

**Village of Botkins, Ohio
Resolution No. 25-01**

**A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING
AND REPAIRING CERTAIN SIDEWALKS, CURBS, AND APPROACHES IN
THE VILLAGE OF BOTKINS, OHIO, AND REQUIRING THAT ABUTTING
PROPERTY OWNERS CONSTRUCT OR REPAIR THE SAME**

WHEREAS, the Council of the Village of Botkins ("Council") has found it necessary to construct and repair certain sidewalks, curbs, and approaches in the Village of Botkins in accordance with the plans, specifications, and estimate of cost therefore prepared by the Village Administrator and now on file in the office of the Clerk of Council. Said plans, specifications, and estimates are hereby approved; and

WHEREAS, the descriptions of the lots and parcels hereby affected are provided as "exhibit A";

NOW, THEREFORE, be it ordained by the Council of the Village of Botkins; a majority of the members elected thereto concurring herein:

SECTION 1:

The owners of the lots and lands bounding and abutting the proposed sidewalks, curbs, and approaches, shall construct or repair, in accordance with the plans and specifications now on file with the Clerk of Council, those portions of such sidewalks, curbs, and approaches abutting on their respective properties.

SECTION 2:

That the construction or repair by the owners of the lots and lands abutting upon such sidewalks, curbs, and approaches shall be constructed or repaired within 90 days from the date of the service of notice as set forth in R.C. 729.03.

SECTION 3:

That if such construction or repair is not completed by the owners of the lots and lands abutting on such sidewalks, curbs, and approaches within 90 days of the service of notice, then this Council shall have the same done and the entire cost thereof shall be assessed upon the property of each defaulting owner and made a lien thereon, to be collected in the manner provided by law, with penalty and interest.

SECTION 4:

That the Clerk of this Council is directed to cause written notice of the passage of this Resolution to be served as required by law.

SECTION 5:

That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this legislation were adopted in open meetings of this Council; and, that all deliberations of this Council and any of its committees that resulted in such formal action, were in meeting open to the public, in compliance with all legal requirements, including Revised Code Section 121.22

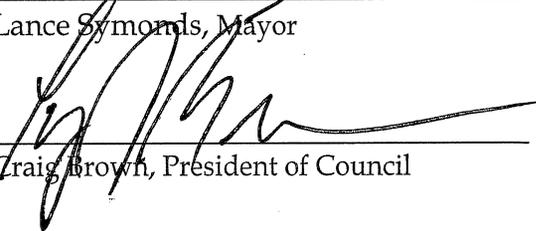
SECTION 6:

That this Resolution shall be in full force and effect from and after the earliest period allowed by law.

Adopted this 12 day of February 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

Attest:



Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-01 passed by the Council of the Village of Botkins on the 12 day of February, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.



Hannah Paul, Fiscal Officer

VILLAGE OF BOTKINS, OHIO
Resolution No. 25-02

A RESOLUTION INCREASING APPROPRIATION OF THE 2025 BUDGET \$17,200
AND TO DECLARE AN EMERGENCY

\$7,200.00 is to be appropriated to the General Fund in account A13A.252 Recreation
Capital Equipment.

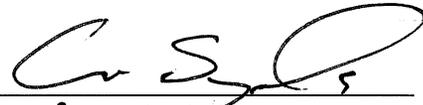
Funds to be appropriated for the cost new diving boards.

\$10,000.00 is to be appropriated to the Sewer Fund in account E25C.252 Sewer Capital
Equipment.

Funds to be appropriated for the purchase of a hydro excavator.

This Resolution is necessary as an emergency measure for the preservation of the health,
safety, and welfare of the residents of the Village. This Resolution shall go into immediate
effect upon its passage.

Passed this 8th day of January 2025.

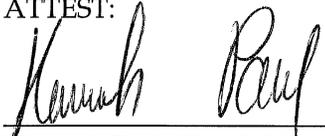


Lance Symonds, Mayor



Craig Brown, President of Council

ATTEST:

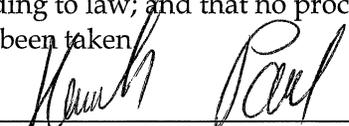


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify
that the foregoing is a true and correct copy of Resolution No. 25-02 passed by the Council
of the Village of Botkins on the 8th day of January, 2025; that publication of such Resolution
has been made and certified of record according to law; and that no proceedings looking
to a referendum upon such Resolution have been taken.



