set;

Thence through the remainder of said 164.395 acre tract, with new lines of division, the following courses;

1. **South 36° 49' 59" West**, a distance of **227.22 feet** to a MAG nail set in a concrete gutter in the proposed northerly right-of-way line of "Sycamore Trace Phase 2" (not yet recorded);

2. **North 53° 10' 01" West**, along said proposed northerly right-of way line, a distance of **38.02 feet** to an iron pin set at the northwesterly right-of-way line of said proposed "Sycamore Trace Phase 2";

3. **South 36° 49' 59" West**, along the proposed westerly right-of way line of said "Sycamore Trace Phase 2", a distance of **59.90 feet** to an iron pin set at the northeasterly corner of a 4.241

1346 Hemlock Court N.E. • Lancaster, Ohio 43130 • 740-654-0600 (Lancaster Voice) • 740-654-0604 (fax)
614-837-0800 (Columbus-Voice) • 740-670-0800 (Newark-Voice) • 740-455-2200 (Zanesville-Voice)
EMAIL: jadcock@americanlandsurveyors.com WEBSITE: www.americanlandsurveyors.com

ALS AMERICAN LAND SURVEYORS | Focused on Excellence

acre tract of land as described in a deed to Memorial Ohio Properties II, LLC, of record in Instrument No. 202412110009607;

Thence **North 53° 10' 01" West**, along the northerly line of said 4.241 acre tract, a distance of **244.53 feet** to an iron pin set in the southeasterly right-of-way line of said U.S. 42;

Thence **North 36° 51' 15" East**, along said southeasterly right-of-way line, a distance of **267.50 feet** to the **PLACE OF BEGINNING** and containing **1.805 acres** of land;

Iron pins set consist of a 5/8" x 30" rebar with a plastic cap inscribed "Jon Adcock S-8461".

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, North Zone, NAD 1983.

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio Licensed Professional Surveyor No. 8461 and is based on a field survey performed in September, 2025.

The above described 1.805 acre tract is situated entirely in Union County Auditor's Parcel No. 14-0009011.0000.

10/24/25

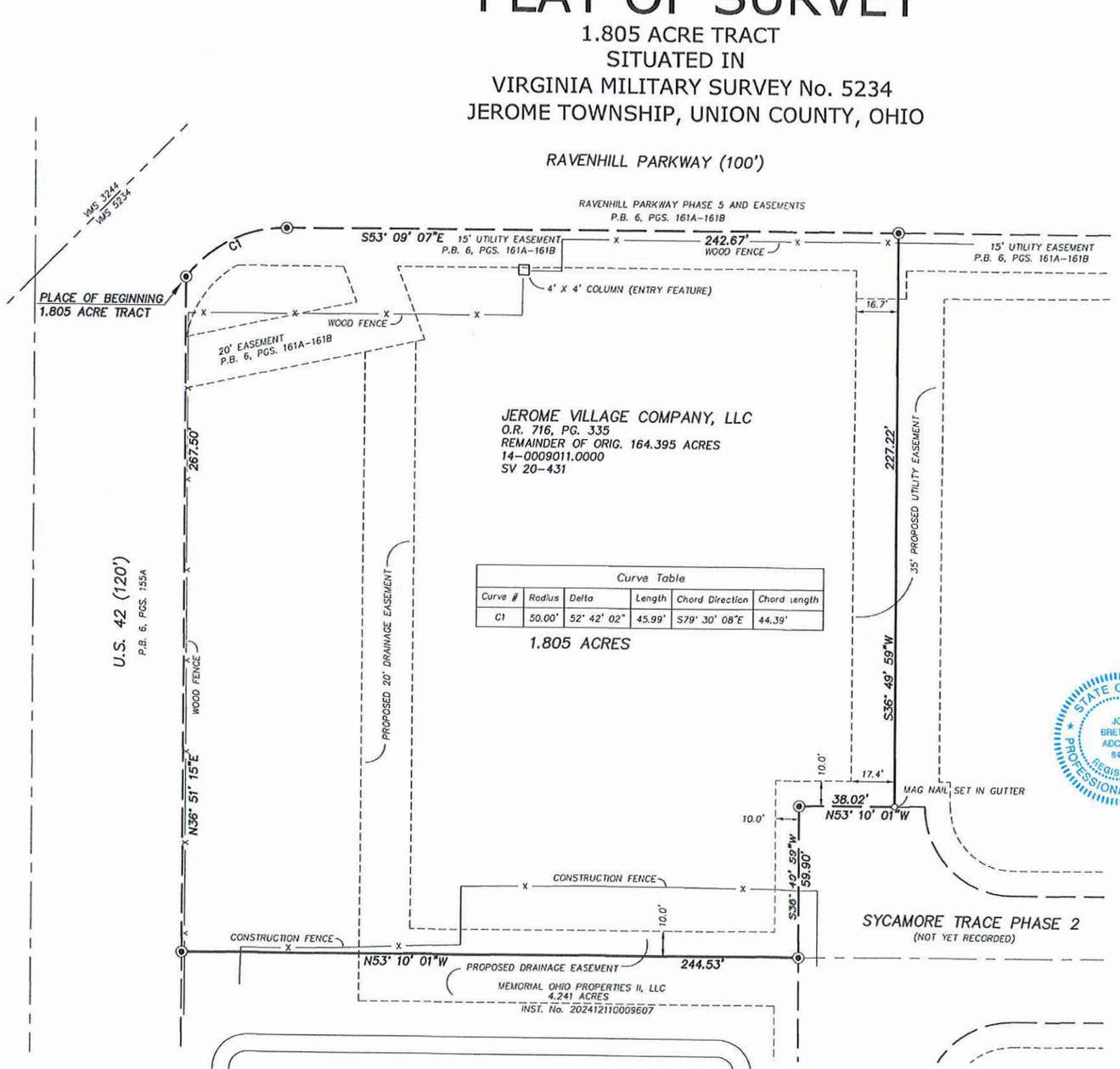
Jon B. Adcock, Ohio P.S. No. 8461 Date



1346 Hemlock Court N.E. • Lancaster, Ohio 43130 • 740-654-0600 (Lancaster Voice) • 740-654-0604 (fax)
614-837-0800 (Columbus-Voice) • 740-670-0800 (Newark-Voice) • 740-455-2200 (Zanesville-Voice)
EMAIL: jadcock@americanlandsurveyors.com WEBSITE: www.americanlandsurveyors.com

PLAT OF SURVEY

1.805 ACRE TRACT
SITUATED IN
VIRGINIA MILITARY SURVEY No. 5234
JEROME TOWNSHIP, UNION COUNTY, OHIO



GRAPHIC SCALE
30 15 0 30
(IN FEET)
1 inch = 30 ft.

BASIS OF BEARINGS:

BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS, BEING THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 1983.

LEGEND:

- ◉ IRON PIN SET – 5/8" X 30" REBAR WITH A PLASTIC CAP INSCRIBED "JON ADCOCK S-8461."
- O MAG NAIL SET

NOTES:

1. ALL PERTINENT DOCUMENTS USED FOR THIS BOUNDARY SURVEY ARE AS SHOWN HEREON.
2. IN GENERAL, ALL EVIDENCE OF OCCUPATION FOUND ALONG BOUNDARY LINES AGREES WITH THE LINES CITED IN THE DEEDS.

STATE OF OHIO
JON BRETTON ADCOCK
8461
REGISTERED PROFESSIONAL SURVEYOR

CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED IN SEPTEMBER OF 2025 AND MEETS ALL OF THE REQUIREMENTS FOR A BOUNDARY SURVEY AS SET FORTH IN THE OHIO ADMINISTRATIVE CODE CHAPTER 4733-37.

JON B. ADCOCK — OHIO REG. No. 8461 — DATE 10/24/25

Jerome Township
Zoning Inspector
12/9/25
APPROVED

8439 Voris Road
Logan, OH 43138
Contact: Brett Adcock
(740) 654-0600 - Lancaster
(614) 837-0800 - Columbus
www.americanlandsurveyors.com

ALS AMERICAN LAND SURVEYORS — Focused on Excellence

FIELD	DRAFT	CHECK
JBA	JBA	JBA
JOB NO.:	25-001	
DATE:	OCTOBER 24, 2025	
SCALE:	1"=30'	

City of Marysville Staff Report

To: City Council

Date: October 12, 2026

From: Tim Aslaner, Law Director
Tony Brooks, Police Chief

Legislation: Ordinance 48-26

Title: TO AMEND THE CODE OF ORDINANCES, CITY OF MARYSVILLE, OHIO TO PROVIDE AMENDMENTS TO TRAFFIC MARYSVILLE CITY CODE SECTIONS 301.02 - 371.12; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Key Details:

- The City's Code of Ordinances defines how Marysville operates, from zoning and development to public safety and everyday regulations. A well-organized, clearly maintained code is essential for City Staff, residents and anyone who may need to access the City of Marysville's Codified Ordinances.
- The City of Marysville engages with CivicPlus for its Code of Ordinances codification through a service called Municode Codification. Expert editors integrate every Ordinance and Resolution seamlessly into the City's Codified Ordinances, and the platform provides the functionality to keep everything organized, searchable, and accessible. The result is a centralized code library.
- For the Traffic Code Sections, the City, along with most municipalities in the State of Ohio, follow the Ohio Revised Code, to which updates are continuously made by the State legislature. To ensure the City is up-to-date, CivicPlus monitors the Ohio Revised Code to ensure the City Code remains consistent.
- Annually, the amendments are provided to the City and reviewed by the Law Director and Police Chief.
- The changes presented by CivicPlus should be adopted in the City's Codified Ordinances so that the City's Traffic Code continues to mirror the respective Ohio Revised Code Chapters.
- Added material is underlined, deleted material is struck through.

ORDINANCE 48-26

TO AMEND THE CODE OF ORDINANCES, CITY OF MARYSVILLE, OHIO TO PROVIDE AMENDMENTS TO TRAFFIC MARYSVILLE CITY CODE SECTIONS 301.02, 301.031, 301.04, 301.09, 301.13, 301.162, 301.17, 301.181, 301.22, 301.26, 301.28, 301.29, 301.30, 301.33, 301.35, 301.37, 301.42, 301.45, 301.46, 301.47, 301.51, 301.55, 301.56, 301.57, 301.58, 301.59, 301.60, 301.61, 301.62, 301.63, 301.64, 301.65, 301.66, 301.67, 301.68, 303.081, 313.03, 313.04, 313.09, 313.10, 313.12, 331.33, 331.35, 331.38, 331.39, 333.11, 335.03, 335.09, 337.24, 341.01, 351.03, 371.01, 371.03, 371.11, 371.12; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the duly elected governing authority of the City of Marysville, Ohio is authorized by ORC § 715.01 to adopt ordinances relating to its property, affairs and local government; and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

Section I. That the Code of Ordinances of the City of Marysville, Ohio (meaning City Municipal Code) is hereby amended by adding the provisions as provided below.

Section II. The addition, amendment, or removal of Municipal Marysville City Code Sections when passed in such form as to indicate the intention of the governing authority of the City of Marysville, Ohio to make the same a part of the Municipal Code shall be deemed to be incorporated in the Municipal Code, so that reference to the Municipal Code includes the additions, amendments, and removals.

Section III. The codifier (meaning the person, agency or organization authorized to prepare the supplement to the Code of Ordinances of the City of Marysville, Ohio) is authorized to exclude and omit any provisions of this ordinance that are inapplicable to the City's Municipal Code.

Section IV. Supplementation of Code.

(a) In preparing a supplement to the City's Municipal Code, all portions of this ordinance which have been repealed shall be excluded from the City's Municipal Code by the omission thereof from reprinted pages.

(b) When preparing a supplement to the City's Municipal Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, non-substantive changes in this ordinance and parts of this ordinance included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:

(1) Organize the ordinance material into appropriate subdivisions;

(2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the City's Municipal Code printed in the supplement, and make changes in such catchlines, headings, and titles;

(3) Assign appropriate numbers to sections and other subdivisions to be inserted in the City's Municipal Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;

(4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this

article," "this division," etc., as the case may be, or to "sections _____ to _____" (inserting section numbers to indicate the sections of the City's Municipal Code which embody the substantive sections, or the ordinance incorporated into the Code); and

(5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the City's Municipal Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodies in the City's Municipal Code.

(c) In preparing a supplement to the City's Municipal Code, the pages of a supplement shall be so numbered that they will fit properly into the City's Municipal Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the City's Municipal Code will be current through the date of the adoption of the latest ordinance included in the supplement.

Section V. Provisions of Section 6 that duplicate or track State statutes which do not become effective until after the effective date of this ordinance, shall not take effect until such statutes take effect.

Section VI. The following sections and subsections of the Municipal Code are new or have been amended with new matter in the Municipal Code, and are hereby approved, adopted, and enacted:

Sec. 301.02. Agricultural tractor; traction engine.

Agricultural tractor and traction engine means every self-propelling vehicle designed or used for drawing other vehicles or wheeled machinery but having no provision for carrying loads independently of such other vehicles, and used principally for agricultural purposes. (ORC 4511.01(J))

Sec. 301.031. Beacon; hybrid beacon.

(A) *Beacon* means a highway traffic signal with one or more signal sections that operate in a flashing mode. (ORC 4511.01(KKK))

(B) *Hybrid beacon* means a special type of beacon that is intentionally placed in a dark mode ~~between periods of operation~~ where no indications are displayed between periods of operation and, ~~when in operation~~ operated, displays both steady and flashing highway traffic ~~control~~ signal indications. Hybrid beacon includes both of the following:

(1) An emergency-vehicle hybrid beacon used to warn and control traffic at an otherwise unsignalized location to assist authorized emergency vehicles in entering or crossing a street or highway;

(2) A pedestrian hybrid beacon used to warn and control traffic at an otherwise unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk.

(ORC 4511.01(LLL))

Sec. 301.04. Bicycle; motorized bicycle; moped.

(A) *Bicycle* means ~~every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter~~ a pedal-powered vehicle upon which a human operator sits, including an electric bicycle.. (ORC 4511.01(G))

(B) *Motorized bicycle* or *moped* means any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that may be pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces not more than one brake horsepower and is capable of propelling the vehicle at a speed of not greater than twenty miles per hour on a level surface. *Motorized bicycle* or

*__Cross references__—Funeral procession defined, 331.24; street racing defined, 333.07; studded tire defined, 339.11; blind person defined, 371.02; snowmobile, off-highway motorcycle and all purpose vehicle defined, 375.01, school zones defined, 333.03(B).
__State law reference__—See sectional histories for similar state law.

Moped does not include an electric bicycle. (ORC 4511.01(H))
(Ord. 006-2022. Passed 3-14-2022)

Sec. 301.09. Crosswalk.

Crosswalk means:

(A) That part of a roadway at ~~intersections ordinarily~~ an intersection included within the ~~real or projected prolongation of property lines and curb lines~~ connections of the lateral lines of the sidewalk on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at the right angles to the center line;

(B) Any portion of a roadway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface, which might be supplemented by contrasting pavement texture, style, or color;

(C) Notwithstanding the foregoing provisions of this definition, ~~there shall not be a crosswalk~~ *crosswalk* does not include an area where authorized signs have been placed signs indicating no crossing.

(ORC 4511.01(LL))

Sec. 301.13. Expressway.

Expressway means a divided arterial street or highway for through traffic with full or partial control of access with an excess of fifty percent of all crossroads separated in grade. (ORC 4511.01(ZZ))

Sec. 301.162. Highway traffic signal.

Highway traffic signal means a power-operated traffic control device by which traffic is warned or directed to take some specific action. *Highway traffic signal* includes a beacon, an in-road warning light, a lane-use control signal, and a traffic control signal. *Highway traffic signal does* not include a power-operated sign, steadily illuminated pavement markers, gate, flashing light signal, warning light, or steady burning electric lamp. (ORC 4511.01(MMM))

Sec. 301.17. Intersection.

Intersection means:

(A) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling upon

different highways that join at any other angle might come into conflict. The junction of an alley ~~or~~ ,driveway, site roadway open to public travel with a public roadway or highway does not constitute an intersection, unless the public roadway or highway at the junction is controlled by a traffic control device.

(b) If a highway includes two roadways ~~that are thirty feet or more apart~~ separated by a median, then every crossing of each roadway of such divided highway by an intersecting highway constitutes a separate intersection if the opposing left-turn paths cross and there is sufficient interior storage for the design vehicle. ~~If both intersecting highways include two roadways thirty feet or more apart, then every crossing of any two roadways of such~~ As used in this division, "design vehicle" means the longest vehicle authorized under section 5577.05 of the Revised Code to operate on that roadway without a permit. ~~highways constitutes a separate intersection.~~

(C) At a location controlled by a highway traffic ~~control~~ signal, regardless of the distance between the separate intersections as described in subsection (B) of this section:

(1) If a stop line, yield line, or crosswalk has not been designated on the roadway within the median between the separate intersections, the two intersections and the roadway and median constitute one intersection.

(2) Where a stop line, yield line, or crosswalk line is designated on the roadway on the intersection approach, the area within the crosswalk and any area beyond the designated stop line or yield line constitute part of the intersection.

(3) Where a crosswalk is designated on a roadway on the departure from the intersection, the intersection includes the area that extends to the far side of the crosswalk. (ORC 4511.01(KK))

Sec. 301.181. Median.

Median means the portion of a highway separating opposing directions of the traveled way or the area between two roadways of a divided highway, measured from edge of traveled way to edge of traveled way~~, but excluding~~ . The median excludes turn lanes. The width of a median may be different between intersections, between interchanges, and at opposite approaches of the same intersection. (ORC 4511.01(NNN))

Sec. 301.22. Pedestrian.

Pedestrian means any ~~natural~~ person ~~afoot~~ on foot, in a motorized or non-motorized wheelchair, or using another equivalent device, such as skates or a skateboard. *Pedestrian* includes a personal delivery device as defined in ORC 4511.513 unless the context clearly suggests otherwise. (ORC 4511.01(X)) (Ord. 006-2022. Passed 3-14-2022)

Sec. 301.26. Private road ~~or driveway~~.

(A) *Private road ~~or driveway~~* means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons. (ORC 4511.01(DD))

(B) *~~Private road~~ Site roadway open to public travel* means a ~~private toll road or road, including any adjacent sidewalks that generally run parallel to the road,~~ roadway or bikeway on site of a shopping center, office part, airport, school, university ~~within a shopping center, airport~~, sports arena, recreational park or other similar business, government, or recreation facility that is publicly or privately owned but where the public is allowed to travel without full-time access restrictions. The term ~~includes a gated toll road but~~ does not include a ~~road within a private gated property~~ roadway where access is restricted at all times by gates or guards to residents, employees, or other specifically authorized persons, a parking area, a driving aisle within a parking area, or a private highway-rail grade crossing. (ORC 4511.01(OOO))

Sec. 301.28. Railroad.

Railroad means a carrier of persons or property operating upon rails or tracks placed principally on a private right-of-way. (ORC 4511.01(P))

Sec. 301.29. Railroad sign or signal.

Railroad sign or signal means any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a ~~railroad~~ train. (ORC 4511.01(SS))

Sec. 301.30. ~~Railroad~~ train.

~~Railroad train~~ Train means ~~a steam engine, or an electric or other motor,~~ one or more locomotives coupled, with or without cars ~~coupled thereto~~, ~~operated by a railroad~~ that operates on rails or tracks and to which all other traffic is required by law to yield the right-of-way at highway-rail grade crossings. (ORC 4511.01(Q))

Sec. 301.33. Roadway.

Roadway means that portion of a street or highway improved, designed or ordinarily used for vehicular travel and parking lanes, ~~except~~ not including the berm, sidewalk, or shoulder even if the berm, sidewalk, or shoulder is used by a person operating a bicycle or other human-powered vehicle. If a street or highway includes two or more separate roadways, the term *roadway* means any such roadway separately but not all such roadways collectively. (ORC 4511.01(EE))

Sec. 301.35. School bus.

School bus means every bus designed for carrying more than nine passengers that is owned by a public, private or governmental agency or institution of learning and operated for the transportation of children to or from a school session or a school function, or owned by a private person and operated for compensation for the transportation of children to or from a school session or a school function~~; provided "school~~ . School bus" does not include ~~a bus operated by a municipally owned transportation system, a mass transit company operating exclusively within the territorial limits~~ any of ~~the municipality, or within such limits and the territorial limits of municipal corporations immediately contiguous to the municipality, nor a common passenger carrier certified by the Public~~

~~Utilities Commission unless such bus is devoted exclusively to the transportation of children to and from a school session or a school function, and "school bus" does not include a van or bus used by a licensed child care center or type A family child care home to transport children from the child care center or type A family child care home to a school if the van or bus does not have more than 15 children in the van or bus at any time.~~ following:

(a) A bus operated by a municipally owned transportation system, a mass transit company operating exclusively within the territorial limits of a municipal corporation, or within such limits and the territorial limits of municipal corporations immediately contiguous to such municipal corporation, nor a common passenger carrier certified by the public utilities commission unless such bus is devoted exclusively to the transportation of children to and from a school session or a school function;

(b) A van or bus used by a licensed child care center or type A family child care home to transport children from the child care center or type A family child care home to a school if the van or bus does not have more than fifteen children in the van or bus at any time;

(c) An alternative vehicle as defined in section ORC 4511.76.

(ORC 4511.01(F), (FFF))

(Ord. 020-2024. Passed 5-13-2024)

Sec. 301.37. Sidewalk.

Sidewalk means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines or easement of private property, that is paved or improved, and is intended for the use of pedestrians. (ORC 4511.01(FF))

Sec. 301.42. Street or highway; arterial street.