Hannah Paul, Fiscal Officer

Village of Botkins, Ohio
Ordinance No. 25-03

**AN ORDINANCE PERMITTING THE CONSUMPTION OF ALCOHOLIC
BEVERAGES ON CERTAIN DESIGNATED STREETS WITHIN THE
VILLAGE OF BOTKINS DURING CAROUSEL DAYS**

WHEREAS, the Botkins Area Community Club, Inc., an Ohio non-profit corporation which has been determined by the Internal Revenue Service to be exempt from taxation as a charitable organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (“Community Club”), will again organize and sponsor a community fundraising event within the Village of Botkins known as “Carousel Days;”

WHEREAS, as in prior years, the Community Club intends to apply for and obtain a liquor license from the Ohio Department of Liquor Control to sell certain alcoholic beverages, including but not limited to beer and wine, during the Carousel Days (“License”); and

WHEREAS, the location of Carousel Days will include certain designated public streets of the Village, and

WHEREAS, the Council of the Village is willing to assist the Community Club by permitting the consumption of beer and other alcoholic beverages which are within the scope of the Community Club’s License (collectively, “Alcoholic Beverages”) on certain designated streets within the Village where Carousel Days will be located within the limited dates and permitted under the License;

NOW, THEREFORE, be it ordained by the Council of the Village of Botkins, Ohio, a majority of the members elected thereto concurring herein:

SECTION 1:

The consumption of Alcoholic Beverages by persons of legal age shall be permitted upon the streets designated in Section 2 of this Ordinance (“Designated Streets”) within the Village of Botkins, Shelby County, Ohio (“Village”) during the period of set up, clean up, and actual activities of Carousel Days to be held in the Village between June 2, 2025, and June 9, 2025.

SECTION 2:

The Designated Streets upon which the consumption of Alcoholic Beverages is permitted as set forth in this Ordinance are Dutch VanHorn Way

between East State Street and East Walnut Street and East Walnut Street between Dutch VanHorn Way Street and Huber Street within the Village. Dutch VanHorn Way will be closed to traffic from Monday, June 3rd through Monday, June 10th.

SECTION 3:

On the dates specified in Section 1 of this Ordinance, Alcoholic Beverages may be consumed by persons of legal age on the Designated Streets only between the hours of 10 a.m. and 2 a.m. on Friday and Saturday, and between the hours of 10 a.m. and 1 a.m. on Sunday.

SECTION 4:

Anyone who consumes Alcoholic Beverages on a public street other than on the Designated Streets and/or at times other than set forth in this Ordinance, shall be deemed guilty of a violation of Chapter 92 of the Codified Ordinances of the Village.

SECTION 5:

The community club will be authorized to utilize various vehicles on Village streets to assist in the set-up, management, and tear down of the Carousel event.

SECTION 6:

The Village will provide security for the event with the presence and patrol of the Botkins Police Department, and the assistance of other local law enforcement as deemed necessary by the Botkins Police Chief and Village Council.

SECTION 7:

The Village will authorize and implement a no parking rule on South, State, and Main Streets on Sunday, June 8, 2025, from 6 a.m. to 1 p.m. for the Botkins Carousal Parade.

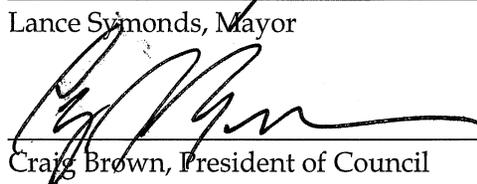
SECTION 7:

This Ordinance shall take effect on the earliest date provided by the law.

Adopted this 26 day of March, 2025.

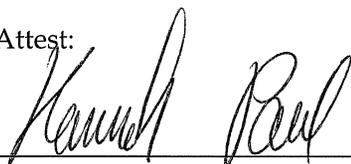


Lance Symonds, Mayor



Craig Brown, President of Council

Attest:

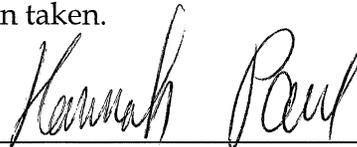


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-03 passed by the Council of the Village of Botkins on the 26 day of March, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

RESOLUTION NO. 25-04

Resolution to Approve the Creation and Participation in the Northern Shelby County Joint Ambulance District

WHEREAS, the undersigned, Council of the Village of Botkins, Shelby County, Ohio, being the duly elected legislative authority of the said municipal corporation, has determined that it is in the best interest of the health, welfare, and safety of its citizens to join together with other townships and villages to provide ambulance services for the benefit of their respective townships and villages;

NOW THEREFORE, the said Village Council hereby approves and resolves, by a majority of its members, the creation and participation in a joint ambulance district, pursuant to Ohio Revised Code §505.71, as currently provided or as may be amended from time to time in the future, to meet the needs of its respective citizens for ambulance services; and

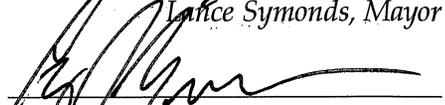
The said Village Council hereby appoint Lance Symonds to serve as its duly appointed representative to the Board of Trustees of the Northern Shelby County Joint Ambulance District, to serve at the pleasure of said Village Council, with compensation as provided by law and lawful enactments of the Board of Trustees of the Northern Shelby County Ambulance District.