(A) *Street* or *highway* means ~~the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel~~ a general term for denoting a public way for purposes of travel by vehicles, streetcars, trackless trolleys, and vulnerable road users, including the entire area within the right-of-way. (ORC 4511.01(BB))

(B) *Arterial street or highway* means ~~any United States or State numbered route, controlled access highway~~ a street or highway primarily used by through traffic, ~~or other major radial or circumferential~~ usually on a continuous route or a street or highway designated ~~by local authorities within their respective jurisdictions~~ as part of an ~~major~~ arterial system ~~of streets or highways~~. (ORC 4511.01(CCC))

Sec. 301.45. Traffic.

Traffic means pedestrians, ridden or herded animals, vehicles and other devices, either singly or together, while using for purposes of travel any street or highway or ~~private road~~ site roadway open to public travel. (ORC 4511.01(TT))

Sec. 301.46. Traffic control device.

Traffic control device means a flagger, sign, signal, marking, channelization device, or other device ~~used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or, in the case of a private road~~ that uses colors, shapes, symbols, words, sounds, or tactile information for the primary purpose of communicating a regulatory, warning, or guidance

message to road users on a street, highway site roadway open to public travel, ~~by authority of the private owner or private official having jurisdiction~~ pedestrian facility, bikeway, or pathway. (ORC 4511.01(QQ))

Sec. 301.47. Traffic control signal.

Traffic control signal means a~~ny~~ highway traffic signal ~~by which~~ placed at an intersection, movable bridge, fire station, midblock crosswalk, alternating one-way sections of a single lane road, private driveway, or other location that requires conflicting traffic ~~is alternately~~ to be directed to stop and permitted to proceed in an orderly manner. *Traffic control signal* includes a vehicular signal indication, a pedestrian signal indication, and a bicycle symbol signal indication. *Traffic control signal* does not include an emergency-vehicle hybrid beacon or a pedestrian hybrid beacon.

(ORC 4511.01(RR))

Sec. 301.51. Vehicle.

Vehicle means every device, including a bicycle, motorized bicycle, and an electric bicycle, in, upon or by which any person or property may be transported or drawn upon a street or highway~~, except that vehicle~~ . *Vehicle* does not include any motorized wheelchair, electric personal assistive mobility device, or any device, other than a bicycle, that is moved by human power. (ORC 4511.01(A))

Sec 301.55 In-road Warning Light

In-road warning light means a special type of highway traffic signal that is installed in the roadway surface to warn road users that they are approaching a condition on or adjacent to the roadway that might not be readily apparent and might require the road users to reduce speed or come to a complete stop.

(ORC 4511.01(ZZZ)

Sec 301.56 Lane-Use Control Signal

Lane-use control signal means a signal face or comparable display on a full-matrix changeable message sign that displays indications to permit or prohibit the use of specific lanes of a roadway or a shoulder where driving is sometimes authorized or to indicate the impending prohibition of such use.

(ORC 4511.01(AAAA)

Sec 301.57 Bicycle Box

Bicycle box means a designated area on the approach to a signalized intersection, between an advance motorist stop line and the crosswalk or intersection, that is intended to provide bicyclists a visible location to wait in front of stopped motorists during the red signal phase.

(ORC 4511.01(BBBB)

Sec 301.58 Two-stage Bicycle Turn Box

Two-stage bicycle turn box means a designated area at an intersection that is intended to provide bicyclists a place to wait for traffic to clear before proceeding in a different direction of travel.

(ORC 4511.01(CCCC)

Sec 301.59 Bicycle Lane

Bicycle lane means a portion of a roadway that has been designated for preferential or exclusive use by bicyclists and is often delineated from the adjacent general-purpose lanes by longitudinal pavement markings and either a bicycle lane symbol, words, or signs. “Bicycle lane” includes all of the following:

(A) A buffer-separated bicycle lane, which is separated from the adjacent general-purpose lanes by a pattern of standard longitudinal pavement markings that are wider than a normal or wide-lane pavement marking;

(B) A counter-flow bicycle lane, which is a one-directional bicycle lane that provides a lawful path of travel for bicycles in the opposite direction from the general traffic on a roadway that otherwise requires the general traffic to travel in only one direction. A counter-flow bicycle lane is designated by the traffic control devices used for other bicycle lanes;

(C) A separated bicycle lane, which is an exclusive facility for bicyclists that is located within or directly adjacent to the roadway and is physically separated from the motor vehicle traffic with a vertical element.

(ORC 4511.01(DDDD)

Sec 301.60 Bicycle Signal Face

Bicycle signal face means a signal face that displays only bicycle symbol signal indications in accordance with section 4511.15 of the Revised Code, that exclusively controls a bicyclist's movement from a designated bicycle lane or from a separate facility, and that displays signal indications that are applicable only to a bicyclist's movement.

(ORC 4511.01(EEEE)

Sec 301.61 Bicycle Signal Sign

Bicycle signal sign means a sign meant to inform road users that the signal indications in the bicycle signal face are intended only for bicyclists, and to inform bicyclists which bicyclist movements are controlled by that bicycle signal face.

(ORC 4511.01(FFFF)

Sec 301.62 Bikeway

Bikeway means any road, street, path, or way that in some manner is specifically designated for bicycle travel, regardless of whether the facility is designated for the exclusive use of bicycles or if it is shared with other modes of transportation.

(ORC 4511.01(GGGG)

Sec 301.63 Busway

Busway means a traveled way that is used exclusively by buses.

(ORC 4511.01(HHHH)

Sec 301.64 Driveway

Driveway means an access from a roadway to a building, site, or abutting property.

(ORC 4511.01(IIII)

Sec 301.65 Roundabout

Roundabout means a circular intersection with a yield control at each entry, which permits a vehicle on the circulatory roadway to proceed, with deflection of the approaching vehicles counter-clockwise around a central island.

(ORC 4511.01(JJJJ)

Sec 301.66 Shoulder

Shoulder means a longitudinal area contiguous with the traveled way that is used for accommodating vehicles that are stopped for an emergency and for lateral support of base and surface courses; graded for emergency stopping; either paved or unpaved; and when paved, may be open for part-time travel by some or all vehicles or may also be available for use by pedestrians or bicycles in the absence of other pedestrian or bicycle facilities.

(ORC 4511.01(KKKK)

Sec 301.67 Autocycle

Autocycle, cab-enclosed motorcycle, electronic, farm machinery, motor-driven cycle or motor scooter, limited driving privileges, and state have the same meanings as in Ohio R.C. 4501.01.

(ORC 4511.01(LLLL)

Sec 301.68 Multifunction School Activity Bus

Multifunction school activity bus means a school bus whose purposes do not include transporting children to and from home or school bus stops.

(ORC 4511.01(MMMM)

CHAPTER 303. ENFORCEMENT, IMPOUNDING AND PENALTY*

Sec. 303.081. pounding vehicles on private residential or agricultural property.

(A) (1) The Chief of Police upon complaint of any person adversely affected may order into storage any motor vehicle, other than an abandoned junk motor vehicle as defined in ORC 4513.63, that has been left on private residential or private agricultural property for at least four hours without the permission of the person having the right to the possession of the property. The Chief of Police, upon complaint of a repair garage or place of storage, may order into storage any motor vehicle, other than an abandoned junk motor vehicle, that has been left at the garage or place of storage for a longer period than that agreed upon. When ordering a motor vehicle into storage pursuant to this section, the Chief of Police may arrange for the removal of the motor vehicle by a towing service and shall designate a storage facility.

(2) A towing service towing a motor vehicle under subsection (A)(1) of this section shall remove the motor vehicle in accordance with that subsection. The towing service shall deliver the motor vehicle to the location designated by the Chief of Police not more than two hours after the time it is removed from the private property, unless the towing service is unable to deliver the motor vehicle within two hours due to an uncontrollable force, natural disaster, or other event that is not within the power of the towing service.

(3) Subject to subsection (B) of this section, the owner of a motor vehicle that has been removed pursuant to this subsection may recover the vehicle only in accordance with subsection (D) of this section.

(4) As used in this section *private residential property* means private property on which is located one or more structures that are used as a home, residence or sleeping place by one or more persons, if no more than three separate households are maintained in the structure or structures. *Private residential property* does not include any private property on which is located one or more structures that are used as a home, residence or sleeping place by two or more persons, if more than three separate households are maintained in the structure or structures.

(B) If the owner or operator of a motor vehicle that has been ordered into storage pursuant to subsection (A)(1) of this section arrives after the motor vehicle has been prepared for removal, but prior to its actual removal from the property, the towing service shall give the owner or operator oral or written notification at the time of such arrival that the vehicle owner or operator may pay a fee of not more than one-half of the fee for the removal of the motor vehicle established by the Public Utilities Commission in rules adopted under ORC 4921.25, in order to obtain release of the motor vehicle. However, if the vehicle is within a municipal corporation and the municipal corporation has established a vehicle removal fee, the towing service shall give the owner or operator oral or written notification that the owner or operator may pay not more than one-half of that fee to obtain release of the motor vehicle. That fee may be paid by use of a major credit card unless the towing service uses a mobile credit card processor and mobile service is not available at the time of the transaction.

Upon payment of the applicable fee, the towing service shall give the vehicle owner or operator a receipt showing both the full amount normally assessed and the actual amount received and shall release the motor vehicle to the owner or operator. Upon its release, the owner or operator immediately shall move it so that it is not on the private residential or private agricultural property without the permission of the person having the right to possession of the property, or is not at the garage or place of storage without the permission of the owner, whichever is applicable.

(C) (1) The Chief of Police shall maintain a record of motor vehicles that the Chief orders into storage pursuant to subsection (A)(1) of this section. The record shall include an entry for each such motor vehicle that identifies the motor vehicle's license number, make, model and color, the location from which it was removed, the date and time of the removal, the telephone number of the person from whom it may be recovered, and the address of the place to which it has been taken and from which it may be recovered. The Chief of Police shall provide any information in the record that pertains to a particular motor vehicle to any person who, either in person or pursuant to a telephone call, identifies self as the owner or operator of the motor vehicle and requests information pertaining to its location.

(2) Any person who registers a complaint that is the basis of the Police Chief's order for the removal and storage of a motor vehicle under subsection (A)(1) of this section shall provide the identity of the law enforcement agency with which the complaint was registered to any person who identifies self as the owner or operator of the motor vehicle and requests information pertaining to its location.

(D) (1) The owner or lienholder of a motor vehicle that is ordered into storage pursuant to subsection (A)(1) of this section may reclaim it upon both of the following:

(a) Payment of all applicable fees established by the Public Utilities Commission in rules adopted under ORC 4921.25 or, if the vehicle was towed within a municipal corporation that has established fees for vehicle removal and storage, payment of all applicable fees established by the municipal corporation. ORC 2930.11 does not apply with regard to the payment of fees for motor vehicle removal and storage under this section.

(b) Presentation of proof of ownership, which may be evidenced by a certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement. When the owner of a vehicle towed under this section retrieves the vehicle, the towing service or storage facility in possession of the vehicle shall give the owner written notice that if the owner disputes that the motor vehicle was lawfully towed, the owner may be able to file a civil action under ORC 4513.611.

(2) Upon presentation of proof of ownership as required under subsection (D)(1)(b) of this section, the owner of a motor vehicle that is ordered into storage under subsection (A)(1) of this section may retrieve any personal items from the motor vehicle without retrieving the vehicle and without paying any fee. However, a towing service or storage facility may charge an after-hours retrieval fee established by the Public Utilities Commission in rules adopted under ORC 4921.25 if the owner retrieves the personal items after hours, unless the towing service or storage facility fails to provide the notice required under division (B)(3) of ORC 4513.69, if applicable. The owner of a motor vehicle shall not do either of the following:

(a) Retrieve any personal item that has been determined by the sheriff or chief of police, as applicable, to be necessary to a criminal investigation;

(b) Retrieve any personal item from a vehicle if it would endanger the safety of the owner unless the owner agrees to sign a waiver of liability.

For purposes of subsection (D)(2) of this section, personal items do not include any items that are attached to the motor vehicle.

(3) If a motor vehicle that is ordered into storage pursuant to subsection (A)(1) of this section remains unclaimed by the owner for thirty days, the procedures established by ORC 4513.61 and 4513.62 apply.

(E) (1) No person shall remove, or cause the removal of, any motor vehicle from any private residential or private agricultural property other than in accordance with subsection (A)(1) of this section or ORC 4513.61 to 4513.65.

(2) No towing service or storage facility shall fail to comply with the requirements of this section.

(F) This section does not apply to any private residential or private agricultural property that is established as a private tow-away zone in accordance with Section 303.082.

(G) Whoever violates subsection (E) of this section is guilty of a minor misdemeanor. (ORC 4513.60)

CHAPTER 305. TRAFFIC CONTROL*

TITLE THREE

STREETS AND TRAFFIC CONTROL DEVICES

Chapter 311. Street Obstructions and Special Uses

Chapter 313. Traffic Control Devices

CHAPTER 311. STREET OBSTRUCTIONS AND SPECIAL USES*

CHAPTER 313. TRAFFIC CONTROL DEVICES*

Sec. 313.03. Traffic signal indications.

Highway traffic signal indications for vehicles, and pedestrians shall have the following meanings:

(A) *Steady Green Signal Indication.*

(1) (a) Vehicular traffic facing a circular green signal indication is permitted to proceed straight through or turn right or left, or make a u-turn movement except as such movement is modified by a lane-use sign, turn prohibition sign, lane marking, roadway design, separate turn signal indication, or other traffic control device. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

i. Pedestrians lawfully within an associated crosswalk;

ii. Other vehicles lawfully within the intersection.

(b) In addition, vehicular traffic turning left or making a u-turn movement to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.

(2) Vehicular traffic facing a green arrow signal indication, displayed alone or in combination with another signal indication, is permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications displayed at the same time. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

(a) Pedestrians lawfully within an associated crosswalk.

(b) Other traffic lawfully using the intersection.

(3) (a) Unless otherwise directed by a pedestrian signal indication, as provided in Section 313.05, pedestrians facing a circular green signal indication are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. The pedestrian shall yield the right-of-way to vehicles lawfully within the intersection or so close as to create an immediate hazard at the time that the green signal indication is first displayed.

(b) Pedestrians facing a green arrow signal indication, unless otherwise directed by a pedestrian signal indication or other traffic control device, shall not cross the roadway.

(B) *Steady Yellow Signal Indication.*

(1) Vehicular traffic facing a steady circular yellow signal indication is thereby warned that the related green movement or the related flashing arrow movement is being terminated or that a steady red signal indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection. The provisions governing vehicular operation under the movement being terminated shall continue to apply while the steady circular yellow signal indication is displayed.

(2) Vehicular traffic facing a steady yellow arrow signal indication is thereby warned that the related green arrow movement or the related flashing arrow movement is being terminated. The provisions governing vehicular operation under the movement being terminated shall continue to apply while the steady yellow arrow signal indication is displayed.

(3) Pedestrians facing a steady circular yellow or yellow arrow signal indication, unless otherwise directed by a pedestrian signal indication as provided in Section 313.05 or other traffic control device, shall not start to cross the roadway.

(C) *Steady Red Signal Indication.*

(1) (a) Vehicular traffic facing a steady circular red signal indication, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, traffic shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, before then before entering the intersection; and shall remain stopped until a signal indication to proceed is displayed except as provided in subsections (C)(1), (2) and (3) of this section.

(b) Except when a traffic control device is in place prohibiting a turn on red or a steady red arrow signal indication is displayed, vehicular traffic facing a steady circular red signal indication is permitted, after stopping, to enter the intersection to turn right, or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be subject to the provisions that are applicable after making a stop at a stop sign.

(2) (a) Vehicular traffic facing a steady red arrow signal indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if

there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication or other traffic control device permitting the movement indicated by such red arrow is displayed.

(b) When a traffic control device is in place permitting a turn on a steady red arrow signal indication, vehicular traffic facing a steady red arrow indication is permitted, after stopping, to enter the intersection to turn right or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be limited to the direction indicated by the arrow, and shall be subject to the provisions that are applicable after making a stop at a stop sign.

(3) Unless otherwise directed by a pedestrian signal indication as provided in Section 313.05 or other traffic control device, pedestrians facing a steady circular red or steady red arrow signal indication shall not enter the roadway.

(4) Local authorities by ordinance, or the Director of Transportation on State highways, may prohibit a right or a left turn against a steady red signal at any intersection, which shall be effective when signs giving notice thereof are posted at the intersection.

(D) *Flashing Green Signal Indication.* A flashing green signal indication has no meaning and shall not be used.

(E) *Flashing Yellow Signal Indication.*

(1)(a) Vehicular traffic, on an approach to an intersection, facing a flashing circular yellow signal indication, is permitted to cautiously enter the intersection to proceed straight through or turn right or left or make a u-turn movement except as such movement is modified by lane-use signs, turn prohibition signs, lane markings, roadway design, separate turn signal indications, or other traffic control devices. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

i. Pedestrians lawfully within an associated crosswalk;

ii. Other vehicles lawfully within the intersection.

(b) In addition, vehicular traffic turning left or making a u-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.

(2)(a) Vehicular traffic, on an approach to an intersection, facing a flashing yellow arrow signal indication, displayed alone or in combination with another signal indication, is permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or other such movement as is permitted

by other signal indications displayed at the same time. Such vehicular traffic, including vehicles turning right or left or making a u-turn, shall yield the right-of-way to both of the following:

i. Pedestrians lawfully within an associated crosswalk;

ii. Other vehicles lawfully within the intersection.

(b) In addition, vehicular traffic turning left or making a u-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.

(3) Pedestrians facing any flashing yellow signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal indication is first displayed.

(4) When a flashing circular yellow signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory or warning requirements of the other traffic control device, which might not be applicable at all times, are currently applicable.

- *Flashing Red Signal Indication.*

- Vehicular traffic, on an approach to an intersection, facing a flashing circular red signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the provisions that are applicable after making a stop at a stop sign.

- Pedestrians facing any flashing red signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing red signal indication is first displayed.

- When a flashing circular red signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory require-

ments of the other traffic control device, which might not be applicable at all times, are currently applicable. Use of this signal indication shall be limited to supplementing stop, do not enter, or wrong way signs, and to applications where compliance with the supplemented traffic control device requires a stop at a designated point.

(4) Vehicular traffic, on an approach to an intersection, facing a flashing red arrow signal indication and if intending to turn in the direction indicated by the arrow, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the provisions that are applicable after making a stop at a stop sign.

(G) Transit vehicle signal indication:

(1) Light rail and mass transit system bus traffic, on an approach to an intersection from a designated busway or other designated transit vehicle lane or tracks shall do all of the following:

(a) Stop when facing a steady horizontal white line;

(b) Proceed straight ahead when facing a steady vertical white line;

(c) Only turn or proceed left when facing a steady diagonal white line that begins in the lower right corner and angles up and to the left;

(d) Only turn or proceed right when facing a steady diagonal white line that begins in the lower left corner and angles up and to the right;

(e) Prepare to stop when facing a flashing vertical white line.

(2) As used in division (G)(1) of this section, “mass transit system” and “bus” have the same meanings as in ORC 4511.78.

1. *General Application.* In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

2. *Exception.* This section does not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by ORC 4511.61 and 4511.62. (ORC 4511.13)

Sec. 313.04. Lane-use control signal indications.

- The meanings of lane-use control signal indications are as follows:
- A Steady Downward Green Arrow: A road user is permitted to drive in the lane over which the arrow signal indication is located is open to vehicle travel in that direction.

- A Steady Yellow "X": A road user is to prepare to vacate the lane over which the signal indication is located ~~because a lane control change is being made to~~ is about to be closed to vehicle traffic in that direction and will be followed by a steady red "X" signal indication, either within the same signal face or in a downstream signal face.

- A Steady White Two-Way Left-Turn Arrow: A road user is permitted to use a lane over which the signal indication is located ~~for~~ is open to traffic making a left turn~~, but not for through~~ from either direction of travel, ~~with the understanding that common use of the lane by oncoming road users for left turns is also permitted~~ but not for through travel.

- A Steady White One-Way Left-Turn Arrow: A road user is permitted to use a lane over which the signal indication is located ~~for~~ is open to traffic making a left turn in that direction, without opposing turns in the same lane, but not for through travel.

- A Steady Red "X": A road user is not permitted to use the lane over which the signal indication is located ~~and that this signal indication shall modify accordingly the meaning of other traffic controls present~~ is closed to vehicle traffic in the direction viewed by the road user.

(ORC 4511.131)

(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 4511.99)

Sec. 313.09. Driver's duties upon approaching ambiguous or non-working traffic signal.

(A) The driver of a vehicle who approaches an intersection where traffic is controlled by highway traffic ~~control~~ signals shall do all of the following if the signal facing the driver exhibits no colored lights or colored lighted arrows, exhibits a combination of such lights or arrows that fails to clearly indicate the assignment of right-of-way, or, if the vehicle is a bicycle or an electric bicycle, the signals are otherwise malfunctioning due to the failure of a vehicle detector to detect the presence of the bicycle or electric bicycle:

(1) Stop at a clearly marked stop line, but if none, stop before entering the crosswalk on the near side of the intersection, or, if none, stop before entering the intersection;

(2) Yield the right-of-way to all vehicles in the intersection or approaching on an intersecting road, if the vehicles will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways.;

(3) Exercise ordinary care while proceeding through the intersection.

(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 ORC 4511.991. (ORC 4511.132)

(Ord. 006-2022. Passed 3-14-2022)

Sec. 313.10. Unlawful purchase, possession or sale.

(A) As used in this section, *traffic control device* means any sign, highway traffic ~~control~~ signal or other device conforming to and placed or erected in accordance with the manual adopted under ORC 4511.09 by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic, including signs denoting the names of streets and highways, but does not mean any pavement marking.

(B) No individual shall buy or otherwise possess or sell, a traffic control device, except when one of the following applies:

(1) In the course of the individual's employment by the State or a local authority for the express or implied purpose of manufacturing, providing, erecting, moving or removing such a traffic control device;

(2) In the course of the individual's employment by any manufacturer of traffic control devices other than a State or local authority;

(3) For the purpose of demonstrating the design and function of a traffic control device to State or local officials;

(4) When the traffic control device has been purchased from the State or a local authority at a sale of property that is no longer needed or is unfit for use;

(5) The traffic control device has been properly purchased from a manufacturer for use on private property and the person possessing the device has a sales receipt for the device or other acknowledgment of sale issued by the manufacturer.

(C) This section does not preclude, and shall not be construed as precluding, prosecution for theft in violation of ORC 2913.02 or a municipal ordinance relating to theft, or for receiving stolen property in violation of ORC 2913.51 or a municipal ordinance relating to receiving stolen property.

(D) Whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.18)

Sec. 313.12. Portable signal preemption devices prohibited.

(A) As used in this section:

(1) *Highway maintenance vehicle* means a vehicle used in snow and ice removal, including a snow plow, when it is owned by a political subdivision and operated by an employee of that political subdivision.

(2) *Peace officer* has the same meaning as in ORC 109.71 (A)(1), (12), (14), and (19).

(3) *Portable signal preemption device* means a device that, if activated by a person, is capable of changing a highway traffic signal to green out of sequence.

(4) *Public safety vehicle* has the same meaning as in divisions of ORC 4511.01 (E)(1), (3), and (4).

(B) Except as provided in divisions (C) and (D) of this section:

(1) No person shall possess a portable signal preemption device.

(2) No person shall use a portable signal preemption device to affect the operation of a highway traffic ~~control~~ signal.

(~~B~~C) Subsection (~~A~~B)(1) of this section does not apply to any of the following persons ~~and subsection (A)(2) of this section does not apply to any of the following persons when responding to an emergency call~~:

(1) A peace officer~~, as defined in ORC 109.71(A), (1), (12), (14) or (19)~~;

(2) A State highway patrol trooper;

(3) A person while occupying a public safety vehicle ~~as defined in ORC 4511.01(E)(1), (3) or (4).~~;

(4) The authorized employee operator of a highway maintenance vehicle.

(D) Division (B)(2) of this section does not apply under either of the following circumstances:

(1) When a person listed in divisions (C)(1) to (3) of this section is responding to an emergency call;

(2) When a person listed in division (C)(4) of this section is responding to an emergency level two or level three weather event.

(~~C~~E) Whoever violates subsection (~~A~~B)(1) of this section is guilty of a misdemeanor of the fourth degree. Whoever violates subsection (~~A~~B)(2) of this section is guilty of a misdemeanor of the first degree.

~~(D) As used in this section, *portable signal preemption device* means a device that, if activated by a person, is capable of changing a traffic control signal to green out of sequence.~~ (ORC 4511.031)

(Ord. 006-2022. Passed 3-14-2022)

TITLE FIVE

VEHICLES

Chapter 331. Operation Generally

Chapter 333. OVI; Willful Misconduct; Speed

Chapter 335. Licensing; Accidents

Chapter 337. Safety and Equipment

Chapter 339. Commercial and Heavy Vehicles

Chapter 341. Commercial Drivers

Chapter 343. Operation Of Low-Speed Vehicles, Under-Speed Vehicles, Utility Vehicles And Mini-Trucks

CHAPTER 331. OPERATION GENERALLY*

Sec. 331.33. Obstructing intersection, crosswalk or grade crossing.

(A) No driver shall enter an intersection or marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk or grade crossing to accommodate the vehicle the driver is operating without obstructing the passage of other vehicles, pedestrians or ~~railroad~~ trains, notwithstanding any highway traffic ~~control~~ signal indication to proceed.

(B) This section does not apply to a bicyclist using a two-stage bicycle turn box.

(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 ORC 4511.991. (ORC 4511.712)

(Ord. 006-2022. Passed 3-14-2022)

Sec. 331.35. Occupying a moving trailer or manufactured or mobile home.

1. As used in this section:
(1) "Fifth wheel trailer," "mobile home," and "travel trailer" have the same meanings as in ORC 4501.01.
(2) "Manufactured home" has the same meaning as in ORC 3781.06(C)(4).

2. Except as provided in division (~~B~~C) of this section, no person shall occupy any travel trailer, fifth-wheel trailer, or manufactured or mobile home while it is being used as a conveyance upon a street or highway.

(~~B~~C) Division (~~A~~B) of this section does not apply to a fifth-wheel trailer when both of the following apply:

(1) Any child riding in the fifth-wheel trailer is properly secured in the manner provided in ORC 4511.81~~.~~;

(2) The operator of the vehicle towing the fifth-wheel trailer has some means of viable communication with the passengers riding in the trailer.

As used in this division, "viable communication" includes a cellular or satellite telephone, a radio, or any other similar electronic wireless communications device.

(~~C~~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.

The offense established under this section is a strict liability offense and ORC 2901.20 does not apply. The designation of this offense as a strict liability offense 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 4511.701)

(Ord. 020-2024. Passed 5-13-2024)

Sec. 331.38. Stopping for school bus; discharging children.

(A) The driver of a vehicle upon meeting or overtaking from either direction any school bus stopped for the purpose of receiving or discharging any school child, person attending programs offered by community boards of mental health and County boards of developmental disabilities, or child attending a program offered by a head start agency, shall stop at least ten feet from the front or rear of the school bus and shall not proceed until such school bus resumes motion, or until signaled by the school bus driver to proceed.

It is no defense to a charge under this subsection (A) hereof that the school bus involved failed to display or be equipped with an automatically extended stop warning sign as required by subsection (B) hereof.

(B) Every school bus shall be equipped with amber and red visual signals meeting the requirements of ORC 4511.771, and an automatically extended stop warning sign of a type approved by the Department of Education and Workforce, which shall be actuated by the driver of the bus whenever but only whenever the bus is stopped or stopping on the roadway for the purpose of receiving or discharging school children, persons attending programs offered by community boards of mental health and County boards of developmental disabilities, or children attending programs offered by head start agencies. A school bus driver shall not actuate the visual signals or the stop warning sign in designated school bus loading areas where the bus is entirely off the roadway or at school buildings when children or persons attending programs offered by community boards of mental health and County boards of developmental disabilities are loading or unloading at curbside or at buildings when children attending programs offered by head start agencies are boarding or unloading at curbside. The visual signals and stop warning sign shall be synchronized or otherwise operated as required by rule of the Board.

(C) Where a highway has been divided into four or more traffic lanes, a driver of a vehicle need not stop for a school bus approaching from the opposite direction which has stopped for the purpose of receiving or discharging any school child, persons attending programs offered by community boards of mental health and County boards of developmental disabilities, or children attending programs offered by head start agencies. The driver of any vehicle overtaking the school bus shall comply with subsection (A) hereof.

(D) School buses operating on divided highways or on highways with four or more traffic lanes shall receive and discharge all school children, persons attending programs offered by community boards of mental health and County boards of developmental disabilities, and children attending programs offered by head start agencies on their residence side of the highway.

(E) No school bus driver shall start the driver's bus until after any child, person attending programs offered by community boards of mental health and County boards of developmental disabilities, or child attending a program offered by a head start agency who may have alighted therefrom has reached a place of safety on the child or person's residence side of the road.

(F) As used in this section:

(1) *Head start agency* has the same meaning as in ORC 3301.32.

(2) *School bus*, as used in relation to children who attend a program offered by a head start agency, means a bus that is owned and operated by a head start agency, is equipped with an automatically extended stop warning sign of a type approved by the department, is painted the color and displays the markings described in ORC 4511.77, and is equipped with amber and red visual signals meeting the requirements of ORC 4511.771, irrespective of whether or not the bus has fifteen or more children aboard at any time. *School bus* does not include a van owned and operated by a head start agency, irrespective of its color, lights, or markings, or multifunction school activity bus.

(G) (1) Whoever violates subsection (A) of this section may be fined an amount not to exceed five hundred dollars ($500.00). A person who is issued a citation for a violation of subsection (A) of this section is not permitted to enter a written plea of guilty and waive the person's right to contest the citation in a trial but instead must appear in person in the proper court to answer the charge.

(2) In addition to and independent of any other penalty provided by law, the court or mayor may impose upon an offender who violates this section a class seven suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (a)(7) of ORC 4510.02. When a license is suspended under this section, the court or mayor shall cause the offender to deliver the license to the court, and the court or clerk of the court immediately shall forward the license to the Registrar of Motor Vehicles, together with notice of the court's action. (ORC 4511.75)

(Ord. 020-2024. Passed 5-13-2024)

Sec. 331.39. Driving across grade crossing.

(A) (1) Whenever any person driving a vehicle approaches a railroad grade crossing, the person shall stop within fifty feet, but not less than fifteen feet from the nearest rail of the railroad, if any of the following circumstances exist at the crossing:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a train or other on-track equipment.

(b) A crossing gate is lowered.

(c) A flagperson gives or continues to give a signal of the approach or passage of a train or other on-track equipment.

(d) There is insufficient space on the other side of the railroad grade crossing to accommodate the vehicle the person is operating without obstructing the passage of other vehicles, pedestrians, or ~~railroad~~ trains, notwithstanding any highway traffic ~~control~~ signal indication to proceed.

(e) An approaching train is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing.

(f) There is insufficient undercarriage clearance to safely negotiate the crossing.

(g) There is insufficient space on the other side of the railroad grade crossing to accommodate the vehicle or trackless trolley the person is operating without obstructing the passage of other on-track equipment.

(h) Approaching on-track equipment is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing.

(2) (a) A person who is driving a vehicle and who approaches a railroad grade crossing shall not proceed as long as any of the circumstances described in divisions (A)(1)(a) to (f) of this section exist at the crossing.

(b) A person who is driving a vehicle and who approaches a railroad grade crossing shall not recklessly proceed as long as any of the circumstances described in division (A)(1)(g) or (h) of this section exist at the crossing.

(B) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed unless the person is signaled by a law enforcement officer or flagperson that it is permissible to do so.

(C) (1) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(2) In lieu of a fine or jail term for a violation of this section, a court may instead order the offender to attend and successfully complete a remedial safety training or presentation regarding rail safety that is offered by an authorized and qualified organization that is selected by the court. The offender shall complete the presentation within a time frame determined by the court, not to exceed one hundred eighty days after the court issues the order. The offender shall notify the court of the successful completion of the presentation. When the offender notifies the court of the successful completion of the presentation, the court shall waive any fine or jail term that it otherwise would have imposed for a violation of this section. (ORC 4511.62)

(Ord. No. 016-2025. Passed 4-28-2025)

CHAPTER 333. OVI; WILLFUL MISCONDUCT; SPEED*

Sec. 333.11. Texting while driving prohibited.

(A) No person shall operate a motor vehicle on any street, highway, or property open to the public for vehicular traffic while using, holding, or physically supporting with any part of the person's body an electronic wireless communications device.

(B) Subsection (A) of this section does not apply to any of the following:

(1) A person using an electronic wireless communications device to make contact, for emergency purposes, with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;

(2) A person driving a public safety vehicle while using an electronic wireless communications device in the course of the person's duties;

(3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a highway traffic ~~control~~ signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;

(4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;

(5) A person receiving wireless messages on an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;

(6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;

(7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body.

(8) A person using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body.

(9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;

(10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;

(11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;

(12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body.

(13) A person storing an electronic wireless communications device in a holster, harness, or article of clothing on the person's body.

(C) If a law enforcement officer issues an offender a ticket, citation, or summons for a violation of division (A) of ORC 4511.204, the officer shall do both of the following:

(a) Report the issuance of the ticket, citation, or summons to the officer's law enforcement agency;

(b) Ensure that such report indicates the offender's race.

(D) Whoever violates subsection (A) of this section is guilty of operating a motor vehicle while using an electronic wireless communication device, an unclassified misdemeanor, and shall be punished as provided in divisions (D)(1) to (5) of this section.

(1) The offender shall be fined, and is subject to a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, as follows:

(a) Except as provided in divisions (D)(1)(b), (c), (d), and (2) of this section, the court shall impose upon the offender a fine of not more than one hundred fifty dollars.

(b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.

(c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.

(d) Notwithstanding divisions (D)(1)(a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with ORC 4511.98, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (D)(1)(a), (b), or (c) of this section, as applicable.

(2) If the offender is in the category of offenders to whom division (D)(1)(a) of this section applies, in lieu of payment of the fine of one hundred fifty dollars under division (D)(1)(a) of this section and the assessment of points under division (D)(4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in ORC 4511.991. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine and shall not have the points assessed against that offender's driver's license if the offender submits the written evidence to the court within 90 days of the violation of division (A) of this section. However, successful completion of the course does not result in a dismissal of the charges for the violation, and the violation is a prior offense under divisions (D)(1)(b) and (c) of this section if the offender commits a subsequent violation or violations of division (A) of this section within two years of the offense for which the course was completed. This division does not apply with respect to any offender in the category of offenders to whom division (D)(1)(b), (c), or (d) of this section applies.

(3) The court may impose any other penalty authorized under ORC sections 2929.21 to 2929.28. However, the court shall not impose a fine or a suspension not otherwise specified in division (D)(1) of this section. The court also shall not impose a jail term or community residential sanction.

(4) Except as provided in division (D)(2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with section 4510.036 of the Revised Code.

(5) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense 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.

(E) A prosecution for an offense in violation of ORC 4511.204 does not preclude a prosecution for an offense in violation of a substantially equivalent municipal ordinance based on the same conduct. However, if an offender is convicted of or pleads guilty to a violation of ORC 4511.204 and is also convicted of or pleads guilty to a violation of a substantially equivalent municipal ordinance based on the same conduct, the two offenses are allied offenses of similar import under ORC 2941.25.

(F) (1) A law enforcement officer does not have probable cause and shall not stop the operator of a motor vehicle for purposes of enforcing this section unless the officer visually observes the operator using, holding, or physically supporting with any part of the person's body the electronic wireless communications device.

(2) A law enforcement officer who stops the operator of a motor vehicle, trackless trolley, or streetcar for a violation of division (A) of this section shall inform the operator that the operator may decline a search of the operator's electronic wireless communications device. The officer shall not do any of the following:

(a) Access the device without a warrant, unless the operator voluntarily and unequivocally gives consent for the officer to access the device;

(b) Confiscate the device while awaiting the issuance of a warrant to access the device;

(c) Obtain consent from the operator to access the device through coercion or any other improper means. Any consent by the operator to access the device shall be voluntary and unequivocal before the officer may access the device without a warrant.

(G) As used in this section:

(1) *Electronic wireless communications device* includes any of the following:

(a) A wireless telephone;

(b) A text-messaging device;

(c) A personal digital assistant;

(d) A computer, including a laptop computer and a computer tablet;

(e) Any device capable of displaying a video, movie, broadcast television image, or visual image;

(f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

(2) *Voice-operated or hands-free feature or function* means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

(3) *Utility* means an entity specified in division (A), (C), (D), (E), or (G) of ORC 4905.03.

(4) *Utility service vehicle* means a vehicle owned or operated by a utility. (ORC 4511.204)

(Ord. 020-2024. Passed 5-13-2024)

CHAPTER 335. LICENSING; ACCIDENTS*

Sec. 335.03. Driving with temporary instruction permit; curfew.

(A) No holder of a temporary instruction permit issued under ORC 4507.05(A) shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in violation of the following conditions:

(1) If the permit is issued to a person who is at least fifteen years six months of age, but less than sixteen years of age:

(a) The permit and identification card are in the holder's immediate possession;

(b) The holder is accompanied by an eligible adult who actually occupies the seat beside the permit holder and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in ORC 4511.19(A);

(c) The total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device.

(2) If the permit is issued to a person who is at least sixteen years of age:

(a) The permit and identification card are in the holder's immediate possession;

(b) The holder is accompanied by a licensed operator who is at least twenty-one years of age and is actually occupying a seat beside the driver and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in ORC 4511.19(A);

(c) The total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device.

(B) Except as provided in subsection (B) hereof, no holder of a temporary instruction permit that is issued under ORC 4507.05(A) and that is issued on or after July 1, 1998, and who has not attained the age of eighteen years, shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m.

The holder of a permit issued under ORC 4507.05(A) on or after July 1, 1998, who has not attained the age of eighteen years, may operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m. if, at the time of such operation, the holder is accompanied by the holder's parent, guardian, or custodian, and the parent, guardian or custodian holds a current valid driver's or commercial driver's license issued by this State and is actually occupying a seat beside the permit holder, and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in Section 333.01(A).

(C) As used in this section:

(1) *Eligible adult* means any of the following:

(a) An instructor of a driver education course approved by the Department of Education or a driver training course approved by the Department of Public Safety;

(b) Any of the following persons who holds a current valid driver's or commercial driver's license issued by this State:

i. A parent, guardian or custodian of the permit holder;

ii. A person twenty-one years of age or older who acts in loco parentis of the permit holder;

iii. A person twenty-one years of age or older if the permit holder is an emancipated young adult as defined in ORC 5180.42.

(2) *Occupant restraining device* has the same meaning as in ORC 4513.263.

(D) Whoever violates this section is guilty of a minor misdemeanor. (ORC 4507.05)

Sec. 335.09. Display of license plates.

(A) (1) ~~No~~ Subject to ORC 4503.211, no person who is the owner or operator of a motor vehicle shall fail to display in plain view on the rear of the motor vehicle a license plate that displays the distinctive number and registration mark assigned to the motor vehicle by the Ohio Director of Public Safety, including any county identification sticker and any validation sticker when required by and issued under ORC 4503.19 and 4503.191. However, a commercial tractor shall display the license plate on the front of the commercial tractor.

(2) The license plate shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs its visibility.

(3) ~~No~~ Subject to ORC 4503.211, no person to whom a temporary motor vehicle license registration has been issued for the use of a motor vehicle under ORC 4503.182, and no operator of that motor vehicle, shall fail to display the temporary motor vehicle license registration in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle.

(4) No person shall cover a temporary motor vehicle license registration by any material that obstructs its visibility.

(B) Whoever violates this section is guilty of a minor misdemeanor.

(C) The offenses established under subsection (A) of this section are strict liability offenses and ORC 2901.20 does not apply. 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 4503.21)

(Ord. 006-2022. Passed 3-14-2022)

CHAPTER 337. SAFETY AND EQUIPMENT*

Sec. 337.24. Motor vehicle stop lights.

(A) Every motor vehicle, trailer, semitrailer, and pole trailer when operated upon a street or highway shall be equipped with two or more stop lights, except that passenger cars

manufactured or assembled prior to January 1, 1967, motorcycles, and motor-driven cycles shall be equipped with at least one stop light. Stop lights shall be mounted on the rear of the vehicle, actuated upon application of the service brake, and may be incorporated with other rear lights. Such stop lights when actuated shall emit a red light visible from a distance of five hundred feet to the rear, provided that in the case of a train of vehicles only the stop lights on the rear-most vehicle need be visible from the distance specified.

Such stop lights when actuated shall give a steady warning light to the rear of a vehicle or train of vehicles to indicate the intention of the operator to diminish the speed of or stop a vehicle or train of vehicles.

When stop lights are used as required by this section, they shall be constructed or installed so as to provide adequate and reliable illumination and shall conform to the appropriate rules and regulations established under ORC 4513.19.

~~Historical~~ A historical motor ~~vehicles as defined in ORC 4503.181,~~ vehicle that was not originally manufactured with lights or a replica motor vehicle that replicates a motor vehicle that was not originally manufactured with stop lights, ~~are~~ is not subject to this section.

(B) Whoever violates this section is guilty of a minor misdemeanor.

(C) As used in this section, *replica motor vehicle* means a replica motor vehicle for which a certificate of title is issued under ORC4505.072. (ORC 4513.071)

Sec. 341.01. Definitions.

As used in this chapter:

(A) *Alcohol concentration* means the concentration of alcohol in a person's blood, breath or urine. When expressed as a percentage, it means grams of alcohol per the following:

(1) One hundred milliliters of whole blood, blood serum, or blood plasma;

(2) Two hundred ten liters of breath;

(3) One hundred milliliters of urine.

(B) *Commercial driver's license* means ~~(1)~~ a license issued in accordance with ORC Chapter 4506 that authorizes an individual to drive a commercial motor vehicle. ~~Except as otherwise specifically provided, "commercial driver's license" includes an "enhanced commercial driver's license."~~

~~(2) *Enhanced commercial driver's license* means a commercial driver's license issued in accordance with ORC 4507.021 and 4506.072 that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.~~

(C) *Commercial motor vehicle* means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a gross vehicle weight or combined gross vehicle weight rating of 26,001 pounds or more, provided the gross vehicle weight or gross vehicle weight rating of the vehicle or vehicles being towed is in excess of 10,000 pounds;

(2) Any single vehicle with a gross vehicle weight or gross vehicle weight rating of 26,001 pounds or more;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;

(4) Any school bus with a gross vehicle weight or gross vehicle weight rating of less than 26,001 pounds that is designed to transport fewer than sixteen passengers including the driver;

***Cross reference**—Load limits, Ch. 339.

State law references—See sectional histories for similar State law; disqualification, ORC 4506.16; suspension or revocation of license, ORC 4507.16; warning devices when disabled on freeways, ORC 4513.28; arrest notice of driver, ORC 5577.14.

(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the Federal Motor Carrier Safety Administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

(D) *Controlled substance* means all of the following:

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;

(3) Any drug of abuse.

(E) *Disqualification* means any of the following:

(1) The suspension, revocation, or cancellation of a person's privileges to operate a commercial motor vehicle;

(2) Any withdrawal of a person's privileges to operate a commercial motor vehicle as the result of a violation of state or local law relating to motor vehicle traffic control other than parking, vehicle weight, or vehicle defect violations;

(3) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. 391.

(F) *Drive* means to drive, operate or be in physical control of a motor vehicle.

(G) *Driver* means any person who drives, operates or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.

(H) *Driver's license* means a license issued by the Ohio Bureau of Motor Vehicles that authorizes an individual to drive.