Adopted the 26th day of March, 2025.

Village of Botkins



Lance Symonds, Mayor



Craig Brown, Council President

Attest: 

Hannah Paul, Village Fiscal Officer

**VILLAGE OF BOTKINS, OHIO
BOARD OF EDUCATION OF THE BOTKINS LOCAL SCHOOL
JOINT RESOLUTION ESTABLISHING A JOINT RECREATION BOARD, REPEALING
AND REPLACING VILLAGE RESOLUTION 98-28 AND SCHOOL BOARD
RESOLUTION 146**

Village Resolution No. 25-05

School Board Resolution No.

WHEREAS, the Ohio Revised Code §755.16 provides that a municipal corporation and a school district may combine to acquire, construct, operate, and maintain property for use as, among other things, parks, playgrounds, and playfields; and

WHEREAS, Ohio Revised Code §755.14 permits and authorizes various political subdivisions, including but not limited to municipal corporations and school boards, to establish a joint recreation board which possesses all the powers and is subject to all the responsibilities of the respective local authorities under §755.12 to §755.18 of the Ohio Revised Code; and

WHEREAS, the Village of Botkins, an Ohio municipal corporation ("Village") and the Board of Education of the Botkins Local School, an Ohio local school district ("School Board") have worked together to acquire and improve certain real property for use as a park, playground, and playfields; and

WHEREAS, the Village and the School, under the authority of Ohio Revised Code §755.14, through Village Resolution No. 98-28 and School Board Resolution No. 146 have previously established a joint recreation board which possesses all the powers and to be subject to all the responsibilities of each respective local authority under Ohio Revised Code §755.12 to §755.18; and

WHEREAS, Ohio Revised Code §755.14 provides that the resolution establishing a joint recreation board shall, among other things, specify the number of members of the joint recreation board and the method of appointing members and filling vacancies; and

WHEREAS, the Village and the School Board have determined that certain section of the joint resolutions, Village Resolution No. 98-28 and School Board Resolution No. 146, are in need of updates.

NOW, THEREFORE, be it jointly resolved by the Council of the Village and the School Board, as follows:

§ 31.15 ESTABLISHMENT.

There shall be and is hereby established a joint recreation board between the village and the School Board to possess all the powers and to be subject to all the responsibilities under R.C. §§ 755.12 to 755.18 ("Joint Recreation Board").

§ 31.16 JURISDICTION.

The jurisdiction of the Joint Recreation Board established under this subchapter shall be the park commonly known as the Botkins Community Park, located within the village on the north side of State Route 219, commonly referred to as State Street, near the east boundary of the village's corporation limits. The park more fully described in two

April 7, 1994, and recorded in Volume 321, at Pages 340 through 343 of the County Deed Records, and the other of which was executed and delivered to the village from the Botkins Area Community Club, ("Community Club") is dated April 5, 1994, filed for record in the Office of the County Recorder on April 7, 1994, and recorded in Volume 321 at Pages 337 through 339 of the County Deed Records (collectively, "the Park").

§ 31.17 POWER AND AUTHORITY.

The Joint Recreation Board established by this subchapter shall have the following power and authority to:

- (A) Acquire, in the manner provided by law for the acquisition of land or buildings for public purposes in municipal corporations, land and buildings for use as playgrounds, playfields and parks under R.C. § 755.12;
- (B) Supervise and maintain parks, playgrounds and playfields located at and in connection with the park;
- (C) Equip, develop and operate the park and the park facilities as authorized by R.C. §§ 755.12 through 755.18;
- (D) Employ play leaders, recreation directors, supervisors, superintendents, or any other officers or employees necessary for carrying out the purposes and functions of the Joint Recreation Board in connection with the park as authorized under R.C. § 755.13;
- (E) Acquire and pay the cost of insuring such officers or employees against liability on account of damages or injury to persons or property arising from or out of the activity and/or conduct of the members of the Joint Recreation Board established by this subchapter and the members in their performance of their official duties in connection with the park; and
- (F) Do all things which are necessary and incidental in connection with and in furtherance of the purposes of the Joint Recreation Board set forth in subchapter; the power and authority of the Joint Recreation Board set forth in this section; and the power and authority for Joint Recreation Board set forth in R.C. §§ 755.12 through 755.18 in connection with the park.

§ 31.18 COMPOSITION.