(I) *Drug of abuse* means any controlled substance, dangerous drug as defined in ORC 4729.01, harmful intoxicant as defined in ORC 2925.01, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(J) *Employer* means any person, including the Federal Government, any state and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.

(K) *Endorsement* means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle.

(L) *Farm truck* means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of not more than one hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock and poultry production, and livestock, poultry and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is operated in accordance with this subsection and is not used in the operations of a motor carrier, as defined in ORC 4923.01.

(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 ORC 4511.01.

(U) *Recreational vehicle* includes every vehicle that is defined as a recreational vehicle in ORC 4501.01 and is used exclusively for purposes other than engaging in business for profit.

(V) *School bus* has the same meaning as in ORC 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 ORC 4506.09.

(Y) *United States* means the fifty states and the District of Columbia.

(Z) *Vehicle* has the same meaning as in ORC 4511.01. (ORC 4506.01)

(Ord. 020-2024. Passed 5-13-2024)

CHAPTER 343. OPERATION OF LOW-SPEED VEHICLES, UNDER-SPEED VEHICLES, UTILITY VEHICLES AND MINI-TRUCKS

TITLE SEVEN

PARKING

Chapter 351. Parking Generally

Chapter 353. Parking Violations

CHAPTER 351. PARKING GENERALLY*

Sec. 351.03. Prohibited standing or parking places.

(A) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code or ORC 4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

(1) On a sidewalk, except as provided in subsection (B) of this section;

(2) In front of a public or private driveway;

(3) Within an intersection;

(4) Within ten feet of a fire hydrant;

(5) On a crosswalk;

(6) Within twenty feet of a crosswalk at an intersection;

(7) Within thirty feet of, and upon the approach to, any ~~flashing beacon~~ yield sign, stop sign, or highway traffic ~~control device~~ signal;

(8) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;

(9) Within fifty feet of the nearest rail of a railroad crossing;

*Cross references—Police may remove ignition key from unattended vehicle, § 303.03; parking near stopped fire apparatus, § 331.27; lights on parked or stopped vehicles, § 337.09.
State law references—See sectional histories for similar State law; owner nonliability, lease defense, ORC 4511.071.

(10) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;

(11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;

(12) Alongside any vehicle stopped or parked at the edge or curb of a street;

(13) Upon any bridge or other elevated structure upon a street, or within a street tunnel;

(14) At any place where signs prohibit stopping, standing, or parking, or where the curbing or street is painted yellow, or at any place in excess of the maximum time limited by signs. This includes posted temporary "no parking zones" established by the City of Marysville, Union County, the Department of Transportation or any other authorized entity.

(15) Within one foot of another parked vehicle;

(16) On the roadway portion of a freeway, expressway, or thruway.

(17) At any place where signs designate "Resident Permit Parking Only" unless a valid City-issued resident permit parking tag is clearly displayed in the vehicle.

(18) On a bicycle lane.

(B) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than one hundred fifty cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This subsection does not authorize any person to operate a vehicle in violation of ORC 4511.711.

(C) Except as otherwise provided in this subsection, whoever violates subsection (A) 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. (ORC 4511.68)

(Ord. 72-14. Passed 11-6-2014; Ord. 5-17. Passed 2-13-2017; Ord. 006-2022. Passed 3-14-2022)

CHAPTER 353. PARKING VIOLATIONS

TITLE NINE

PEDESTRIANS, BICYCLES AND MOTORCYCLES

Chapter 371. Pedestrians

Chapter 373. Bicycles, Motorcycles, Roller Blades, Scooters and Roller Skates

Chapter 375. Snowmobiles, Off-Highway Motorcycles and All Purpose Vehicles

CHAPTER 371. PEDESTRIANS*

Sec. 371.01. Right-of-way in crosswalk.

(A) When highway traffic ~~control~~ signals are not in place, not in operation or are not clearly assigning the right-of-way, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield or if required by Section 313.09, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(B) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

(C) Subsection (A) hereof does not apply under the conditions stated in Section 371.03(B).

(D) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(E) 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 ORC 4511.991. (ORC 4511.46)

(Ord. 006-2022. Passed 3-14-2022)

Sec. 371.03. Crossing roadway outside crosswalk; diagonal crossings at intersections.

(A) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(B) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all traffic upon the roadway.

(C) Between adjacent intersections at which highway traffic ~~control~~ signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(D) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

(E) This section does not relieve the operator of a vehicle from exercising due care to avoid colliding with any pedestrian upon any roadway.

(F) 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 4511.48)

~~**Sec. 371.11. Persons operating motorized wheelchairs.**~~

~~(A) Every person operating a motorized wheelchair shall have all of the rights and duties applicable to a pedestrian that are contained in this Traffic Code, except those provisions which by their nature can have no application. (ORC 4511.491)~~

~~(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 4511.99)~~

Sec. 371.12. Electric personal assistive mobility devices.

(A) (1) Electric personal assistive mobility devices, as defined in ORC 4501.01, may be operated on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles in accordance with this section.

(2) Except as otherwise provided in this section, those sections of this Traffic Code that by their nature are applicable to an electric personal assistive mobility device apply to the device and the person operating it whenever it is operated upon any public street, highway, sidewalk, or path or upon any portion of a roadway set aside for the exclusive use of bicycles.

(B) No operator of an electric personal assistive mobility device shall do any of the following:

(1) Fail to yield the right-of-way to all pedestrians and human-powered vehicles at all times;

(2) Fail to give an audible signal before overtaking and passing a pedestrian;

(3) Operate the device at night unless the device or its operator is equipped with or wearing both of the following:

(a) A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet;

(b) A red reflector facing the rear that is visible from all distances from one hundred feet to six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

(4) Operate the device on any portion of a street or highway that has an established speed limit of fifty-five miles per hour or more;

(5) Operate the device upon any path set aside for the exclusive use of pedestrians or other specialized use when an appropriate sign giving notice of the specialized use is posted on the path;

(6) If under eighteen years of age, operate the device unless wearing a protective helmet on the person's head with the chin strap properly fastened;

(7) If under sixteen years of age, operate the device unless, during the operation, the person is under the direct visual and audible supervision of another person who is eighteen years of age or older and is responsible for the immediate care of the person under sixteen years of age.

(C) No person who is under fourteen years of age shall operate an electric personal assistive mobility device.

(D) No person shall distribute or sell an electric personal assistive mobility device unless the device is accompanied by a written statement that is substantially equivalent to the following: "WARNING: TO REDUCE THE RISK OF SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT - HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS". (ORC 4511.512)

(E) *Electric personal assistive mobility device* means a self-balancing two non-tandem wheeled device that is designed to transport only one person, has an electric propulsion system of an average of seven hundred fifty watts, and when ridden on a paved level surface by an operator who weighs one hundred seventy pounds has a maximum speed of less than twenty miles per hour. (ORC 4501.01)

(F) Whoever violates subsection (B) or (C) hereof is guilty of a minor misdemeanor and shall be punished as follows:

(1) The offender shall be fined ten dollars ($10.00).

(2) If the offender previously has been convicted of or pleaded guilty to a violation of division (B) or (C) of ORC 4511.512 or a substantially similar municipal ordinance, the court, in addition to imposing the fine required under subsection (F)(1) hereof, shall do one of the following:

(a) Order the impoundment for not less than one day but not more than thirty days of the electric personal assistive mobility device that was involved in the current violation of that section. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars ($5.00) per day, provided the total storage, processing, and release fees assessed against the offender or the device in connection with the device's impoundment or subsequent release shall not exceed fifty dollars ($50.00).

(b) If the court does not issue an impoundment order pursuant to subsection (F)(2)(a) hereof, issue an order prohibiting the offender from operating any electric personal assistive mobility device on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles for not less than one day but not more than thirty days.

(G) Whoever violates subsection (D) hereof is guilty of a minor misdemeanor. (ORC 4511.512)

CHAPTER 373. BICYCLES, MOTORCYCLES, ROLLER BLADES, SCOOTERS AND ROLLER SKATES*

CHAPTER 375. SNOWMOBILES, OFF-HIGHWAY MOTORCYCLES AND ALL PURPOSE VEHICLES*

Section VII. If any section, subsection, sentence, clause, phrase or portion of the Ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances. The governing authority of the City of Marysville, Ohio hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

Section VIII. All ordinances and parts of ordinances in conflict herewith are expressly repealed.

1st Reading: _____ _____

PRESIDENT OF COUNCIL

2nd Reading: _____

3rd Reading: _____

Passed: _____

APPROVED AS TO FORM: ATTEST:

_____ _____

LAW DIRECTOR CLERK OF COUNCIL

Codifier: Added material is underlined, deleted material is struck through.

City of Marysville Staff Report

To: City Council

Date: October 12, 2026

From: Tim Aslaner, Law Director
Tony Brooks, Police Chief

Legislation: Ordinance 49-26

Title: TO AMEND THE CODE OF ORDINANCES, CITY OF MARYSVILLE, OHIO TO PROVIDE AMENDMENTS TO GENERAL OFFENSES MARYSVILLE CITY CODE SECTIONS 513.01, 513.02, 513.03, 513.05, 513.06, 513.07, 513.08, 513.12, 513.13, 517.01, 517.08, 525.02, 525.07, 525.12, 525.15, 537.02, 537.021, 537.06, 537.18, 545.01, 545.05, 545.18; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Key Details:

- The City's Code of Ordinances defines how Marysville operates, from zoning and development to public safety and everyday regulations. A well-organized, clearly maintained code is essential for City Staff, residents and anyone who may need to access the City of Marysville's Codified Ordinances.
- The City of Marysville engages with CivicPlus for its Code of Ordinances codification through a service called Municode Codification. Expert editors integrate every Ordinance and Resolution seamlessly into the City's Codified Ordinances, and the platform provides the functionality to keep everything organized, searchable, and accessible. The result is a centralized code library.
- For the General Offenses (non-traffic and criminal) Code Sections, the City, along with most municipalities in the State of Ohio, follow the Ohio Revised Code, to which updates are continuously made by the State legislature. To ensure the City is up-to-date, CivicPlus monitors the Ohio Revised Code to ensure the City Code remains consistent.
- Annually, the amendments are provided to the City and reviewed by the Law Director and Police Chief.
- The changes presented by CivicPlus should be adopted in the City's Codified Ordinances so that the City's General Offenses (non-traffic and criminal) Code continues to mirror the respective Ohio Revised Code Chapters.
- Added material is underlined, deleted material is struck through.

Kimberly Sharp

ORDINANCE 49-26

TO AMEND THE CODE OF ORDINANCES, CITY OF MARYSVILLE, OHIO TO PROVIDE AMENDMENTS TO GENERAL OFFENSES MARYSVILLE CITY CODE SECTIONS 513.01, 513.02, 513.03, 513.05, 513.06, 513.07, 513.08, 513.12, 513.13, 517.01, 517.08, 525.02, 525.07, 525.12, 525.15, 537.02, 537.021, 537.06, 537.18, 545.01, 545.05, 545.18; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the duly elected governing authority of the City of Marysville, Ohio is authorized by ORC § 715.01 to adopt ordinances relating to its property, affairs and local government; and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

Section I. That the Code of Ordinances of the City of Marysville, Ohio (meaning City Municipal Code) is hereby amended by adding the provisions as provided below.

Section II. The addition, amendment, or removal of Marysville City Code Sections when passed in such form as to indicate the intention of the governing authority of the City of Marysville, Ohio to make the same a part of the Municipal Code shall be deemed to be incorporated in the Municipal Code, so that reference to the Municipal Code includes the additions, amendments, and removals.

Section III. The codifier (meaning the person, agency or organization authorized to prepare the supplement to the Code of Ordinances of the City of Marysville, Ohio) is authorized to exclude and omit any provisions of this ordinance that are inapplicable to the City's Municipal Code.

Section IV. Supplementation of Code.

(a) In preparing a supplement to the City's Municipal Code, all portions of this ordinance which have been repealed shall be excluded from the City's Municipal Code by the omission thereof from reprinted pages.

(b) When preparing a supplement to the City's Municipal Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, non-substantive changes in this ordinance and parts of this ordinance included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:

(1) Organize the ordinance material into appropriate subdivisions;

(2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the City's Municipal Code printed in the supplement, and make changes in such catchlines, headings, and titles;

(3) Assign appropriate numbers to sections and other subdivisions to be inserted in the City's Municipal Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;

(4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections _____ to _____" (inserting section numbers to indicate the sections of the City's Municipal Code which embody the substantive

sections, or the ordinance incorporated into the Code); and

(5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the City's Municipal Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodies in the City's Municipal Code.

(c) In preparing a supplement to the City's Municipal Code, the pages of a supplement shall be so numbered that they will fit properly into the City's Municipal Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the City's Municipal Code will be current through the date of the adoption of the latest ordinance included in the supplement.

Section V. Provisions of Section 6 that duplicate or track State statutes which do not become effective until after the effective date of this ordinance, shall not take effect until such statutes take effect.

Section VI. The following sections and of the Municipal Code are new or have been amended with new matter in the Municipal Code, and are hereby approved, adopted, and enacted:

Sec. 513.01. Definitions.

As used in this chapter, certain terms are defined as follows:

(A) *Administer* means the direct application of a drug, whether by injection, inhalation, ingestion or any other means to a person or an animal.

(B) *Controlled substance* means a drug, compound, mixture, preparation or substance included in Schedule I, II, III, IV, or V.

(C) *Dispense* means sell, leave with, give away, dispose of or deliver.

(D) *Distribute* means to deal in, ship, transport or deliver but does not include administering or dispensing a drug.

(E) *Hypodermic* means a hypodermic syringe or needle, or other instrument or device for the injection of medication.

(F) *Manufacturer* means a person who manufactures a controlled substance as *manufacture* is defined in ORC 3715.01 and includes a *manufacturer of dangerous drugs* as defined in ORC 4729.01.

(G) Except as provided in subsection (G)(2) hereof:

(1) *Marihuana* means all parts of a plant of the genus cannabis, whether growing or not, the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture or preparation of a plant of that type or of its seeds or resin. *Marihuana* does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. *Marihuana* does not include *hemp* or a *hemp product* as those terms are defined in ORC 928.01.

(2) *Marihuana* does not include hashish. (ORC 2925.01)

(H) *Controlled substance analog* has the same meaning as provided in ORC 3719.01.

(I) *Official written order* means an order written on a form provided for that purpose by the Director of the United States Drug Enforcement Administration, under any laws of the United States making provision for the order, if the order forms are authorized and required by Federal law.

*__Cross references__—Adulterating food with drug of abuse, § 537.13; using weapons while under the influence, § 549.03.

State law references—See sectional histories for similar State law; federal prosecution bar to local prosecution, ORC 2925.50, 3719.19; analysis report and notarized statement as evidence, ORC 2925.51; criteria for granting probation, ORC 3719.70(B).

(J) *Pharmacist* means a person licensed under ORC Ch. 4729 to engage in the practice of pharmacy.

(K) *Pharmacy* has the same meaning as in ORC 4729.01.

(L) *Poison* means any drug, chemical, or preparation likely to be deleterious or destructive to adult human life in quantities of four grams or less.

(M) *Licensed health professional authorized to prescribe drugs*, *prescriber* and *prescription* have the same meanings as in ORC 4729.01.

(N) *Sale* includes delivery, barter, exchange, transfer or gift, or offer thereof, and each transaction of those natures made by any person, whether as principal, proprietor, agent, servant or employee.

(O) *Schedule I, Schedule II, Schedule III, Schedule IV* and *Schedule V* mean controlled substance Schedules I, II, III, IV, and V respectively, as established by rule adopted under ORC 3719.41, as amended pursuant to ORC 3719.43 or 3719.44, or as established by emergency rule adopted under ORC 3719.45.

(P) *Wholesaler* means a person who, on official written orders other than prescriptions, supplies controlled substances that the person has not manufactured, produced or prepared personally and includes a *wholesale distributor of dangerous drugs* as defined in ORC 4729.01. (ORC 3719.01)

(Q) *Drug of abuse* means any controlled substance as defined in subsection (B) hereof, any harmful intoxicant as defined in subsection (X) hereof and any dangerous drug as defined in subsection (R) hereof. (ORC 3719.011)

(R) *Dangerous drug* means any of the following:

(1) Any drug to which either of the following applies:

(a) Under the "Federal Food, Drug, and Cosmetic Act", 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription;

(b) Under ORC Ch. 3715 or 3719, the drug may be dispensed only upon a prescription.

(2) Any drug that contains a Schedule V controlled substance and that is exempt from ORC Ch. 3719 or to which that chapter does not apply;

(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;

(4) Any drug that is a biological product, as defined in ORC 3715.01. (ORC 4729.01)

(S) *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 controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in subsection (S)(2) or (5) hereof, 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," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws as defined in ORC 3719.01, 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" and the federal drug abuse control laws;

(2) An amount equal to or exceeding one hundred twenty 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.

(T) *Unit dose* means an amount or unit of 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.

(U) *Cultivate* includes planting, watering, fertilizing or tilling.

(V) *Drug abuse offense* means any of the following:

(1) A violation of ORC 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; or a violation of ORC 2913.02(A) that constitutes theft of drugs;

(2) A violation of an existing or former law of this or any other state or of the United States, that is substantially equivalent to any section listed in subsection (V)(1) hereof;

(3) An offense under an existing or former law of this or any other 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 or attempt to commit, or complicity in committing or attempting to commit any offense under subsection (V)(1), (2) or (3) hereof.

(W) *Felony drug abuse offense* means any drug abuse offense that would constitute a felony under the laws of this State, any other state or the United States.

(X) *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.

(Y) *Manufacture* means 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.

(Z) *Possess or possession* means 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.

(AA) *Sample drug* means 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.

(BB) *Standard pharmaceutical reference manual* means the current edition, with cumulative changes if any, of references that are approved by the State Board of Pharmacy.

(CC) *Juvenile* means a person under eighteen years of age.

(DD) *School* means any school operated by a board of education, any community school established under ORC Ch. 3314, or any nonpublic school for which the Director of Education and Workforce prescribes minimum standards under ORC 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.

(EE) *School premises* means 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 ORC Ch. 3314, or the governing body of a nonpublic school for which the Director of Education and Workforce prescribes minimum standards under ORC 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.

(FF) *School building* means 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.

(GG) *Counterfeit controlled substance* means:

(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 that 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; or

(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 marking, labeling, packaging, distribution or the price for which it is sold or offered for sale.

(HH) 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 one thousand 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 one thousand feet of the boundaries of any school premises.

(II) An offense is *committed in the vicinity of a juvenile* if the offender commits the offense within one hundred 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 one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.

(JJ) *Hashish* means the resin or a preparation to which both of the following apply:

(1) It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(2) It has a delta-9 tetrahydrocannabinol concentration of more than three-tenths per cent.

Hashish does not include a hemp byproduct in the possession of a licensed hemp processor under ORC Ch. 928, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under ORC 928.03.

(KK) *Public premises* means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.

(LL) *Methamphetamine* means 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.

(MM) *Deception* has the same meaning as in ORC 2913.01.

(NN) An offense is *committed in the vicinity of a substance addiction services provider or a recovering addict* if either of the following apply:

(1) The offender commits the offense on the premises of a substance addiction services provider's facility, including a facility licensed prior to June 29, 2019, under ORC 5119.391 to provide methadone treatment or an opioid treatment program licensed on or after that date under ORC 5119.37, or within five hundred feet of the premises of a substance addiction services provider's facility and the offender knows or should know that the offense is being committed within the vicinity of the substance addiction services provider's facility.

(2) The offender sells, offers to sell, delivers, or distributes the controlled substance or controlled substance analog to a person who is receiving treatment at the time of the commission of the offense, or received treatment within thirty days prior to the commission of the offense, from a substance addiction services provider and the offender knows that the person is receiving or received that treatment.

(OO) *Substance addiction services provider* means an agency, association, corporation or other legal entity, individual, or program that provides one or more of the following at a facility:

(1) Either alcohol addiction services, or drug addiction services, or both such services that are certified by the director of mental health and addiction services under section 5119.36 of the Revised Code;

(2) Recovery supports that are related to either alcohol addiction services, or drug addiction services, or both such services and paid for with federal, state, or local funds administered by the department of ~~mental~~ behavioral health ~~and addiction services~~ or a board of alcohol, drug addiction, and mental health services.

(PP) *Premises of a substance addiction services provider's facility* means the parcel of real property on which any substance addiction service provider's facility is situated.

(QQ) *Alcohol and drug addiction services* has the same meaning as in ORC 5119.01. (ORC 2925.01)

(Ord. 006-2022. Passed 3-14-2022; Ord. 019-2024. Passed 5-13-2024)

Sec. 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 ORC 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 ORC 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.

If the offender has a driver’s or commercial driver’s license or permit ORC 2929.33 applies. (ORC 2925.03)

Sec. 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.

(B) (1) This section does not apply to the following:

(a) Manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies and other persons whose conduct was in accordance with ORC Chs. 3719, 4715, 4723, 4729, 4730, 4731, 4741 and 4772.

(b) If the offense involves an anabolic steroid, any person who is conducting or participating in a research project involving the use of an anabolic steroid if the project has been approved by the United States Food and Drug Administration;

(c) Any person who sells, offers for sale, prescribes, dispenses or administers for livestock or other nonhuman species an anabolic steroid that is expressly intended for administration through implants to livestock or other nonhuman species and approved for that purpose under the "Federal Food, Drug and Cosmetic Act", 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and is sold, offered for sale, prescribed, dispensed or administered for that purpose in accordance with that Act;

(d) Any person who obtained the controlled substance pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs if the prescription was issued for a legitimate medical purpose and not altered, forged, or obtained through deception or commission of a theft offense.

As used in division (B)(1)(d) of this section, *deception* and *theft offense* have the same meanings as in ORC 2913.01.

(2)(a) As used in subsection (B)(2) of this section:

i. ***Community addiction services provider*** has the same meaning as in ORC 5119.01.

ii. ***Community control sanction*** has the same meaning as in ORC 2929.01.

iii. ***Health care facility*** has the same meaning as in ORC 2919.16.

iv. ***Minor drug possession offense*** means a violation of this section that is a misdemeanor or a felony of the fifth degree.

v. ***Post-release control sanction*** has the same meaning as in ORC 2967.28.

vi. ***Peace officer*** has the same meaning as in ORC 2935.01.

vii. ***Public agency*** has the same meaning as in ORC 2930.01.

viii. ***Qualified individual*** means a person who is acting in good faith who seeks or obtains medical assistance for another person who is experiencing a drug overdose, a person who experiences a drug overdose and who seeks medical assistance for that overdose, or a person who is the subject of another person seeking or obtaining medical assistance for that overdose as described in subsection (B)(2)(b) of this section.

ix. ***Seek or obtain medical assistance/***b includes, but is not limited to making a 9-1-1 call, contacting in person or by telephone call an on-duty peace officer, or transporting or presenting a person to a health care facility.

(b) Subject to subsection (B)(2)(e) of this section, a qualified individual shall not be arrested, charged, prosecuted, convicted or penalized pursuant to this chapter for a minor drug possession offense or a violation of ORC 2925.12, division (C)(1) of 2925.14, or 2925.141 if all of the following apply:

i. The evidence of the obtaining, possession or use of the controlled substance or controlled substance analog, drug abuse instruments, or drug paraphernalia that would be the basis of the offense was obtained as a result of the qualified individual seeking the medical assistance or experiencing an overdose and needing medical assistance.

ii. Subject to subsection (B)(2)(f) of this section, within thirty days after seeking or obtaining the medical assistance, the qualified individual seeks and obtains a

screening and receives a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional.

iii. Subject to subsection (B)(2)(f) of this section, the qualified individual who obtains a screening and receives a referral for treatment under subsection (B)(2)(b)ii. of this section, upon the request of any prosecuting attorney, submits documentation to the prosecuting attorney that verifies that the qualified individual satisfied the requirements of that subsection. The documentation shall be limited to the date and time of the screening obtained and referral received.

(c) If a person who is serving a community control sanction or is under a sanction on post-release control acts pursuant to division (B)(2)(b) of this section, then ORC division (B) of 2929.141, division (B)(2) of 2929.15, division (D)(3) of 2929.25, or division (F)(3) of 2967.28 applies to the person with respect to any violation of the sanction or post-release control sanction based on a minor drug possession offense, as defined in section 2925.11 of the Revised Code, or a violation of ORC 2925.12, division (C)(1) 2925.14, or 2925.141.

(d) Nothing in subsection (B)(2)(b) of this section shall be construed to do any of the following:

i. Limit the admissibility of any evidence in connection with the investigation or prosecution of a crime with regards to a defendant who does not qualify for the protections of subsection (B)(2)(b) of this section or with regards to any crime other than a minor drug possession offense or a violation of ORC 2925.12, 2925.14(C)(1), or 2925.141 committed by a person who qualifies for protection pursuant to subsection (B)(2)(b) of this section;

ii. Limit any seizure of evidence or contraband otherwise permitted by law;

iii. Limit or abridge the authority of a peace officer to detain or take into custody a person in the course of an investigation or to effectuate an arrest for any offense except as provided in that division;

iv. Limit, modify or remove any immunity from liability available pursuant to law in effect prior to September 13, 2016, to any public agency or to an employee of any public agency.

(e) Subsection (B)(2)(b) of this section does not apply to any person who twice previously has been granted an immunity under subsection (B)(2)(b) of this section. No person shall be granted an immunity under subsection (B)(2)(b) of this section more than two times.

(f) Nothing in this section shall compel any qualified individual to disclose protected health information in a way that conflicts with the requirements of the "Health Insurance Portability and Accountability Act of 1996", 104 Pub. L. No. 191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended, and regulations promulgated by the United States Department of Health and Human Services to implement the act or the requirements of 42 C.F.R. Part 2.

(C) Whoever violates subsection (A) hereof is guilty of one of the following:

(1) If the drug involved in the violation is a compound, mixture, preparation, or substance included in Schedule III, IV, or V, whoever violates subsection (A) hereof is guilty of possession of drugs. Possession of drugs is a misdemeanor if the amount of the drug involved does not exceed the bulk amount. The penalty for the offense shall be determined as follows: possession of drugs is a misdemeanor of the first degree or,

if the offender previously has been convicted of a drug abuse offense, a felony and shall be prosecuted under appropriate State law.

(2) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates subsection (A) hereof is guilty of possession of marihuana. Possession of marihuana is a misdemeanor if the amount of the drug involved does not exceed 200 grams. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in subsection (C)(2)(b) hereof, possession of marihuana is a minor misdemeanor.

(b) If the amount of the drug involved equals or exceeds 100 grams but is less than 200 grams, possession of marihuana is a misdemeanor of the fourth degree.

(3) If the drug involved in the violation is hashish or a compound, mixture, preparation, or substance containing hashish, whoever violates subsection (A) hereof is guilty of possession of hashish. Possession of hashish is a misdemeanor if the amount of the drug involved does not exceed the maximum amount specified in subsection (C)(3)(b) hereof. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in subsection (C)(3)(b) hereof, possession of hashish is a minor misdemeanor.

(b) If the amount of the drug involved equals or exceeds five grams but is less than ten grams of hashish in a solid form or equals or exceeds one gram but is less than two grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a misdemeanor of the fourth degree.

(D) In addition to any other sanction that is imposed for an offense under this section.

(E) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.

If the offender has a driver's or commercial driver's license or permit ORC 2929.33 applies. (ORC 2925.11)

(Ord. 006-2022. Passed 3-14-2022; Ord. 019-2024. Passed 5-13-2024; Ord. No. 015-2025. Passed 4-28-2025)

Sec. 513.05. Permitting drug abuse.

(A) No person, who is the owner, operator or person in charge of a locomotive, watercraft, aircraft or other vehicle as defined in ORC 4501.01(A), shall knowingly permit the vehicle to be used for the commission of a felony drug abuse offense.

(B) No person, who is the owner, lessee or occupant, or who has custody, control or supervision of premises, or real estate, including vacant land, shall knowingly permit the premises, or real estate, including vacant land, to be used for the commission of a felony drug abuse offense by another person.

(C) Whoever violates this section is guilty of permitting drug abuse, a misdemeanor of the first degree. If the felony drug abuse offense in question is a violation of ORC 2925.02 or 2925.03, permitting drug abuse is a felony and shall be prosecuted under appropriate State law.

(D) Any premises or real estate that is permitted to be used in violation of subsection (B) hereof constitutes a nuisance subject to abatement pursuant to ORC Ch. 3767.

If the offender has a driver's or commercial driver's license or permit ORC 2929.33 applies. (ORC 2925.13)

(Ord. No. 015-2025. Passed 4-28-2025)

Sec. 513.06. Illegal cultivation of Marihuana.

(A) No person shall knowingly cultivate marihuana.

(B) This section does not apply to any person listed in ORC 2925.03(B)(1)—(3) to the extent and under the circumstances described in those divisions.

(C) Whoever commits a violation of subsection (A) hereof is guilty of illegal cultivation of marihuana. Illegal cultivation of marihuana is a misdemeanor if the amount of marihuana involved does not exceed 200 grams.

(1) Except as otherwise provided in subsection (C)(2) hereof, illegal cultivation of marihuana is a minor misdemeanor, or if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a misdemeanor of the fourth degree.

(2) If the amount of marihuana involved equals or exceeds 100 grams but is less than 200 grams, illegal cultivation of marihuana is a misdemeanor of the fourth degree, or if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a misdemeanor of the third degree.

(D) In addition to any other sanction imposed for an offense under this section, if an offender's driver's or commercial driver's license or permit is suspended in accordance with that division, the offender may request termination of, and the court may terminate, the suspension in accordance with that division.

(E) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in an application for employment, a license, or any other right or privilege or made in connection with the person's appearance as a witness.

If the offender has a driver's or commercial driver's license or permit ORC 2929.33 applies. (ORC 2925.04)

(Ord. No. 015-2025. Passed 4-28-2025)

Sec. 513.07. Possessing or using harmful intoxicants.

(A) Except for lawful research, clinical, medical, dental or veterinary purposes, no person, with purpose to induce intoxication or similar physiological effects, shall obtain, possess or use a harmful intoxicant.

(B) Whoever violates this section is guilty of abusing harmful intoxicants, a misdemeanor of the first degree. If the offender previously has been convicted of a drug abuse offense, abusing harmful intoxicants is a felony and shall be prosecuted under appropriate State law.

If the offender has a driver's or commercial driver's license or permit ORC 2929.33 applies. (ORC 2925.31)

(Ord. No. 015-2025. Passed 4-28-2025)

Sec. 513.08. Illegally dispensing drug samples.

(A) No person shall knowingly furnish another a sample drug.

(B) Subsection (A) hereof does not apply to manufacturers, wholesalers, pharmacists, owners of pharmacies, licensed health professionals authorized to prescribe drugs, and other persons whose conduct is in accordance with ORC Chs. 3719, 4715, 4723, 4725, 4729, 4730, 4731, 4741, and 4772.

(C) Whoever violates this section is guilty of illegal dispensing of drug samples. If the drug involved in the offense is a dangerous drug or a compound, mixture, preparation, or substance included in Schedule III, IV, or V, or is marihuana, the penalty for the offense shall be determined as follows:

(1) Except as otherwise provided in subsection (C)(2) hereof, illegal dispensing of drug samples is a misdemeanor of the second degree.

(2) If the offense was committed in the vicinity of a school or in the vicinity of a juvenile, illegal dispensing of drug samples is a misdemeanor of the first degree.

If the offender has a driver's or commercial driver's license or permit ORC 2929.33 applies. (ORC 2925.36)

(Ord. 006-2022. Passed 3-14-2022; Ord. No. 015-2025. Passed 4-28-2025)

Sec. 513.12. Drug paraphernalia.

(A) As used in this section, *drug paraphernalia* means any equipment, product or material of any kind that is used by the offender, intended by the offender for use or designed for use, in propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled substance in violation of this chapter or ORC Ch. 2925. *Drug paraphernalia* includes, but is not limited to, any of the following equipment, products or materials that are used by the offender, intended by the offender for use or designated by the offender for use, in any of the following manners:

(1) A kit for propagating, cultivating, growing or harvesting any species of a plant that is a controlled substance or from which a controlled substance can be derived;

(2) A kit for manufacturing, compounding, converting, producing, processing or preparing a controlled substance;

(3) Any object, instrument, or device for manufacturing, compounding, converting, producing, processing, or preparing methamphetamine;

(4) An isomerization device for increasing the potency of any species of a plant that is a controlled substance;

(5) Testing equipment for identifying, or analyzing the strength, effectiveness or purity of, a controlled substance, ~~except for those exempted in~~ unless division (D)(4) of this section applies to the testing;

(6) A scale or balance for weighing or measuring a controlled substance;

(7) A diluent or adulterant, such as quinine hydrochloride, mannitol, mannite, dextrose or lactose, for cutting a controlled substance;

(8) A separation gin or sifter for removing twigs and seeds from, or otherwise cleaning or refining, marihuana;

(9) A blender, bowl, container, spoon or mixing device for compounding a controlled substance;

(10) A capsule, balloon, envelope or container for packaging small quantities of a controlled substance;

(11) A container or device for storing or concealing a controlled substance;

(12) A hypodermic syringe, needle or instrument for parenterally injecting a controlled substance into the human body;

(13) An object, instrument or device for ingesting, inhaling or otherwise introducing into the human body, marihuana, cocaine, hashish or hashish oil, such as a metal, wooden, acrylic, glass, stone, plastic or ceramic pipe, with or without a screen, permanent screen, hashish head or punctured metal bowl; water pipe; carburetion tube or device; smoking or carburetion mask; roach clip or similar object used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoon, or cocaine vial; chamber pipe; carburetor pipe; electric pipe; air driver pipe; chillum; bong; or ice pipe or chiller.

(B) In determining if any equipment, product or material is drug paraphernalia, a court or law enforcement officer shall consider, in addition to other relevant factors, the following:

(1) Any statement by the owner, or by anyone in control, of the equipment, product or material, concerning its use;

(2) The proximity in time or space of the equipment, product or material, or of the act relating to the equipment, product or material, to a violation of any provision of this chapter or ORC Ch. 2925;

(3) The proximity of the equipment, product or material to any controlled substance;

(4) The existence of any residue of a controlled substance on the equipment, product or material;

(5) Direct or circumstantial evidence of the intent of the owner, or of anyone in control, of the equipment, product or material, to deliver it to any person whom the owner or person in control of the equipment, product or material knows intends to use the object to facilitate a violation of any provision of this chapter or ORC Ch. 2925. A finding that the owner, or anyone in control, of the equipment, product or material, is not guilty of a violation of any other provision of this chapter or ORC Ch. 2925, does not prevent a finding that the equipment, product or material was intended or designed by the offender for use as drug paraphernalia;

(6) Any oral or written instruction provided with the equipment, product or material concerning its use;

(7) Any descriptive material accompanying the equipment, product or material and explaining or depicting its use;

(8) National or local advertising concerning the use of the equipment, product or material;

(9) The manner and circumstances in which the equipment, product or material is displayed for sale;

(10) Direct or circumstantial evidence of the ratio of the sales of the equipment, product or material to the total sales of the business enterprise;

(11) The existence and scope of legitimate uses of the equipment, product or material in the community;

(12) Expert testimony concerning the use of the equipment, product or material.

(C) (1) Subject to subsections (D)(2), (3), and (4) of this section, no person shall knowingly use, or possess with purpose to use, drug paraphernalia.

(2) No person shall knowingly sell, or possess or manufacture with purpose to sell, drug paraphernalia, if the person knows or reasonably should know that the equipment, product or material will be used as drug paraphernalia.

(3) No person shall place an advertisement in any newspaper, magazine, handbill or other publication that is published and printed and circulates primarily within this State, if the person knows that the purpose of the advertisement is to promote the illegal sale in the State of the equipment, product or material that the offender intended or designed for use as drug paraphernalia.

(D) (1) This section does not apply to manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies and other persons whose conduct is in accordance with ORC Chs. 3719, 4715, 4723, 4729, 4730, 4731, 4741, and 4772. This section shall not be construed to prohibit the possession or use of a hypodermic as authorized by Section 513.10.

(2) Subsection (C)(1) of this section does not apply to a person's use, or possession with purpose to use, any drug paraphernalia that is equipment, a product, or material of any kind that is used by the person, intended by the person for use, or designed for use in storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body marihuana.

(3) ORC 2925.11(B)(2) applies with respect to a violation of division (C)(1) of this section when a person seeks or obtains medical assistance for another person who is experiencing a drug overdose, a person experiences a drug overdose and seeks medical assistance for that overdose, or a person is the subject of another person seeking or obtaining medical assistance for that overdose.

(4) Division (C)(1) of this section does not apply to a person's use, or possession with purpose to use, ~~any~~ drug testing strips to determine the presence of fentanyl or a fentanyl-related compound or any other equipment, product, or material approved by the state board of pharmacy, in rules adopted under ORC 4729.261, as a type of instrument that demonstrates

efficacy in reducing drug poisoning by determining the presence of a specific compound or group of compounds.

(E) Notwithstanding ORC Ch. 2981, any drug paraphernalia that was used, possessed, sold or manufactured in violation of this section shall be seized, after a conviction for that violation shall be forfeited, and upon forfeiture shall be disposed of pursuant to ORC 2981.12.

(F) (1) Whoever violates subsection (C)(1) hereof is guilty of illegal use or possession of drug paraphernalia, a misdemeanor of the fourth degree.

(2) Except as provided in subsection (F)(3) hereof, whoever violates subsection (C)(2) hereof is guilty of dealing in drug paraphernalia, a misdemeanor of the second degree.

(3) Whoever violates subsection (C)(2) hereof by selling drug paraphernalia to a juvenile is guilty of selling drug paraphernalia to juveniles, a misdemeanor of the first degree.

(4) Whoever violates subsection (C)(3) hereof is guilty of illegal advertising of drug paraphernalia, a misdemeanor of the second degree.

(G) If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with ORC 2925.38. If the offender has a driver's or commercial driver's license or permit, ORC 2929.33 applies. (ORC 2925.14)

(Ord. 006-2022. Passed 3-14-2022; Ord. 019-2024. Passed 5-13-2024; Ord. No. 015-2025. Passed 4-28-2025)

Sec. 513.13. Counterfeit controlled substances.

(A) No person shall knowingly possess any counterfeit controlled substance.

(B) Whoever violates this section is guilty of possession of counterfeit controlled substances, a misdemeanor of the first degree.

If the offender has a driver's or commercial driver's license or permit ORC 2929.33 applies. (ORC 2925.37)

(Ord. 006-2022. Passed 3-14-2022)

CHAPTER 515. TOBACCO AND ELECTRONIC CIGARETTE USE ON CITY OWNED PROPERTY

CHAPTER 517. GAMBLING*

Sec. 517.01. Definitions.

As used in this chapter:

(A) *Bookmaking* means the business of receiving or paying off bets.

(B) *Bet* means the hazarding of anything of value upon the result of an event, undertaking or contingency, but does not include a bona fide business risk.

(C) *Scheme of chance* means a slot machine unless authorized under ORC Ch. 3772, lottery unless authorized under ORC Ch. 3770, numbers game, pool conducted for profit, or other scheme in which a participate gives a valuable consideration for a chance to win a prize, but does not include bingo, a skill-based amusement machine, or a pool not conducted for profit. *Scheme of chance* includes the use of an electronic device to reveal the results of a game entry if valuable consideration is paid, directly or indirectly, for a chance to win a prize. Valuable consideration is deemed to be paid for a chance to win a prize in the following instances:

(1) Less than fifty per cent of the goods or services sold by a scheme of chance operator in exchange for game entries are used or redeemed by participants at any one location;

(2) Less than fifty per cent of participants who purchase goods or services at any one location do not accept, use or redeem the goods or services sold or purportedly sold;

(3) More than fifty per cent of prizes at any one location are revealed to participants through an electronic device simulating a game of chance or a *casino game* as defined in ORC 3772.01;

(4) The good or service sold by a scheme of chance operator in exchange for a game entry cannot be used or redeemed in the manner advertised;

(5) A participant pays more than fair market value for goods or services offered by a scheme of chance operator in order to receive one or more game entries;

(6) A participant may use the electronic device to purchase additional game entries;

(7) A participant may purchase additional game entries by using points or credits won as prizes while using the electronic device;

(8) A scheme of chance operator pays out in prize money more than twenty per cent of the gross revenue received at one location; or

*State law references—See sectional histories for similar State law; contributing to delinquency of minors, ORC 2151.41; search warrants, ORC 2933.21(E); licensing charitable bingo games, ORC 2915.08.

State constitution references—Lotteries prohibited; exception, Ohio Const., Art. XV, Sec. 6.

(9) A participant makes a purchase or exchange in order to obtain any good or service that may be used to facilitate play on the electronic device.

As used in this subsection, *electronic device* means a mechanical, video, digital or electronic machine or device that is capable of displaying information on a screen or other mechanism and that is owned, leased or otherwise possessed by any person conducting a scheme of

chance, or by that person's partners, affiliates, subsidiaries or contractors. *Electronic device* does not include an electronic instant bingo system.

(D) *Game of chance* means poker, craps, roulette, or other game in which a player gives anything of value in the hope of gain, the outcome of which is determined largely by chance, but does not include bingo.

(E) *Game of chance conducted for profit* means any game of chance designed to produce income for the person who conducts or operates the game of chance, but does not include bingo.

(F) *Gambling device* means any of the following:

(1) A book, totalizer or other equipment for recording bets;

(2) A ticket, token or other device representing a chance, share or interest in a scheme of chance or evidencing a bet;

(3) A deck of cards, dice, gaming table, roulette wheel, slot machine, or other apparatus designed for use in connection with a game of chance;

(4) Any equipment, device, apparatus or paraphernalia specially designed for gambling purposes;

(5) Bingo supplies sold or otherwise provided, or used, in violation of this chapter.

(G) *Gambling offense* means any of the following:

(1) A violation of ORC Ch. 2915;

(2) A violation of an existing or former municipal ordinance or law of this or any other state or the United States substantially equivalent to any provision of ORC Ch. 2915 or a violation of ORC 2915.06 as it existed prior to July 1, 1996;

(3) An offense under an existing or former municipal ordinance or law of this or any other state or the United States, of which gambling is an element;

(4) A conspiracy or attempt to commit, or complicity in committing an offense under subsection (G)(1), (2) or (3) hereof.

(H) Except as otherwise provided in this chapter, *charitable organization* means either of the following:

(1) An organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code;

(2) A volunteer rescue service organization, volunteer firefighter's organization, veteran's organization, fraternal organization, or sporting organization that is exempt from federal income taxation under subsection 501(c)(4), (c)(7), (c)(8), (c)(10) or (c)(19) of the Internal Revenue Code.

To qualify as a charitable organization, an organization shall have been in continuous existence as such in this State for a period of two years immediately preceding either the making of an application for a bingo license under ORC 2915.08 or the conducting of any game of chance as provided in division (D) of ORC 2915.02.

(I) *Religious organization* means any church, body of communicants or group that is not organized or operated for profit, that gathers in common membership for regular worship and religious observances.

(J) *Veteran's organization* means any individual post or state headquarters of a national veteran's association or an auxiliary unit of any individual post of a national veteran's association, which post, state headquarters, or auxiliary unit is incorporated as a nonprofit corporation and either has received a letter from the state headquarters of the national veteran's association indicating that the individual post or auxiliary unit is in good standing with the national veteran's association or has received a letter from the national veteran's association indicating that the state headquarters is in good standing with the national veteran's association. As used in this subsection, *national veteran's association* means any veteran's association that has been in continuous existence as such for a period of at least five years and either is incorporated by an act of the United States congress or has a national dues-paying membership of at least five thousand persons.