The Joint Recreation Board established by this subchapter in connection with the park shall consist and be composed of eight members who shall be selected and appointed as follows:

- (A) Two members of the Joint Recreation Board shall be members of the Village Council and shall be appointed by the Mayor with the consent of the Village Council. Neither member of the Village Council appointed under this provision shall also be a member of the School Board or the Community Club;
- (B) Two members of the Joint Recreation Board shall be a member of the School Board or shall be appointed by the School Board. The member appointed by the School Board shall not be a member of the Village Council or the Community Club; and
- (C) Four members of the Joint Recreation Board shall be at-large members, none of whom shall be a member of either the Village Council, the School Board or except as otherwise permitted in this division (C), the Community Club. The at-large members shall be appointed by the Mayor with the consent of Village Council. One of the at-large members appointed by the Mayor shall be a member of the Community Club which Community Club member shall also not be a member of the School Board or the Village Council.

§ 31.19 TERMS OF MEMBERS.

All members of the Joint Recreation Board shall serve the following terms:

- (A) Village Council members appointed under § 31.18(A) shall serve one-year terms.
- (B) The members appointed by the School Board under § 31.18(B) shall serve a one-year term.

(C) The member of the Community Club appointed by the Mayor as an at-large member under § 31.18(C) shall serve a one-year term.

(D) At-large members appointed by the Mayor and approved by Village Council under § 31.18(C) shall serve three-year terms.

§ 31.20 VACANCIES.

(A) A vacancy in the seat of any member of the Joint Recreation Board established by this subchapter occurring otherwise than by expiration of term shall be for the unexpired term of such vacant seat and shall be filled in the same manner as original appointments for the unexpired term of the vacated seat. A member of the Village Council, who is appointed to the Joint Recreation Board established by this subchapter, shall be required to vacate such member's seat on the Joint Recreation Board if the term of such person as a member of Village Council expires prior to the expiration to such member's term as a member of the Joint Recreation Board.

(B) A member of the School Board, who is appointed to the Joint Recreation Board established by this subchapter, shall be required to vacate such member's seat on the Joint Recreation Board if the term of such person as a member of the School Board expires prior to the expiration to such member's term as a member of the Joint Recreation Board.

§ 31.21 COMPENSATION.

As required under R.C. § 755.14, members of the Joint Recreation Board established by this subchapter shall serve without compensation.

§ 31.22 ORGANIZATION.

(A) Pursuant to the authority contained in R.C. § 755.15, the members of the Joint Recreation Board established by this subchapter shall elect their own chairperson and secretary, shall select all other necessary officers, and may employ such other persons as are needed.

(B) All officers, including, but not limited to, the chairperson and secretary of the Joint Recreation Board established by this subchapter, shall serve for a period of one year.

(C) The Joint Recreation Board established by this subchapter may adopt rules for the conduct of all business within its jurisdiction.

Effective Date

This joint resolution shall go into effect on the earliest date provided by law.

Passed this 26th day of March, 2025 by the Council of the Village of Botkins. By a majority of the members elected thereto.



Lance Symonds, Mayor



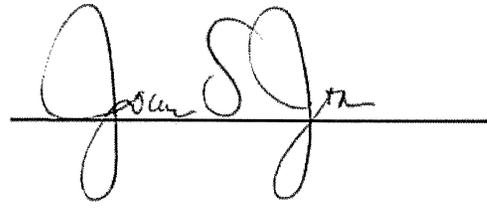
Craig Brown, President of Council

ATTEST:


Hannah Paul, Fiscal Officer

Passed this 12TH day of MARCH, 2025 by the Board of Education of the Botkins Local School. By a majority of the members elected thereto.


President

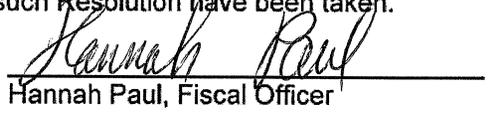


Treasurer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-02 passed by the Council of the Village of Botkins on the 8th day of January, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.


Hannah Paul, Fiscal Officer

Village of Botkins, Ohio

Ordinance No. 25-06

AN ORDINANCE DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES; AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Botkins, Ohio, finds that a "Notice of Applications to the Public Depositories for the Public Funds of the Village of Botkins, Ohio" has been duly published, and that written notice has been given to each eligible depository, all as required by law; and

WHEREAS, the application described below have been received from the following named institutions relating to inactive, interim and active deposits:

FOR INACTIVE DEPOSIT

<u>Name</u>	<u>Address</u>	<u>Max. Amount</u>	<u>Rate%</u>
First National Bank in New Bremen	P.O. Box 68 New Bremen, OH	\$4,000,000	TBD at time of deposit
Minster Bank	P.O. Box 90 Minster, OH	\$4,000,000	TBD at time of deposit
Ohio Star	30 E. Broad St. Columbus, OH 43215	\$4,000,000	TBD at time of deposit

FOR INTERIM DEPOSIT

<u>Name</u>	<u>Address</u>	<u>Max. Amount</u>	<u>Rate%</u>
Minster Bank	P.O. Box 90 Minster, OH	\$4,000,000	TBD at time of deposit