(K) *Volunteer firefighter's organization* means any organization of volunteer firefighters, as defined in ORC 146.01, that is organized and operated exclusively to provide financial support for a volunteer fire department or a volunteer fire company and that is recognized or ratified by a county, municipal corporation, or township.

(L) *Fraternal organization* means any society, order, state headquarters, or association within this State, except a college or high school fraternity, that is not organized for profit, that is a branch, lodge or chapter of a national or state organization, that exists exclusively for the common business of sodality of its members.

(M) *Volunteer rescue service organization* means any organization of volunteers organized to function as an emergency medical service organization as defined in ORC 4765.01.

(N) *Charitable bingo game* means any bingo game described in subsection (O)(1) or (2) of this section that is conducted by a charitable organization that has obtained a license pursuant to ORC 2915.08 and the proceeds of which are used for a charitable purpose.

(O) *Bingo* means either of the following:

(1) A game with all of the following characteristics:

(a) The participants use bingo cards or sheets, including paper formats and electronic representation or image formats, that are divided into twenty-five spaces arranged in five horizontal and five vertical rows of spaces, with each space, except the central space, being designated by a combination of a letter and a number and with the central space being designated as a free space.

(b) The participants cover the space on the bingo cards or sheets that correspond to combinations of letters and numbers that are announced by a bingo game operator.

(c) A bingo game operator announces combinations of letters and numbers that appear on objects that a bingo game operator selects by chance, either manually or mechanically from a receptacle that contains seventy-five objects at the beginning of each game, each object marked by a different combination of a letter and a number that corresponds to one of the seventy-five possible combinations of a letter and a number that can appear on the bingo cards or sheets.

(d) The winner of the bingo game includes any participant who properly announces during the interval between the announcements of letters and numbers as described in subsection (O)(1)(c) hereof, that a predetermined and

preannounced pattern of spaces has been covered on a bingo card or sheet being used by a participant.

(2) Instant bingo, punch boards and raffles.

(P) *Conduct* means to back, promote, organize, manage, carry on, sponsor, or prepare for the operation of bingo or a game of chance, a scheme of chance, or a sweepstakes.

(Q) *Bingo game operator* means any person, except security personnel, who performs work or labor at the site of bingo, including, but not limited to, collecting money from participants, handing out bingo cards or sheets or objects to cover spaces on bingo cards or sheets, selecting from a receptacle the objects that contain the combination of letters and numbers that appear on bingo cards or sheets, calling out the combinations of letters and numbers, distributing prizes, selling or redeeming instant bingo tickets or cards, selling or redeeming electronic instant bingo tickets, credits, or vouchers, accessing an electronic instant bingo system other than as a participant, supervising the operation of a punch board, selling raffle tickets, selecting raffle tickets from a receptacle and announcing the winning numbers in a raffle, and preparing, selling, and serving food or beverages. *Bingo game operator* does not include a person who is installing, maintaining, updating, or repairing an electronic instant bingo system.

(R) *Participant* means any person who plays bingo.

(S) *Bingo session* means a period that includes both of the following:

(1) Not to exceed five continuous hours for the conduct of one or more games described in subsection (O)(1) of this section, instant bingo, and electronic instant bingo;

(2) A period for the conduct of instant bingo and electronic instant bingo for not more than two hours before and not more than two hours after the period described in subsection (S)(1) of this section.

(T) *Gross receipts* means all money or assets, including admission fees, that a person receives from bingo without the deduction of any amounts for prizes paid out or for the expenses of conducting bingo. *Gross receipts* does not include any money directly taken in from the sale of food or beverages by a charitable organization conducting bingo, or by a bona fide auxiliary unit or society of a charitable organization conducting bingo, provided all of the following apply:

(1) The auxiliary unit or society has been in existence as a bona fide auxiliary unit or society of the charitable organization for at least two years prior to conducting bingo.

(2) The person who purchases the food or beverage receives nothing of value except the food or beverage and items customarily received with the purchase of that food or beverage.

(3) The food and beverages are sold at customary and reasonable prices.

(U) *Security personnel* includes any person who either is a sheriff, deputy sheriff, marshal, deputy marshal, township constable, or a police officer of a municipal corporation or has successfully completed a peace officer's training course pursuant to ORC 109.71—109.79 and who is hired to provide security for the premises on which bingo is conducted.

(V) *Charitable purpose* means that the net profit of bingo, other than instant bingo, is used by, or is given, donated, or otherwise transferred to, any of the following:

(1) Any organization that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code and is either a governmental unit or an organization that is tax exempt under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code;

(2) A veteran's organization that is a post, chapter, or organization of veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post, chapter, or organization organized in the United States or any of its possessions, at least seventy-five per cent of the members of which are veterans and substantially all of the other members of which are individuals who are spouses, widows, or widowers of veterans, or such individuals, provided that no part of the net earnings of such post, chapter, or organization inures to the benefit of any private shareholder or individual, and further provided that the net profit is used by the post, chapter, or organization for the charitable purposes set forth in division (B)(12) of ORC 5739.02, is used for awarding scholarships to or for attendance at an institution mentioned in division (B)(12) of ORC 5739.02, is donated to a governmental agency, or is used for nonprofit youth activities, the purchase of United States or Ohio flags that are donated to schools, youth groups, or other bona fide nonprofit organizations, promotion of patriotism, or disaster relief;

(3) A fraternal organization that has been in continuous existence in this State for fifteen years and that uses the net profit exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals if contributions for such use would qualify as a deductible charitable contribution under subsection 170 of the Internal Revenue Code;

(4) A volunteer firefighter's organization that uses the net profit for the purposes set forth in subsection (K) of this section.

(W) *Internal Revenue Code* means the Internal Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter amended.

(X) *Youth athletic organization* means any organization, not organized for profit, that is organized and operated exclusively to provide financial support to, or to operate, athletic activities for persons who are twenty-one years of age or younger by means of sponsoring, organizing, operating or contributing to the support of an athletic team, club, league or association.

(Y) *Youth athletic park organization* means any organization, not organized for profit, that satisfies both of the following:

(1) It owns, operates and maintains playing fields that satisfy both of the following:

(a) The playing fields are used at least one hundred days per year for athletic activities by one or more organizations not organized for profit, each of which is organized and operated exclusively to provide financial support to, or to operate, athletic activities for persons who are eighteen years of age or younger by means of sponsoring, organizing, operating or contributing to the support of an athletic team, club, league or association;

(b) The playing fields are not used for any profit-making activity at any time during the year,

(2) It uses the proceeds of bingo it conducts exclusively for the operation, maintenance and improvement of its playing fields of the type described in paragraph (1) hereof.

(Z) *Bingo supplies* means bingo cards or sheets; instant bingo tickets or cards; electronic bingo aids; raffle tickets; punch boards; seal cards; instant bingo ticket dispensers; electronic instant bingo systems; and devices for selecting or displaying the combination of bingo letters and numbers or raffle tickets. Items that are *bingo supplies* are not gambling devices if sold or otherwise provided, and used, in accordance with this chapter. For purposes of this chapter, *bingo supplies* are not to be considered equipment used to conduct a bingo game.

(AA) *Instant bingo* means a form of bingo that shall use folded or banded tickets or paper cards with perforated break-open tabs, a face of which is covered or otherwise hidden from view to conceal a number, letter, or symbol, or set of numbers, letters, or symbols, some of which have been designated in advance as prize winners, and may also include games in which some winners are determined by the random selection of one or more bingo numbers by the use of a seal card or bingo blower. *Instant bingo* also includes a punch board game. In all *instant bingo* the prize amount and structure shall be predetermined. *Instant bingo* does not include electronic instant bingo or any device that is activated by the insertion of a coin, currency, token, or an equivalent, and that contains as one of its components a video display monitor that is capable of displaying numbers, letters, symbols, or characters in winning or losing combinations.

(BB) *Seal card* means a form of instant bingo that uses instant bingo tickets in conjunction with a board or placard that contains one or more seals that, when removed or opened, reveal predesignated winning numbers, letters, or symbols.

(CC) *Raffle* means a form of bingo in which the one or more prizes are won by one or more persons who have purchased a raffle ticket. The one or more winners of the raffle are determined by drawing a ticket stub or other detachable section from a receptacle containing ticket stubs or detachable sections corresponding to all tickets sold for the raffle. *Raffle* does not include the drawing of a ticket stub or other detachable section of a ticket purchased to attend a professional sporting event if both of the following apply:

(1) The ticket stub or other detachable section is used to select the winner of a free prize given away at the professional sporting event; and

(2) The cost of the ticket is the same as the cost of a ticket to the professional sporting event on days when no free prize is given away.

(DD) *Punch board* means a form of instant bingo that uses a board containing a number of holes or receptacles of uniform size in which are placed, mechanically and randomly, serially numbered slips of paper that may be punched or drawn from the hole or receptacle. A player may punch or draw the numbered slips of paper from the holes or receptacles and obtain the prize established for the game if the number drawn corresponds to a winning number or, if the punch board includes the use of a seal card, a potential winning number.

(EE) *Gross profit* means gross receipts minus the amount actually expended for the payment of prize awards.

(FF) *Net profit* means gross profit minus expenses.

(GG) *Expenses* means the reasonable amount of gross profit actually expended for all of the following:

(1) The purchase or lease of bingo supplies;

(2) The annual license fee required under ORC 2915.08;

(3) Bank fees and service charges for a bingo session or game account described in ORC 2915.10;

(4) Audits and accounting services;

(5) Safes;

(6) Cash registers;

(7) Hiring security personnel;

(8) Advertising bingo;

(9) Renting premises in which to conduct a bingo session;

(10) Tables and chairs;

(11) Expenses for maintaining and operating a charitable organization's facilities, including, but not limited to, a post home, club house, lounge, tavern, or canteen and any grounds attached to the post home, club house, lounge, tavern, or canteen;

(12) Payment of real property taxes and assessments that are levied on a premises on which bingo is conducted;

(13) Any other product or service directly related to the conduct of bingo that is authorized in rules adopted by the Attorney General under division (F)(1) of ORC 2915.08.

(HH) *Person* has the same meaning as in ORC 1.59 and includes any firm or any other legal entity, however organized.

(II) *Revoke* means to void permanently all rights and privileges of the holder of a license issued under ORC 2915.08, 2915.081, or 2915.082 or a charitable gaming license issued by another jurisdiction.

(JJ) *Suspend* means to interrupt temporarily all rights and privileges of the holder of a license issued under ORC 2915.08, 2915.081, or 2915.082 or a charitable gaming license issued by another jurisdiction.

(KK) *Distributor* means any person who purchases or obtains bingo supplies and who does either of the following:

(1) Sells, offers for sale, or otherwise provides or offers to provide the bingo supplies to another person for use in this State;

(2) Modifies, converts, adds to, or removes parts from the bingo supplies to further their promotion or sale for use in this State.

(LL) *Manufacturer* means any person who assembles completed bingo supplies from raw materials, other items, or subparts or who modifies, converts, adds to, or removes parts from bingo supplies to further their promotion or sale.

(MM) *Gross annual revenues* means the annual gross receipts derived from the conduct of bingo described in subsection (O)(1) of this section plus the annual net profit derived from the conduct of bingo described in subsection (O)(2) of this section.

(NN) *Instant bingo ticket dispenser* means a mechanical device that dispenses an instant bingo ticket or card as the sole item of value dispensed and that has the following characteristics:

(1) It is activated upon the insertion of United States currency.

(2) It performs no gaming functions.

(3) It does not contain a video display monitor or generate noise.

(4) It is not capable of displaying any numbers, letters, symbols, or characters in winning or losing combinations.

(5) It does not simulate or display rolling or spinning reels.

(6) It is incapable of determining whether a dispensed bingo ticket or card is a winning or nonwinning ticket or card and requires a winning ticket or card to be paid by a bingo game operator.

(7) It may provide accounting and security features to aid in accounting for the instant bingo tickets or cards it dispenses.

(8) It is not part of an electronic network and is not interactive.

(OO) (1) *Electronic bingo aid* means an electronic device used by a participant to monitor bingo cards or sheets purchased at the time and place of a bingo session and that does all of the following:

(a) It provides a means for a participant to input numbers and letters announced by a bingo caller.

(b) It compares the numbers and letters entered by the participant to the bingo faces previously stored in the memory of the device.

(c) It identifies a winning bingo pattern.

(2) *Electronic bingo aid* does not include any device into which a coin, currency, token, or an equivalent is inserted to activate play.

(PP) *Deal* means a single game of instant bingo tickets, or a single game of electronic instant bingo tickets, all with the same serial number.

(QQ) (1) *Slot machine* means either of the following:

(a) Any mechanical, electronic, video, or digital device that is capable of accepting anything of value, directly or indirectly, from or on behalf of a player who gives the thing of value in the hope of gain;

(b) Any mechanical, electronic, video, or digital device that is capable of accepting anything of value, directly or indirectly, from or on behalf of a player to conduct bingo or a scheme or game of chance.

(2) *Slot machine* does not include a skill-based amusement machine, an instant bingo ticket dispenser, or an electronic instant bingo system.

(RR) *Net profit from the proceeds of the sale of instant bingo* means gross profit minus the ordinary, necessary, and reasonable expense expended for the purchase of bingo supplies for the purpose of

conducting instant bingo or electronic instant bingo, and, in the case of instant bingo or electronic instant bingo conducted by a veteran's, fraternal, or sporting organization, minus the payment by that organization of real property taxes and assessments levied on a premises on which instant bingo or electronic instant bingo is conducted.

(SS) *Charitable instant bingo organization* means an organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code and is a charitable organization as defined in this section. A *charitable instant bingo organization* does not include a charitable organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code and that is created by a veteran's organization, a fraternal organization, or a sporting organization in regards to bingo conducted or assisted by a veteran's organization, a fraternal organization, or a sporting organization pursuant to ORC 2915.13.

(TT) *Game flare* means the board or placard that accompanies each deal of instant bingo tickets and that has printed on or affixed to it the following information for the game:

(1) The name of the game;

(2) The manufacturer's name or distinctive logo;

(3) The form number;

(4) The ticket count;

(5) The prize structure, including the number of winning instant bingo tickets by denomination and the respective winning symbol or number combinations for the winning instant bingo tickets;

(6) The cost per play;

(7) The serial number of the game.

(UU) (1) *Skill-based amusement machine* means mechanical, video, digital, or electronic device that rewards the player or players, if at all, only with merchandise prizes or with redeemable vouchers redeemable only for merchandise prizes, provided that with respect to rewards for playing the game all of the following apply:

(a) The wholesale value of a merchandise prize awarded as a result of the single play of a machine does not exceed ten dollars;

(b) Redeemable vouchers awarded for any single play of a machine are not redeemable for a merchandise prize with a wholesale value of more than ten dollars;

(c) Redeemable vouchers are not redeemable for a merchandise prize that has a wholesale value of more than ten dollars times the fewest number of single plays necessary to accrue the redeemable vouchers required to obtain that prize; and

(d) Any redeemable vouchers or merchandise prizes are distributed at the site of the skill-based amusement machine at the time of play.

A card for the purchase of gasoline is a redeemable voucher for purposes of division (UU) (1) of this section even if the skill-based amusement machine for the play of which the card is awarded is located at a place where gasoline may not be legally distributed to the public or the card is not redeemable at the location of, or at the time of playing, the skill-based amusement machine.

(2) A device shall not be considered a skill-based amusement machine and shall be considered a slot machine if it pays cash or one or more of the following apply:

(a) The ability of a player to succeed at the game is impacted by the number or ratio of prior wins to prior losses of players playing the game.

(b) Any reward of redeemable vouchers is not based solely on the player achieving the object of the game or the player's score;

(c) The outcome of the game, or the value of the redeemable voucher or merchandise prize awarded for winning the game, can be controlled by a source other than any player playing the game.

(d) The success of any player is or may be determined by a chance event that cannot be altered by player actions.

(e) The ability of any player to succeed at the game is determined by game features not visible or known to the player.

(f) The ability of the player to succeed at the game is impacted by the exercise of a skill that no reasonable player could exercise.

(3) All of the following apply to any machine that is operated as described in subsection (UU) (1) of this section:

(a) As used in subsection (UU) of this section, *game* and *play* mean one event from the initial activation of the machine until the results of play are determined without payment of additional consideration. An individual utilizing a machine that involves a single game, play, contest, competition or tournament may be awarded redeemable vouchers or merchandise prizes based on the results of play.

(b) Advance play for a single game, play, contest, competition or tournament participation may be purchased. The cost of the contest, competition, or tournament participation may be greater than a single noncontest, competition or tournament play.

(c) To the extent that the machine is used in a contest, competition or tournament, that contest, competition, or tournament has a defined starting and ending date and is open to participants in competition for scoring and ranking results toward the awarding of redeemable vouchers or merchandise prizes that are stated prior to the start of the contest, competition or tournament.

(4) For purposes of subsection (UU) (1) of this section, the mere presence of a device, such as a pin-setting, ball-releasing, or scoring mechanism, that does not contribute to or affect the outcome of the play of the game does not make the device a skill-based amusement machine.

(VV) *Merchandise prize* means any item of value, but shall not include any of the following:

(1) Cash, gift cards, or any equivalent thereof;

(2) Plays on games of chance, state lottery tickets, or bingo;

(3) Firearms, tobacco, or alcoholic beverages; or

(4) A redeemable voucher that is redeemable for any of the items listed in subsection (VV) (1), (2) or (3) of this section.

(WW) *Redeemable voucher* means any ticket, token, coupon, receipt, or other noncash representation of value.

(XX) *Pool not conducted for profit* means a scheme in which a participant gives a valuable consideration for a chance to win a prize and the total amount of consideration wagered is distributed to a participant or participants.

(YY) *Sporting organization* means a hunting, fishing, or trapping organization, other than a college or high school fraternity or sorority, that is not organized for profit, that is affiliated with a state or national sporting organization, including but not limited to, the league of Ohio sportsmen, and that has been in continuous existence in this State for a period of three years.

(ZZ) *Community action agency* has the same meaning as in ORC ~~122.66~~ 5101.311.

(AAA) (1) *Sweepstakes terminal device* means a mechanical, video, digital or electronic machine or device that is owned, leased or otherwise possessed by any person conducting a sweepstakes, or by that person's partners, affiliates, subsidiaries, or contractors, that is intended to be used by a sweepstakes participant, and that is capable of displaying information on a screen or other mechanism. A device is a sweepstakes terminal device if any of the following apply:

(a) The device uses a simulated game terminal as a representation of the prizes associated with the results of the sweepstakes entries.

(b) The device utilizes software such that the simulated game influences or determines the winning of or value of the prize.

(c) The device selects prizes from a predetermined finite pool of entries.

(d) The device utilizes a mechanism that reveals the content of a predetermined sweepstakes entry.

(e) The device predetermines the prize results and stores those results for delivery at the time the sweepstakes entry results are revealed.

(f) The device utilizes software to create a game result.

(g) The device reveals the prize incrementally, even though the device does not influence the awarding of the prize or the value of any prize awarded.

(h) The device determines and associates the prize with an entry or entries at the time the sweepstakes is entered.

(2) As used in this subsection and in Section 517.02:

(a) *Enter* means the act by which a person becomes eligible to receive any prize offered in a sweepstakes.

(b) *Entry* means one event from the initial activation of the sweepstakes terminal device until all of the sweepstakes prize results from that activation are revealed.

(c) *Prize* means any gift, award, gratuity, good, service, credit, reward or any other thing of value that may be transferred to a person, whether possession of the prize is actually transferred, or placed on an account or other record as evidence of the intent to transfer the prize.

(d) *Sweepstakes terminal device facility* means any location in this Municipality where a sweepstakes terminal device is provided to a sweepstakes participant, except as provided in ORC 2915.02(G).

(BBB) *Sweepstakes* means any game, contest, advertising scheme or plan, or other promotion where consideration is not required for a person to enter to win or become eligible to receive any prize, the determination of which is based upon chance. *Sweepstakes* does not include bingo as authorized under this chapter, pari-mutuel wagering as authorized by ORC Ch. 3769, lotteries conducted by the State Lottery Commission as authorized by ORC Ch. 3770, and casino gaming as authorized by ORC Ch. 3772.

(CCQ[i]) *Electronic instant bingo* means a form of bingo that consists of an electronic or digital representation of instant bingo in which a participant wins a prize if the participant's electronic instant bingo ticket contains a combination of numbers or symbols that was designated in advance as a winning combination, and to which all of the following apply:

(a) Each deal has a predetermined, finite number of winning and losing tickets and a predetermined prize amount and deal structure, provided that there may be multiple winning combinations in each deal and multiple winning tickets.

(b) Each electronic instant bingo ticket within a deal has a unique serial number that is not regenerated.

(c) Each electronic instant bingo ticket within a deal is sold for the same price.

(d) After a participant purchases an electronic instant bingo ticket, the combination of numbers or symbols on the ticket is revealed to the participant.

(e) The reveal of numbers or symbols on the ticket may incorporate an entertainment or bonus theme, provided that the reveal does not include spinning reels that resemble a slot machine.

(f) The reveal theme, if any, does not require additional consideration or award any prize other than any predetermined prize associated with the electronic instant bingo ticket.

(2) *Electronic instant bingo* shall not include any of the following:

(a) Any game, entertainment, or bonus theme that replicates or simulates any of the following:

(i) The gambling games of keno, blackjack, roulette, poker, craps, other casino-style table games;

(ii) Horse racing;

(iii) Gambling games offered in this state on slot machines or video lottery terminals. As used in this division, *video lottery terminal* has the same meaning as in ORC 3770.21.

(b) Any device operated by dropping one or more coins or tokens into a slot and pulling a handle or pushing a button or touchpoint on a touchscreen to activate one to three or more rotating reels marked into horizontal segments by varying symbols, where the predetermined prize amount depends on how and how many of the symbols line up when the rotating reels come to a rest;

(c) Any device that includes a coin or token slot, tray, or hopper and the ability to dispense coins, cash, tokens, or anything of value other than a credit ticket voucher.

(DDD) *Electronic instant bingo system* means both of the following:

(1) A mechanical, electronic, digital, or video device and associated software to which all of the following apply:

(a) It is used by not more than one player at a time to play electronic instant bingo on a single screen that is physically connected to the device;

(b) It is located on the premises of the principal place of business of a veteran's or fraternal organization that holds a type II or type III bingo license to conduct electronic instant bingo at that location issued under ORC 2915.08.

(2) Any associated equipment or software used to manage, monitor, or document any aspect of electronic instant bingo. (ORC 2915.01)

(Ord. 006-2022. Passed 3-14-2022)

Sec. 517.08. Raffles.

(A) (1) Subject to division (A)(2) of this section, a person or entity may conduct a raffle to raise money for the person or entity and does not need a license to conduct bingo in order to conduct a raffle drawing that is not for profit if the person or entity is any of the following:

(a) Exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code;

(b) A school district, community school established under Chapter 3314. of the Revised Code, STEM school established under Chapter 3326. of the Revised Code, ~~college-preparatory boarding school established under Chapter 3328. of the Revised Code,~~ or chartered nonpublic school;

(c) Exempt from federal income taxation under subsection 501(a) and is described in subsection 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code (26 U.S.C.A. § 1 et seq.).

(2) If a person or entity that is described in subsection (A)(1) (c) of this section conducts a raffle, the person or entity shall distribute at least fifty per cent of the net profit from the raffle to a charitable purpose described in Section 517.01(V) or to a department or agency of the federal government, the state, or any political subdivision.

(B) Except as provided in subsection (A) of this section, no person shall conduct a raffle drawing that is for profit or a raffle drawing that is not for profit.

(C) Whoever violates subsection (B) of this section is guilty of illegal conduct of a raffle. Except as otherwise provided in this subsection, illegal conduct of a raffle is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of subsection (B) of this section, illegal conduct of a raffle is a felony and shall be prosecuted under appropriate State law. (ORC 2915.092)

(Ord. 006-2022. Passed 3-14-2022; Ord. 019-2024. Passed 5-13-2024)

CHAPTER 521. HEALTH, SAFETY AND SANITATION*

CHAPTER 525. LAW ENFORCEMENT AND PUBLIC OFFICE*

Sec. 525.02. Falsification.

(A) No person shall knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when any of the following applies:

(1) The statement is made in any official proceeding.

(2) The statement is made with purpose to incriminate another.

(3) The statement is made with purpose to mislead a public official in performing the public official's official function.

(4) The statement is made with purpose to secure the payment of unemployment compensation; Ohio works first; prevention, retention and contingency benefits and services; disability financial assistance; retirement benefits or health care coverage from a state retirement system; economic development assistance as defined in ORC 9.66; or other benefits administered by a governmental agency or paid out of a public treasury.

(5) The statement is made with purpose to secure the issuance by a governmental agency of a license, permit, authorization, certificate, registration, release or provider agreement.

(6) The statement is sworn or affirmed before a notary public or another person empowered to administer oaths.

(7) The statement is in writing on or in connection with a report or return that is required or authorized by law.

(8) The statement is in writing, and is made with purpose to induce another to extend credit to or employ the offender, or to confer any degree, diploma, certificate of attainment, award of excellence or honor on the offender, or to extend to or bestow upon the offender any other valuable benefit or distinction, when the person to whom the statement is directed relies upon it to that person's detriment.

(9) The statement is made with purpose to commit or facilitate the commission of a theft offense.

(10) The statement is knowingly made to a probate court in connection with any action, proceeding or other matter within its jurisdiction, either orally or in a written document, including, but not limited to, an application, petition, complaint or other pleading, or an inventory, account or report.

(11) The statement is made on an account, form, record, stamp, label or other writing that is required by law.

(12) The statement is made in a document or instrument of writing that purports to be a judgment, lien, or claim of indebtedness and is filed or recorded with the Secretary of State, a county recorder, or the clerk of a court of record.

(13) The statement is required under ORC 5743.71 in connection with the person's purchase of cigarettes or tobacco products in a delivery sale.

(14) The statement is made to the department of children and youth in connection with the Ohio adoption grant program for the purpose of qualifying for or obtaining an adoption grant under ORC 5101.19 to 5101.194.

(B) It is no defense to a charge under subsection (A)(6) hereof that the oath or affirmation was administered or taken in an irregular manner.

(C) If contradictory statements relating to the same fact are made by the offender within the period of the statute of limitations for falsification, it is not necessary for the prosecution to prove which statement was false, but only that one or the other was false.

(D) (1) Whoever violates any provision of subsection (A)(1) to (8) or (10) to (~~13~~14) hereof is guilty of falsification, a misdemeanor of the first degree.

(2) Whoever violates subsection (A)(9) hereof is guilty of falsification in a theft offense, a misdemeanor of the first degree. If the value of the property or services stolen is one thousand dollars ($1,000.00) or more, falsification in a theft offense is a felony and shall be prosecuted under appropriate State law.

(E) A person who violates this section is liable in a civil action to any person harmed by the violation for injury, death, or loss to person or property incurred as a result of the commission of the offense and for reasonable attorney's fees, court costs, and other expenses incurred as a result of prosecuting the civil action commenced under this section. A civil action under this section is not the exclusive remedy of a person who incurs injury, death, or loss to person or property as a result of a violation of this section. (ORC 2921.13)

Sec. 525.07. Obstructing official business.

(A) As used in this section:

(1) *Emergency service responder* has the same meaning as in ORC 2903.22.

(2) *Warning* means a verbal command made by an emergency service responder through which the emergency service responder does both of the following:

(a) Commands a person to maintain the person's distance, to stay away, to back away, to not interfere, or another similar instruction;

(b) Communicates the verbal command in a manner such that a reasonable person would believe that the person must comply with the verbal command under the circumstances.

(B) No person, without privilege to do so and with purpose to prevent, obstruct or delay the performance by a public official of any authorized act within the public official's official capacity, shall do any act that hampers or impedes a public official in the performance of the public official's lawful duties.

(C) No person, without privilege to do so, and after receiving a warning, shall knowingly approach or remain within fifteen feet of an emergency service responder engaged in the lawful performance of the responder's legal duty and do either of the following:

(1) Impede or interfere with the emergency service responder's ability to perform the responder's legal duty;

(2) Threaten the emergency service responder with physical harm.

(~~B~~D)(1) Whoever violates this section is guilty of obstructing official business. Except as otherwise provided ~~in this subsection (B), obstructing official business is a misdemeanor of the second degree. If a violation of~~ section (D)(2) to (4) of this section ~~creates a risk of physical harm to any person~~, obstructing official business is a ~~felony~~ misdemeanor of the second degree and shall be prosecuted under appropriate State law.

(2) If the victim is an emergency service responder engaged in the lawful performance of the responder's legal duty, and the responder issued a warning to the person before the person engaged in or continued to engage in the conduct described in division (B) of this section, obstructing official business is a misdemeanor of the first degree.

(3) If a violation of this section creates a risk of physical harm to a person other than an emergency service responder, obstructing official business is a felony of the fifth degree.

(4) If a violation of this section creates a risk of physical harm to an emergency service responder, obstructing official business is a felony of the fourth degree.

(ORC 2921.31)

Sec. 525.12. Dereliction of duty.

(A) No law enforcement officer shall negligently do any of the following:

(1) Fail to serve a lawful warrant without delay;

(2) Fail to prevent or halt the commission of an offense or to apprehend an offender, when it is in the law enforcement officer's power to do so alone or with available assistance.

(B) No law enforcement, ministerial or judicial officer shall negligently fail to perform a lawful duty in a criminal case or proceeding.

(C) No officer, having charge of a detention facility, shall negligently do any of the following:

(1) Allow the detention facility to become littered or unsanitary;

(2) Fail to provide persons confined in the detention facility with adequate food, clothing, bedding, shelter and medical attention;

(3) Fail to control an unruly prisoner, or to prevent intimidation of or physical harm to a prisoner by another;

(4) Allow a prisoner to escape;

(5) Fail to observe any lawful and reasonable regulation for the management of the detention facility.

(D) No public official of the Municipality shall recklessly create a deficiency, incur a liability or expend a greater sum than is appropriated by the legislative authority of the Municipality for the use in any one year of the department, agency or institution with which the public official is connected.

(E) No public servant shall recklessly fail to perform a duty expressly imposed by law with respect to the public servant's office, or recklessly do any act expressly forbidden by law with respect to the public servant's office.

(F) Whoever violates this section is guilty of dereliction of duty, a misdemeanor of the second degree.

(G) Except as otherwise provided by law, a public servant who is a county treasurer; county auditor; township fiscal officer; city auditor; city treasurer; village fiscal officer; village clerk-treasurer; village clerk; in the case of a municipal corporation having a charter that designates an officer who, by virtue of the charter, has duties and functions similar to those of the city or village officers referred to in this section, the officer so designated by the charter; school district treasurer; fiscal officer of a community school established under Chapter 3314. of the Revised Code; or treasurer of a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code~~; or fiscal officer of a college-preparatory boarding school established under Chapter 3328. of the Revised Code~~ and is convicted of or pleads guilty to dereliction of duty is disqualified from holding any public office, employment, or position of trust in this state for four years following the date of conviction or of entry of the plea, and is not entitled to hold any public office until any repayment or restitution required by the court is satisfied.

(H) As used in this section, *public servant* includes the following:

(1) An officer or employee of a contractor as defined in ORC 9.08.

(2) A fiscal officer employed by the operator of a community school established under ORC Ch. 3314 ~~or by the operator of a college-preparatory boarding school established under ORC Ch. 3328~~. (ORC 2921.44)

(Ord. 006-2022. Passed 3-14-2022)

Sec. 525.15. Assaulting police dog or horse or an assistance dog.

(A) No person shall knowingly cause, or attempt to cause, physical harm to a police dog or horse in either of the following circumstances:

(1) The police dog or horse is assisting a law enforcement officer in the performance of the officer's official duties at the time the physical harm is caused or attempted.

(2) The police dog or horse is not assisting a law enforcement officer in the performance of the officer's official duties at the time the physical harm is caused or attempted, but the offender has actual knowledge that the dog or horse is a police dog or horse.

(B) No person shall recklessly do any of the following:

(1) Taunt, torment, or strike a police dog or horse;

(2) Throw an object or substance at a police dog or horse;

(3) Interfere with or obstruct a police dog or horse, or interfere with or obstruct a law enforcement officer who is being assisted by a police dog or horse, in a manner that does any of the following:

(a) Inhibits or restricts the law enforcement officer's control of the police dog or horse;

(b) Deprives the law enforcement officer of control of the police dog or horse;

(c) Releases the police dog or horse from its area of control;

(d) Enters the area of control of the police dog or horse without the consent of the law enforcement officer, including placing food or any other object or substance into that area;

(e) Inhibits or restricts the ability of the police dog or horse to assist a law enforcement officer.

(4) Engage in any conduct that is likely to cause serious physical injury or death to a police dog or horse.

(5) If the person is the owner, keeper, or harborer of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger a police dog or horse that at the time of the conduct, the police dog or horse is assisting a law enforcement officer in the performance of the officer's duties or that the person knows is a police dog or horse.

(C) No person shall knowingly cause, or attempt to cause, physical harm to an assistance dog in either of the following circumstances:

(1) The dog, at the time the physical harm is caused or attempted, is assisting or serving a person who is blind, deaf, or hearing impaired or a person with a mobility impairment.

(2) The dog, at the time the physical harm is caused or attempted, is not assisting or serving a person who is blind, deaf, or hearing impaired or a person with a mobility impairment, but the offender has actual knowledge that the dog is an assistance dog.

(D) No person shall recklessly do any of the following:

(1) Taunt, torment, or strike an assistance dog;

(2) Throw an object or substance at an assistance dog;

(3) Interfere with or obstruct an assistance dog, or interfere with or obstruct a person who is blind, deaf, or hearing impaired or a person with a mobility impairment who is being assisted or served by an assistance dog, in a manner that does any of the following:

(a) Inhibits or restricts the assisted or served person's control of the dog;

(b) Deprives the assisted or served person of control of the dog;

(c) Releases the dog from its area of control;

(d) Enters the area of control of the dog without the consent of the assisted or served person, including placing food or any other object or substance into that area;

(e) Inhibits or restricts the ability of the dog to assist the assisted or served person.

(4) Engage in any conduct that is likely to cause serious physical injury or death to an assistance dog;

(5) If the person is the owner, keeper or harborer of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger an assistance dog that at the time of the conduct is assisting or serving a person who is blind, deaf, or hearing impaired or a person with a mobility impairment or that the person knows is an assistance dog.

(E) (1) Whoever violates subsection (A) hereof is guilty of assaulting a police dog or horse. If the violation results in physical harm to the police dog or horse, assaulting a police dog or horse is a misdemeanor of the first degree. If the violation does not result in death, serious physical harm, or physical harm to the police dog or horse, assaulting a police dog or horse is a misdemeanor of the second degree. If the violation results in death or serious physical harm to the police dog or horse, such violation is a felony and shall be prosecuted under appropriate State law.

(2) Whoever violates subsection (B) hereof is guilty of harassing a police dog or horse. Except as otherwise provided in this subsection, harassing a police dog or horse is a misdemeanor of the second degree. If the violation results in the death of the police dog or horse or if the violation results in serious physical harm to the police dog or horse but does not result in its death, harassing a police dog or horse is a felony and shall be prosecuted under appropriate State law. If the violation results in physical harm to the police dog or horse but does not result in its death or in serious physical harm to it, harassing a police dog or horse is a misdemeanor of the first degree.

(3) Whoever violates subsection (C) hereof is guilty of assaulting an assistance dog. If the violation results in physical harm to the dog other than death or serious physical harm, assaulting an assistance dog is a misdemeanor of the first degree. If the violation does not result in death, serious physical harm, or physical harm to the dog, assaulting an assistance dog is a misdemeanor of the second degree. If the violation results in death or serious physical harm to the dog, such violation is a felony and shall be prosecuted under appropriate State law.

(4) Whoever violates subsection (D) of this section is guilty of harassing an assistance dog. Except as otherwise provided in this subsection, harassing an assistance dog is a misdemeanor of the second degree. If the violation results in the death of or serious physical harm to the assistance dog but does not result in its death, harassing an assistance dog is a felony and shall be prosecuted under appropriate State law. If the violation results in physical harm to the assistance dog but does not result in its death or in serious physical harm to it, harassing an assistance dog is a misdemeanor of the first degree.

(5) In addition to any other sanction or penalty imposed for the offense under this section, whoever violates subsection (A), (B), (C) or (D) of this section is responsible for the payment of all of the following:

(a) Any veterinary bill or bill for medication incurred as a result of the violation by the Police Department regarding a violation of subsection (A) or (B) of this section or by the person who is blind, deaf, or hearing impaired or the person with a mobility impairment assisted or served by the assistance dog regarding a violation of subsection (C) or (D) of this section;

(b) The cost of any damaged equipment that results from the violation;

(c) If the violation did not result in the death of the police dog or horse or the assistance dog that was the subject of the violation and if, as a result of that dog or horse being the subject of the violation, the dog or horse needs further training or retraining to be able to continue in the capacity of a police dog or horse or an assistance dog, the cost of any further training or retraining of that dog or horse by a law enforcement officer or by the person who is blind, deaf, or hearing impaired or the person with a mobility impairment assisted or served by the assistance dog;

(d) If the violation resulted in the death of the assistance dog that was the subject of the violation or resulted in serious physical harm to the police dog or horse or the assistance dog or horse that was the subject of the violation to the extent that the dog or horse needs to be replaced on either a temporary or a permanent basis, the cost of replacing that dog or horse and of any further training of a new police dog or horse or a new assistance dog by a law enforcement officer or by the person who is blind, deaf, or hearing impaired or the person with a mobility impairment assisted or served by the assistance dog, which replacement or training is required because of the death of or the serious physical harm to the dog or horse that was the subject of the violation.

(F) This section does not apply to a licensed veterinarian whose conduct is in accordance with ORC Ch. 4741.

(G) This section only applies to an offender who knows or should know at the time of the violation that the police dog or horse or assistance dog that is the subject of a violation under this section is a police dog or horse or assistance dog.

(H) As used in this section:

(1) *Physical harm* means any injury, illness, or other physiological impairment, regardless of its gravity or duration.

(2) *Police dog or horse* means a dog or horse that has been trained, and may be used, to assist law enforcement officers in the performance of their official duties.

(3) *Serious physical harm* means any of the following:

(a) Any physical harm that carries a substantial risk of death;

(b) Any physical harm that causes permanent maiming or that involves some temporary, substantial maiming;

(c) Any physical harm that causes acute pain of a duration that results in substantial suffering.

(4) *Assistance dog*, *blind*, and *person with a mobility impairment* have the same meanings as in ORC ~~955.011~~ 955.021. (ORC 2921.321)

(Ord. 019-2024. Passed 5-13-2024)

CHAPTER 529. LIQUOR CONTROL*

CHAPTER 533. OBSCENITY AND SEX OFFENSES*

CHAPTER 537. OFFENSES AGAINST PERSONS*

Sec. 537.02. Vehicular homicide and manslaughter.

(A) No person, while operating or participating in the operation of a motor vehicle, motorcycle, under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor scooter, all-purpose vehicle, utility vehicle, mini-truck, snowmobile, locomotive, watercraft, or aircraft, shall cause the death of another or the unlawful termination of another's pregnancy in any of the following ways:

(1)

(a) Negligently;

(b) As the proximate result of committing, while operating or participating in the operation of a motor vehicle, under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor scooter, all-purpose vehicle, utility vehicle, mini-truck, or motorcycle in a construction zone, a speeding offense, provided that this subsection applies only if the person whose death is caused or whose pregnancy is unlawfully terminated is in the construction zone at the time of the offender's commission of the speeding offense in the construction zone and does not apply as described in subsection (D) of this section.

(2) As the proximate result of committing a violation of any provision of any section contained in Title XLV of the Ohio Revised Code that is a minor misdemeanor or of a municipal ordinance that, regardless of the penalty set by ordinance for the violation, is substantially equivalent to any provision of any section contained in Title XLV of the Ohio Revised Code that is a minor misdemeanor.

(B) (1) Whoever violates subsection (A)(1) of this section is guilty of vehicular homicide. Except as otherwise provided in this subsection, vehicular homicide is a misdemeanor of the first degree. Vehicular homicide is a felony and shall be prosecuted under appropriate State law if, at the time of the offense, the offender was driving under a suspension or cancellation imposed under ORC Ch. 4510 or any other provision of the Ohio Revised Code or was operating a motor vehicle or motorcycle, did not have a valid driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, and was not eligible for renewal of the offender's driver's license or commercial driver's license

*__Cross references__—Physical harm to persons defined, § 501.01 (C), (E); fighting; provoking violent response, § 509.03

__State law reference__—See sectional histories for similar State law.

without examination under ORC 4507.10 or if the offender previously has been convicted of or pleaded guilty to a violation of this section or any traffic-related homicide, manslaughter or assault offense. The court shall impose a mandatory jail term on the offender when required by ORC 2903.06(E).

(2) Whoever violates subsection (A)(2) of this section is guilty of vehicular manslaughter. Except as otherwise provided in this subsection, vehicular manslaughter is a misdemeanor of the second degree. Vehicular manslaughter is a misdemeanor of the first degree if, at the time of the offense, the offender was driving under a suspension or cancellation imposed under ORC Chapter 4510 or any other provision of the Ohio Revised Code or was operating a motor vehicle or motorcycle, did not have a valid driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, and was not eligible for renewal of the offender's driver's license or commercial driver's license without examination under ORC 4507.10 or if the offender previously has been convicted of or pleaded guilty to a violation of this section or any traffic-related homicide, manslaughter, or assault offense.

(C) The court shall impose a mandatory jail term of at least fifteen days on an offender who is convicted of or pleads guilty to a violation of subsection (A)(1)(b) of this section and may impose upon the offender a longer jail term as authorized pursuant to Section 501.99. The court shall impose a mandatory prison term on an offender who is convicted of or pleads guilty to a violation of subsection (A)(1)(a) hereof if either of the following applies:

(1) The offender previously has been convicted of or pleaded guilty to a violation of this section or ORC 2903.06 or 2903.08.

(2) At the time of the offense, the offender was driving under suspension or cancellation under ORC Ch. 4510 or any other provision of the Ohio Revised Code or was operating a motor vehicle or motorcycle, did not have a valid driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, and was not eligible for renewal of the offender's driver's license or commercial driver's license without examination under ORC 4507.10.

(D) Subsection (A)(1)(b) does not apply in a particular construction zone unless signs of the type described in ORC 2903.081 are erected in that construction zone in accordance with the guidelines and design specifications established by the Director of Transportation under ORC 5501.27. The failure to erect signs of the type described in ORC 2903.081 in a particular construction zone in accordance with those guidelines and design specifications does not limit or affect the application of subsections (A)(1)(a) or (A)(2) of this section in that construction zone or the prosecution of any person who violates any of those subsections in that construction zone.

(E) As used in this section:

(1) *Mandatory prison term* and *mandatory jail term* have the same meanings as in ORC 2929.01.

(2) *Traffic-related homicide, manslaughter or assault offense* means a violation of ORC 2903.04 in circumstances in which division (D) of that section applies, a violation of ORC 2903.06 or 2903.08, or a violation of ORC 2903.06, 2903.07 or 2903.08 as they existed prior to March 23, 2000.

(3) *Construction zone* has the same meaning as in ORC 5501.27.

(4) *Speeding offense* means a violation of ORC 4511.21 or a municipal ordinance pertaining to speed.