FOR ACTIVE DEPOSIT

<u>Name</u>	<u>Address</u>	<u>Max. Amount</u>	<u>Rate%</u>
First National Bank in New Bremen	P.O. Box 68 New Bremen, OH	\$4,000,000	TBD at time of deposit
Minster Bank	P.O. Box 90 Minster, OH	\$4,000,000	TBD at time of deposit
Ohio Star	30 E. Broad St. Columbus, OH 43215	\$4,000,000	TBD at time of deposit

WHEREAS, pursuant to Ohio Revised Code §135.18 or Ohio Revised Code §135.181, and in consideration for the award of public funds, each of the

applicant institutions has agreed, prior to receiving any deposits, to pledge to and to deposit with the Treasurer of the Village of Botkins, Ohio, as security for the repayment of public funds of the Village of Botkins, Ohio, to be deposited in the institution during the period of designation, eligible pooled securities or surety company bonds in an aggregate market value equal to the excess of the amount of public funds to be deposited over and above such amount as is insured by the Federal Deposit Insurance Corporation or any other agency or instrumentality of the federal government.

NOW, THEREFORE, be it resolved by the Council of the Village of Botkins, Ohio at least two-thirds (2/3) of the members elected thereto concurring herein:

SECTION 1:

The inactive, interim, and active deposits of public funds of the Village of Botkins, Ohio, shall be and the same hereby are awarded to the following named institutions. The institutions are hereby designated depositories for public funds in the maximum amount indicated after each institutions' name at the rate of interest indicated, for a period of five (5) years commencing August 24, 2021, subject to Chapter 135 of the Ohio Revised Code.

FOR INACTIVE DEPOSIT

<u>Name</u>	<u>Address</u>	<u>Max. Amount</u>	<u>Rate%</u>
First National Bank in New Bremen	P.O. Box 68 New Bremen, OH	\$4,000,000	TBD at time of deposit
Minster Bank	P.O. Box 90 Minster, OH	\$4,000,000	TBD at time of deposit

FOR INTERIM DEPOSIT

<u>Name</u>	<u>Address</u>	<u>Max. Amount</u>	<u>Rate%</u>
Minster Bank	P.O. Box 90 Minster, OH	\$4,000,000	TBD at time of deposit

FOR ACTIVE DEPOSIT

<u>Name</u>	<u>Address</u>	<u>Max. Amount</u>	<u>Rate%</u>
First National Bank in New Bremen	P.O. Box 68 New Bremen, OH	\$4,000,000	TBD at time of deposit
Minster Bank	P.O. Box 90 Minster, OH	\$4,000,000	TBD at time of deposit

SECTION 2:

A duplicate copy of this Resolution of Designation shall be certified to the Treasurer of the Village of Botkins, Ohio, in accordance with the awards hereby made, after causing each of the institutions to which public moneys of the Village of Botkins, Ohio, have been awarded to pledge and deposit with the treasurer the security in the manner required by Ohio Revised Code §135.18 or Ohio Revised Code §135.181.

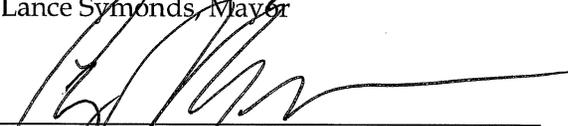
SECTION 3:

This Resolution is declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the residents of the Village. This Resolution shall go into immediate effect upon its passage.

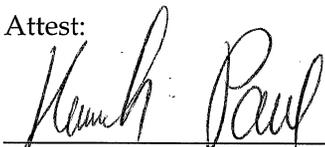
Adopted this 9 day of April, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

Attest:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-06 passed by the Council of the Village of Botkins on the 9 day of April, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

Village of Botkins

Ordinance 25-07

**AN ORDINANCE ESTABLISHING UTILITY RULES, POLICIES, AND
REGULATIONS PERTAINING TO THE VILLAGE OF BOTKINS WATER AND
SEWER UTILITIES**

WHEREAS, the Council of the Village of Botkins, Ohio, deems it necessary to establish certain rules, policies, and regulations pertaining to the Botkins Water and Sewer Utilities; and

WHEREAS, these rules will pertain to all properties connected to the Village's water distribution, and/or sewer collection systems; and

WHEREAS, upon passage this ordinance shall firmly establish all outlined rules, policies, and regulations, repealing previously passed rules, policies, and regulations which are irreconcilable with this ordinance.

NOW, THEREFORE, be it ordained by the Council of the Village of Botkins, a majority of the members elected thereto concurring herein:

Section 1

The Village Council does hereby adopt the utility polices as stated in "Exhibit A" of this Ordinance.