(5) *Motor vehicle, mini-truck, under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor scooter, and utility vehicle* have the same meanings as in ORC 4501.01.

(6) *All-purpose vehicle* has the same meaning as in ORC 4519.01.

(F) For the purposes of this section, when a penalty or suspension is enhanced because of a prior or current violation of a specified law or a prior or current specified offense, the reference to the violation of the specified law or the specified offense includes any violation of any substantially equivalent municipal ordinance, former law of this State, or current or former law of another state or the United States. (ORC 2903.06)

(G) The court imposing a sentence upon an offender for any violation of this section also shall impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (B) of ORC 4510.02 that is equivalent in length to the suspension required for a violation of ORC 2903.06 under similar circumstances. (ORC 4510.07)

(Ord. No. 015-2025. Passed 4-28-2025)

Sec. 537.021. Vehicular assault in a construction zone.

(A) No person, while operating or participating in the operation of a motor vehicle, motorcycle, under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor

scooter, all-purpose vehicle, utility vehicle, mini-truck, snowmobile, locomotive, watercraft, or aircraft, shall cause serious physical harm to another person or another's unborn as the proximate result of committing, while operating or participating in the operation of a motor vehicle or motorcycle in a construction zone, a speeding offense. This subsection applies only if the person to whom the serious physical harm is caused or to whose unborn the serious physical harm is caused is in the construction zone at the time of the offender's commission of the speeding offense in the construction zone and does not apply as described in subsection (D) hereof.

(B) Whoever violates this section is guilty of vehicular assault. Except as provided in this subsection, vehicular assault is a misdemeanor of the first degree. Vehicular assault is a felony if, at the time of the offense, the offender was driving under a suspension imposed under ORC Ch. 4510, or any other provision of the Ohio Revised Code or if the offender previously has been convicted of or pleaded guilty to a violation of this section or any traffic-related homicide, manslaughter, or assault offense, and shall be prosecuted under appropriate state law.

In addition to any other sanctions imposed, the court shall impose upon the offender a class four suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(4) of ORC 4510.02.

(C) The court shall impose a mandatory jail term of at least seven days on an offender who is convicted of or pleads guilty to a violation of this section and may impose upon the offender a longer jail term as authorized pursuant to Section 501.99.

(D) This section does not apply in a particular construction zone unless signs of the type described in ORC 2903.081 are erected in that construction zone in accordance with the guidelines and design specifications established by the Director of Transportation under ORC 5501.27.

(E) As used in this section:

(1) *Mandatory jail term* has the same meaning as in ORC 2929.01.

(2) *Traffic-related homicide, manslaughter or assault offense* has the same meaning as in ORC 2903.06.

(3) *Construction zone* has the same meaning as in ORC 5501.27.

(4) *Speeding offense* has the same meaning as in ORC 2903.06.

(5) *Motor vehicle, mini-truck, under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor scooter, and utility vehicle* have the same meanings as in ORC 4501.01.

(6) *All-purpose vehicle* has the same meaning as in ORC 4519.01.

(F) For the purposes of this section, when a penalty or suspension is enhanced because of a prior or current violation of a specified law or a prior or current specified offense, the reference to the violation of the specified law or the specified offense includes any violation of any substantially equivalent municipal ordinance, former law of this State, or current or former law of another state or the United States. (ORC 2903.08)

(Ord. No. 015-2025. Passed 4-28-2025)

Sec. 537.06. Menacing.

(A) (1) No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family. In addition to any other basis for the other person's belief that the offender will cause physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediately family, the other person's belief may be based on words or conduct of the offender that are directed at or identify a corporation, association or other organization that employs the other person or to which the other person belongs.

(2) No person shall knowingly place or attempt to place another in reasonable fear of physical harm or death by displaying a deadly weapon, regardless of whether the deadly weapon displayed is operable or inoperable, if either of the following applies:

(a) The other person is an emergency service responder, the person knows or reasonably should know that the other person is an emergency service responder, and it is the person's specific purpose to engage in the specified conduct against an emergency service responder.

(b) The other person is a family or household member or co-worker of an emergency service responder, the person knows or reasonably should know that the other person is a family or household member or co-worker of an emergency service responder, and it is the person's specific purpose to engage in the specified conduct against a family or household member or co-worker of an emergency service responder.

(B) Whoever violates this section is guilty of menacing.

Except as otherwise provided in this division, menacing is a misdemeanor of the fourth degree. If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties or if the victim of the offense is an emergency service responder in the performance of the responder's official duties, menacing is one of the following:

If the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency or an emergency service responder, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties or the responder's performance of the responder's official duties, menacing is a felony and shall be prosecuted under appropriate State law.

(C) A prosecution for a violation of this section does not preclude a prosecution of a violation of any other section of the Revised Code. One or more acts, a series of acts, or a course of behavior that can be prosecuted under this section or any other section of the Revised Code may be prosecuted under this section, the other section of the Revised Code, or both sections. However, if an offender is convicted of or pleads guilty to a violation of this section and also is convicted of or pleads guilty to a violation of ORC 2903.13 based on the same conduct involving the same victim that was the basis of the violation of this section, the two offenses are allied offenses of similar import under ORC 2941.25.

(D) As used in this section:

(1) "Emergency service responder," "family or household member," and "co-worker" have the same meanings as in ORC 2903.13.

(2) *Organization* includes an entity that is a governmental employer.

(3) *Probation officer* means a probation officer appointed by a municipal court under ORC 1901.33, a probation officer appointed by a county court under ORC 1907.201, and a probation officer appointed by a court of common pleas under ORC 2301.27.

(ORC 2903.22)

(Ord. 019-2024. Passed 5-13-2024)

Sec. 537.18. Contributing to unruliness or delinquency of a child.

(A) As used in this section:

(1) *Delinquent child* has the same meaning as in ORC 2152.02.

(2) *Unruly child* has the same meaning as in ORC 2151.022.

(B) No person, including a parent, guardian or other custodian of a child, shall do any of the following:

(1) Aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming an unruly child or a delinquent child;

(2) Act in a way tending to cause a child or a ward of the juvenile court to become an unruly child or a delinquent child;

(3) Act in a way that contributes to ~~an adjudication of the child as a delinquent child based on the child's violation of a court order adjudicating the child an unruly child for being an~~ a child being a habitual truant;

(4) If the person is the parent, guardian, or custodian of a child who has the duties under ORC Chs. 2152 and 2950 to register, register a new residence address, and periodically verify a residence address and, if applicable, to send a notice of intent to reside, and if the child is not emancipated, as defined in ORC 2919.121, fail to ensure that the child complies with those duties under ORC Chs. 2152 and 2950.

(C) An adjudication of a child as being unruly or delinquent is unnecessary for a conviction under this section.

(D) Whoever violates this section is guilty of contributing to the unruliness or delinquency of a child, a misdemeanor of the first degree. Each day of violation of this section is a separate offense. (ORC 2919.24)

Sec. 545.01. Definitions.

As used in this chapter, unless the context requires that a term be given a different meaning:

(A) *Deception* means knowingly deceiving another or causing another to be deceived, by any false or misleading representation, by withholding information, by preventing another from acquiring information, or by any other conduct, act or omission that creates, confirms or perpetuates a false impression in another, including a false impression as to law, value, state of mind, or other objective or subjective fact.

(B) *Defraud* means to knowingly obtain, by deception, some benefit for oneself or another, or to knowingly cause, by deception, some detriment to another.

(C) *Deprive* means to do any of the following:

(1) Withhold property of another permanently, or for such period that appropriates a substantial portion of its value or use, or with purpose to restore it only upon payment of a reward or other consideration;

(2) Dispose of property so as to make it unlikely that the owner will recover it;

(3) Accept, use or appropriate money, property or services, with purpose not to give proper consideration in return for the money, property or services, and without reasonable justification or excuse for not giving proper consideration.

(D) *Owner* means, unless the context requires a different meaning, any person, other than the actor, who is the owner of, who has possession or control of, or who has any license or interest in property or services, even though the ownership, possession, control, license or interest is unlawful.

(E) *Services* include labor, personal services, professional services, rental services, public utility services, including wireless service as defined in ORC 128.01(F)(1), common carrier services, and food, drink, transportation, entertainment and cable television services and, for purposes of ORC 2913.04, include cable services as defined in that section.

(F) *Writing* means any computer software, document, letter, memorandum, note, paper, plate, data, film or other thing having in or upon it any written, typewritten or printed matter, and any token, stamp, seal, credit card, badge, trademark, label or other symbol of value, right, privilege, license or identification.

(G) *Forge* means to fabricate or create, in whole or in part and by any means, any spurious writing, or to make, execute, alter, complete, reproduce or otherwise purport to authenticate any writing, when the writing in fact is not authenticated by that conduct.

*Cross references—Property defined, § 501.01(J); cheating, § 517.05; falsification, § 525.02; impersonating a public servant, § 525.03.
State law reference—See sectional histories for similar state law.

(H) *Utter* means to issue, publish, transfer, use, put or send into circulation, deliver or display.

(I) *Coin machine* means any mechanical or electronic device designed to do both of the following:

(1) Receive a coin, bill, or token made for that purpose;

(2) In return for the insertion or deposit of a coin, bill or token, automatically dispense property, provide a service or grant a license.

(J) *Slug* means an object that, by virtue of its size, shape, composition or other quality, is capable of being inserted or deposited in a coin machine as an improper substitute for a genuine coin, bill or token made for that purpose.

(K) *Theft offense* means any of the following:

(1) A violation of ORC 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.08, 2913.11, 2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2913.45, 2913.47, 2913.48, former 2913.47 or 2913.48, or 2913.51, 2915.05, or 2921.41.

(2) A violation of an existing or former municipal ordinance or law of this or any other state or the United States substantially equivalent to any section listed in subsection (K)(1) hereof or a violation of ORC 2913.41, 2913.81 or 2915.06 as it existed prior to July 1, 1996;

(3) An offense under an existing or former municipal ordinance or law of this or any other state or the United States involving robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit or fraud;

(4) A conspiracy or attempt to commit, or complicity in committing any offense under subsection (K)(1), (2) or (3) hereof.

(L) *Computer services* includes, but is not limited to, the use of a computer system, computer network, computer program, data that is prepared for computer use or data that is contained within a computer system or computer network.

(M) *Computer* means an electronic device that performs logical, arithmetic and memory functions by the manipulation of electronic or magnetic impulses. *Computer* includes, but is not limited to, all input, output, processing, storage, computer program or communication facilities that are connected or related, in a computer system or network to an electronic device of that nature.

(N) *Computer system* means a computer and related devices, whether connected or unconnected, including, but not limited to, data input, output and storage devices, data communications links, and computer programs and data that make the system capable of performing specified special purpose data processing tasks.

(O) *Computer network* means a set of related and remotely connected computers and communication facilities that includes more than one computer system that has the capability to transmit among the connected computers and communication facilities through the use of computer facilities.

(P) *Computer program* means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data.

(Q) *Computer software* means computer programs, procedures and other documentation associated with the operation of a computer system.

(R) *Data* means a representation of information, knowledge, facts, concepts or instructions that are being or have been prepared in a formalized manner and that are intended for use in a computer, computer system or computer network. For purposes of Section 545.07, *data* has the additional meaning set forth in subsection (A) of that section.

(S) *Cable television service* means any services provided by or through the facilities of any cable television system or other similar closed circuit coaxial cable communications system, or any microwave or similar transmission service used in connection with any cable television system or other similar closed circuit coaxial cable communications system.

(T) *Gain access* means to approach, instruct, communicate with, store data in, retrieve data from or otherwise make use of any resources of a computer, computer system or computer network, or any cable service or cable system both as defined in ORC 2913.04.

(U) *Credit card* includes, but is not limited to, a card, code, device or other means of access to a customer's account for the purpose of obtaining money, property, labor or services on credit, or for initiating an electronic fund transfer at a point-of-sale terminal, an automated teller machine or a cash dispensing machine.

(V) *Electronic fund transfer* has the same meaning as in 92 Stat. 3728, 15 U.S.C.A. 1693a, as amended.

(W) *Rented property* means personal property in which the right of possession and use of the property is for a short and possibly indeterminate term in return for consideration; the rentee generally controls the duration of possession of the property, within any applicable minimum or maximum term; and the amount of consideration generally is determined by the duration of possession of the property.

(X) *Telecommunication* means the origination, emission, dissemination, transmission, or reception of data, images, signals, sounds, or other intelligence or equivalence of intelligence of any nature over any communications system by any method, including, but not limited to, a fiber optic, electronic, magnetic, optical, digital, or analog method.

(Y) *Telecommunications device* means any instrument, equipment, machine, or other device that facilitates telecommunication, including, but not limited to, a computer, computer network, computer chip, computer circuit, scanner, telephone, cellular telephone, pager, personal communications device, transponder, receiver, radio, modem, or device that enables the use of a modem.

(Z) *Telecommunications service* means the providing, allowing, facilitating, or generating of any form of telecommunication through the use of a telecommunications device over a telecommunications system.

(AA) *Counterfeit telecommunications device* means a telecommunications device that, alone or with another telecommunications device, has been altered, constructed, manufactured, or programmed to acquire, intercept, receive, or otherwise facilitate the use of a telecommunications service or information service without the authority or consent of the provider of the telecommunications service or information service. *Counterfeit telecommunications device* includes, but is not limited to, a clone telephone, clone microchip, tumbler telephone, or tumbler microchip; a wireless scanning device capable of acquiring, intercepting, receiving, or otherwise facilitating the use of telecommunications service or information service without immediate detection; or a device, equipment, hardware, or software designed for, or capable of, altering or changing the electronic serial number in a wireless telephone.

(BB) (1) *Information service* means, subject to subsection (BB) (2) hereof, the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, including, but not limited to, electronic publishing.

> (2) *Information service* does not include any use of a capability of a type described in subsection (BB) (1) hereof for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

(CC) *Elderly person* means a person who is sixty-five years of age or older.

(DD) *Disabled adult* means a person who is eighteen years of age or older and has some impairment of body or mind that makes the person unable to work at any substantially remunerative employment that the person otherwise would be able to perform and that will, with reasonable probability, continue for a period of at least twelve months without any present indication of recovery from the impairment, or who is eighteen years of age or older and has been certified as permanently and totally disabled by an agency of this State or the United States that has the function of so classifying persons.

(EE) *Firearm* and *dangerous ordnance* have the same meanings as in ORC 2923.11.

(FF) *Motor vehicle* has the same meaning as in ORC 4501.01.

(GG) *Dangerous drug* has the same meaning as in ORC 4729.01.

(HH) *Drug abuse offense* has the same meaning as in ORC 2925.01.

(II) *Police dog or horse* has the same meaning as in ORC 2921.321.

(JJ) *Anhydrous ammonia* is a compound formed by the combination of two gaseous elements, nitrogen and hydrogen, in the manner described in this subsection. Anhydrous ammonia is one part nitrogen to three parts hydrogen (NH3). Anhydrous ammonia by weight is fourteen parts nitrogen to three parts hydrogen, which is approximately eighty-two per cent nitrogen to eighteen per cent hydrogen.

(KK) *Assistance dog* has the same meaning as in ORC ~~955.011~~ 955.021.

(LL) *Active duty service member* means any member of the armed forces of the United States performing active duty under Title 10 of the United States Code. (ORC 2913.01)

(Ord. 006-2022. Passed 3-14-2022; Ord. No. 015-2025. Passed 4-28-2025)

Sec. 545.05. Misdemeanor theft.

(A) No person, with purpose to deprive the owner of property or services, shall knowingly obtain or exert control over either the property or services in any of the following ways:

(1) Without the consent of the owner or person authorized to give consent;

(2) Beyond the scope of the express or implied consent of the owner or person authorized to give consent;

(3) By deception;

(4) By threat;

(5) By intimidation.

(B) Whoever violates this section is guilty of misdemeanor theft, a misdemeanor of the first degree. Petty theft is a felony and shall be prosecuted under appropriate State law if:

(1) The value of the property or services stolen is one thousand dollars ($1,000.00) or more;

(2) The victim of the offense is an elderly person, disabled adult, active duty service member, or spouse of an active duty service member,

(3) The property stolen is a firearm or dangerous ordnance,

(4) The property stolen is a motor vehicle,

(5) The property stolen is any dangerous drug,

(6) The property stolen is a police dog or horse or an assistance dog and the offender knows or should know that the property stolen is a police dog or horse or an assistance dog,

(7) The property stolen is anhydrous ammonia, or

(8) The property stolen is a special purpose article as defined in ORC 4737.04 or a bulk merchandise container as defined in ORC 4737.012.

(9)(a) If the property stolen is a catalytic converter, a violation of this section is theft of a catalytic converter, a felony of the fifth degree.

(b) If the property stolen is a catalytic converter and the offender is a business entity, a violation of this section is enterprise theft of a catalytic converter and, pursuant to ORC 2929.31, is punishable by a fine of not more than seven thousand five hundred dollars per violation.

(c) The clerk of the court shall pay any fine imposed pursuant to division (B)(10) of this section to the county, township, municipal corporation, park district as created pursuant to ORC 511.18 or 1545.04, or state law enforcement agencies in this state that primarily were responsible for, or involved in, arresting and prosecuting the offender.

(d) As used in division (B)(9) of this section, “catalytic converter” has the same meaning as in ORC 4737.04.

(C) In addition to the penalties described in subsection (B) of this section, if the offender committed the violation by causing a motor vehicle to leave the premises of an establishment at which gasoline is offered for retail sale without the offender making full payment for gasoline that was dispensed into the fuel tank of the motor vehicle or into another container, the court may do one of the following:

(1) Unless subsection (C)(2) of this section applies, suspend for not more than six months the offender's driver's license, probationary driver's license, commercial driver's license, temporary instruction permit, or nonresident operating privilege;

(2) If the offender's driver's license, probationary driver's license, commercial driver's license, temporary instruction permit, or nonresident operating privilege has previously been suspended pursuant to subsection (C)(1) of this section, impose a class seven suspension of the offender's license, permit, or privilege from the range specified in ORC 4510.02(A)(7), provided that the suspension shall be for at least six months.

(3) The court, in lieu of suspending the offender's driver's or commercial driver's license, probationary driver's license, temporary instruction permit, or nonresident operating privilege pursuant to subsections (C)(1) or (2) of this section, instead may require the offender to perform community service for a number of hours determined by the court.

(D) In addition to the penalties described in subsection (B) hereof, if the offender committed the violation by stealing rented property or rental services, the court may order that the offender make restitution pursuant to ORC 2929.18 or 2929.28. Restitution may include, but is not limited to, the cost of repairing or replacing the stolen property, or the cost of repairing the stolen property and any loss of revenue resulting from deprivation of the property due to theft of rental services that is less than or equal to the actual value of the property at the time it was rented. Evidence of intent to commit theft of rented property or rental services shall be determined pursuant to the provisions of ORC 2913.72.

(E) The sentencing court that suspends an offender's license, permit, or nonresident operating privilege under subsection (C) of this section may grant the offender limited driving privileges during the period of the suspension in accordance with ORC Ch. 4510. (ORC 2913.02)

(Ord. 019-2024. Passed 5-13-2024)

Sec. 545.18. Receiving stolen property.

(A) As used in this section:

(1) *Bulk merchandise container* has the same meaning as in ORC 4737.012.

(2) *Catalytic converter and special purchase article* have the same meanings as in ORC 4737.04.

(3) *Dangerous drug* has the same meaning as in ORC 4729.01.

(4) *Dangerous ordnance and firearm* have the same meanings as in ORC 2923.11.

(5) *Motor vehicle* has the same meaning as in ORC 4501.01.

(B) No person shall receive, retain or dispose of property of another, knowing or having reasonable cause to believe that the property has been obtained through commission of a theft offense.

(~~B~~C) It is not a defense to a charge of receiving stolen property in violation of this section that the property was obtained by means other than through the commission of a theft offense if the property was explicitly represented to the accused person as being obtained through the commission of a theft offense.

(~~C~~D) Whoever violates this section is guilty of receiving stolen property, a misdemeanor of the first degree. Receiving stolen property is a felony and shall be prosecuted under appropriate State law if:

(1) The value of the property involved is one thousand dollars ($1,000.00) or more; or

(2) The property involved is:

(a) Listed in Section 545.03; or

(b) A motor vehicle ~~as defined in ORC 4501.01~~; or

(c) A dangerous drug ~~as defined in ORC 4729.01~~., firearm, or dangerous ordinance; or

(d) A special purchase article as defined in ORC 4737.04 or a bulk merchandise container as defined in ORC 4737.012.

(E)(1) Except as otherwise provided in this division, if the property involved is a catalytic converter, a violation of this section is receiving a stolen catalytic converter, a felony of the fifth degree.

(2) If the property involved is a catalytic converter and the offender is a business entity, a violation of this section is enterprise receipt of a stolen catalytic converter and, pursuant to ORC 2929.31, is punishable by a fine of not more than seven thousand five hundred dollars per violation.

(3) The clerk of the court shall pay any fine imposed pursuant to division (E) of this section to the county, township, municipal corporation, park district, as created pursuant to ORC 511.18 or 1545.04, or state law enforcement agencies in this state

that primarily were responsible for or involved in arresting and prosecuting the offender.

(ORC 2913.51)

CHAPTER 549. WEAPONS AND EXPLOSIVES*

CHAPTER 553. RAILROADS*

CHAPTER 557. WEEDS, TREES AND SHRUBBERY*

CHAPTER 559. USE OF ALL-PURPOSE VEHICLES*

Section VII. If any section, subsection, sentence, clause, phrase or portion of the Ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances. The governing authority of the City of Marysville, Ohio hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

Section VIII. All ordinances and parts of ordinances in conflict herewith are expressly repealed.

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Passed: _____

_____
PRESIDENT OF COUNCIL

APPROVED AS TO FORM:

_____
LAW DIRECTOR

ATTEST:

_____
CLERK OF COUNCIL

Codifier: Added material is underlined, deleted material is struck through.