Lance Symonds, Mayor



Craig Brown, President of Council

Attest:

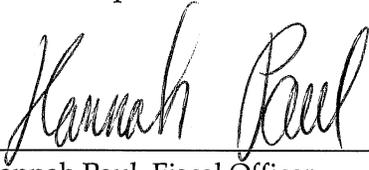


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-07 passed by the Council of the Village of Botkins on the 27th day of May, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

SECTION 1: GENERAL PROVISIONS

- A. No physical connection shall be maintained between any other source of water or liquid and the village water supply piping. No spigot or outlet shall be physically connected to a drain or sewer or be submerged. The proper cross-connection prevention device shall be installed in accordance with the village and OEPA regulations.
- B. There shall be no electrical ground of A/C and/or D/C power source permitted on the water system or any private extension thereof.
- C. A permit must be obtained by the property owner or a plumber engaged by the property owner in order to receive a service line connection. At this time the Administrator will check the property records to verify that all assessments levied against the property have been paid prior to issuing the permit. If the assessment and other charges levied have been paid, a permit will then be issued; if not, the property owner must pay the assessments and other charges levied before a permit is issued. Should a renewal of a service be desired, a permit will be issued by the Administrator after it is determined that there are no outstanding unpaid bills; then an employee of the village will restore the service. If the connection is made without first obtaining a proper permit, water service will be discontinued until a valid permit is obtained.
- D. The owner of the property may have a service discontinued by request to the village. The meter will be turned off or removed and water shut off at the curb by the village. Should it not be possible to obtain a final reading, a final invoice will be estimated on the time elapsed since the last reading and the estimated consumption as determined by the Village. Under no circumstances shall the closing statement be less than the minimum rate prorated for the time the water was used. When service is re-established, a reconnection charge will be levied. Charges will be prorated to the time lapsed.
- E. All employees of the village, designated for the purpose with proper identification, are authorized to enter, at reasonable hours, into any house, building or place supplied with water from or connected to, or traversed by water mains of the village, to examine bibs, pipes, meters, cisterns, reservoirs, tanks or other apparatus for the purpose of ascertaining the quantity of water consumed or supplied or for placing or taking away any meter, instrument, pipe fitting or other material belonging to the village or for any other reasonable purpose in connection with the water supply system.

SECTION 2: METER READING

- A. All meters will be read quarterly.

- B. If the meter reader is unable to obtain a reading because a meter is out of order, the meter will be replaced and the amount of water consumed will be estimated.
- C. If the meter is damaged due to negligence on the part of the property owner, the cost of replacement shall be assessed to the property's corresponding water/sewer bill.
- D. The village shall make a charge for any service requiring a special trip to the property, such as temporary shut-offs. Only representatives of the village are authorized to install, disconnect or remove water meters from a service. Any meter not properly removed, which becomes lost or not recoverable, shall be chargeable to the property owner. No person without a permit from the village is allowed to turn a stop chock, hydrant or valve owned by the village or on public right-of-way, other than plumbers, excepting, however, members of the Fire Department in the performance of their duties. In case trouble occurs between the main and the curb stop, or in the meter, the village should be called. If the trouble is beyond the curb stop, it should be shut off and a plumber called at the property owner's expense.
- E. Service branches are installed at the expense of the property owner who is held responsible at all times for any leakage that may occur between the curb stop and the building. The village has the right to replace any water meter it deems necessary.
- F. All meters must be accessible at all times. Failure to comply with this rule will be cause for discontinuing service which will not be resumed until the trouble has been remedied. This rule shall apply to meters in meter pits which are covered with dirt or other materials or that are filled with matter or gas, or where passage to meters is blocked so that the meters are not accessible.
- G. The village will require each water service to have its own separate accessible municipal shut off valve and box. All shut off valves must be clear and accessible at all times so that water may be shut off as necessary by the Public Works Department. No valve box shall be covered with concrete, asphalt or other materials. The shut off valve and box shall be constructed pursuant to village standards and the site selected by the village. The valve box will be located prior to the meter. The valve box and shut off are the responsibility of the owner to maintain. No person other the authorized village personnel are permitted to turn water on or off at the shut off valve. If current services do not comply with this chapter, they will need to be retrofitted to meet village standards. The property owner will have 60 days from notification to comply. If they do not comply within 60 days, service will be terminated for that property or properties.
- H. The owner of the property may request turn-off in order to permanently or temporarily terminate charges.

- I. A list of all current charges, fees, and rates for the various water services performed are on file in the village office. These charges, fees, and rates are subject to amendment by the village and are not to be construed as being fixed for an indefinite period of time.
- J. Bills rendered to landlords having multiple establishments or apartment units should be computed where the minimum billing shall not be less than the minimum rate times the number of units.

SECTION 3: WATER METERS

- A. No meter shall be set until the final inspection has been made and approved, and an application for service has been filed. It is unlawful for anyone to move into a residence until after final village inspection, approval, and acceptance for metering.
- B. Any meter violation shall be considered as tampering with the water system and shall carry the penalty as outlined by law.
- C. No extension, alterations or repairs shall be made to any water pipes or fixtures within the public rights-of-way between meter and main line except by a plumber and with the notification to the village.
- D. Meters are furnished to consumers by the Village upon payment of the utility connect fee and tap fee. Meters for connections larger than 1" will be provided by the Village, however the cost of the meter shall be included in the tap-in fee. The tap fee varies in accordance with the size of the meter. A schedule of such charges is available at the village office.
- E. Each service 1-1/2-inch diameter or larger shall be provided with a by-pass. The by-pass must be a valve so that it can be sealed to prevent its use by anyone except village personnel.
- F. The village will test and correct any meter which is registering incorrectly without the consent of the owner, or upon his or her request, will test any of its meters, and guarantee its accuracy against any overcharge within 2%. Proper refund shall be made if the test shows the customer has been overcharged, going back no further than one year. In order to protect the village against the unreasonable demands for this service, a \$25 charge shall be made if the test shows the meter to be registering properly. If a meter is found to be under-registering, the owner can be billed for under charges for up to one year prior to and preceding the determination of under-registering.

SECTION 4: SERVICE CONNECTIONS

- A. There shall be one single-family residence on a service branch and each branch shall be metered.

- B. Each housing unit, business, or commercial structure shall have a separate meter location as follows:
 - i. Outside the structure and one foot outside the public road right-of-way of the property to be served. No obstruction shall be placed on the cover at any one time; or
 - ii. Inside the structure with a remote.
- C. The village may require properties or premises not so equipped to install additional service lines, meter pits or remote meters at the expense of the property owner.
- D. Meters, remote readers, meter pits and privately-owned hydrants or plugs and all attachments must be kept in complete repair and kept accessible by the owner or occupant and protected from frost without expense to the village.
- E. The owner must also provide curb stops and have the pipes so arranged that the water may be drawn from them whenever there is danger of freezing. It shall be the duty of the property owner to keep the meter pit at grade with the surface. The owner shall conform to any written instructions from the village as to grade of the meter pit and shall indemnify the village against any damages or expense occasioned it by reason of the meter pit being above or below grade. The village will make minor repairs and adjustments to the meter pit provided, however, that the cost of any repairs made necessary by negligence or abuse on the part of the owner shall be charged to the property owner.
- F. The Village of Botkins will extend water and sewer service lines to the property line for new connections under the following conditions:
 - a. The property is incorporated into the Village.
 - b. The distance between the property line and the utility main is less than 50'. The expense of extensions greater than 50' will be the responsibility of the property owner.
 - c. The cost of all lateral connections will be the responsibility of the property owner. Lateral connections under roadways, sidewalks, or other finished surfaces will be directionally bored, and trenching will be prohibited without prior approval from the Village.

SECTION 5: FIRE SERVICE

- A. Application for fire protection connections shall be made in writing to the village and no connection may be made without written permission from the same.
- B. Fire service connections may be made by any registered plumber with the approval of the village.

- C. No person except an authorized agent of the Fire Department or the village shall use any valve, hydrant or fixture in association with a water main. In case of fire or inspection, the Fire Department shall have the right to use any hydrant, hose, pipe, or other fixture in association with a water main. The Fire Department shall notify the Village Administrator of any use for maintenance or training purposes.
- D. Developers of new subdivisions, or parts thereof, shall install all water mains, fire hydrants, valves, fittings, and the like, at their expense. All work performed shall be in accordance with plans and specifications approved by the village.
- E. No private fire hydrants shall be set without the inspection and approval of the village.
- F. Private fire service inside buildings shall be the dry-type or wet systems equipped with approved fire detector meters. Construction of the private interior fire service cannot proceed until the plans have been approved by the village and written permission received.

SECTION 6: BILLING PROCEDURES

- A. Water service charges will be billed for any lot, parcel of land, building, enterprise, residence, or premises provided an active water service connection or device drawing water from the village water system.
- B. Billing for water use and distribution and sewerage services shall be due quarterly, computed as of the end of each calendar quarter as of the end of March, June, September, and December of each calendar year.
- C. Owners of property shall be held responsible for water used on their premises, tenants may put water accounts in their own name, however if a bill remains unpaid in a reasonable amount of time after a tenant closes their account, the property owner will be held responsible through payment of the bill or assessment of the bill of the properties taxes through the Shelby County Auditor's Office.
- D. Landlords must notify the Village in the case of a change in tenant for tax purposes. Failure to do so shall result termination of water and sewer services.
- E. Account delinquency shall be just cause for terminating services, which will be resumed only upon full payment of the delinquent charges. Responsibility of payment rests with the current property owner. It is the responsibility of the prospective property owner to inquire of possible delinquent charges which may be assumed upon ownership. This information will be given upon request to the Village. If services are terminated for non-payment all delinquent charges shall be submitted to the County Auditor for assessment against the property within fourteen (14) days.

- F. The first month of each quarter are January, April, July, and October. Water meters will be read the week prior to the start of a new quarter. Bills will be issued on or about the first day of the new quarter. Bills shall be due on or about three weeks following bill issuance.
- G. Bills not paid prior to the due date indicated shall be considered past due resulting in a late fee of 10% of the balance being added to the account.
- H. Final notices shall be issued following the due date for outstanding bills. Services shall be terminated if payment is not received in full within two weeks of the issuance of final notices.
- I. Extensions may be signed at the Village office at the discretion of the Village Administrator or Fiscal Officer. An extension shall be made payable no later than two weeks prior to the next regularly scheduled meter reading.
- J. Water service charges will be based upon readings taken from meters installed in accordance with the Village specifications, or in such manner and by such method as may be practicable in the light of the conditions and attendant circumstances of the case, as determined by the village.
- K. Water meters shall normally be read every quarter. In the event the meter is not read, the average of the preceding quarter shall be used in determining the quarterly user charge. If so, the bill will be marked "estimate." The bill for the month following reading of the water meter shall include an adjustment for the quarter.
- L. Should the village be unable to render quarterly bills because of labor shortage or some other deficiency, the bill may be rendered for a shorter or longer period, but at the same quarterly rate.
- M. If the owner/tenant disputes a water bill, he or she shall contact the Village Administrator before the due date, to arrange a meeting to resolve any billing disputes. The village shall not discontinue water service if a meeting has been requested prior to the due date and is pending with the Village Administrator and owner/tenant.
- N. The receipt by the village of a check for the payment of a water bill that is not honored by the bank will be considered non-payment, and the village will proceed with discontinuance of water service and other collection activities as set forth in this section. If an owner within a 12-month period provides the village with two dishonored checks, the owner in the future must pay his or her water bill in cash or by certified funds or money order, until further notified by the village. Checks that are not honored shall result in a \$35 fee added to the outstanding balance.
- O. In the collection of water bills, the Fiscal Officer has the discretion to certify the amount not paid, together with any penalties and other charges, to the Shelby

County Auditor and/or collect the past due amounts together with penalty and charges by actions of law in the name of the village from an owner who is liable to pay the bill.

- P. The Village Administrator has the discretion to arrange a payment agreement with an owner for past due bills in the event of extraordinary circumstances.
- Q. Payments received via mail with a postmark after the due date shall be considered late. Late fees will be applied according to the provisions contained in this Ordinance.
- R. Postdated checks will be accepted, however a \$15 holding fee will be applied to the account. Checks postdated after the due date will be considered late and late fees will apply.
- S. A one-time credit may be requested for watering of lawns on lots with new primary structure construction only. The credit will be on the sewer side of the utility bill only.
- T. A one-time credit for sewerage in the case of a water leak may be issued, if the leak is proven not to be entering into the sewer system.

SECTION 7: REPAIRS

- A. The village shall have the right to shut off the water for repairs, extensions, test, improvements, or whenever necessary and will not be responsible or held liable for any accidents or damage (including, but not limited to, rust damage) which may result from interruption of service. Whenever possible, as time permits, all customers will be notified prior to such temporary discontinuance of service.
- B. The village shall maintain all lines on dedicated easements or rights-of-way. No maintenance will be done on water services that do not lie within easements or dedicated rights-of-way. These lines shall be maintained by the owner. Service shall be discontinued until repairs have been completed to the satisfaction of the village.
- C. If a break or leak occurs in any service line between the main line and the meter pit and/or curb stop, the village will repair this at its own expense as soon as possible. The owner will be required to pay all costs of repair to a service line on his or her property (meter pit and/or curb stop to structure). The village shall not be responsible for breakage of pipes or valves occurring during removal or installation of meters where such breakage is due to old or faulty plumbing. Notice to replace inferior pipe will constitute reasonable care. Failure to repair leaks, remove obstructions preventing access to the meter pit or make payments of charges for work done by the village for such purposes, when notified to do so, will be sufficient cause for the village to enter the street and close the corporation stop which shall not be reopened until the cause for the closing has been remedied.

- D. All charges for repairs to meters damaged by freezing or any other cause must be paid when the next bill comes due.
- E. Damage to water meters resulting from improper connections between boilers and furnaces or other heaters shall be the responsibility of the owner and the cost of repairs will be charged to him or her.
- F. No extensions, alterations, or repairs shall be made to any water pipes or fixtures between the meter pit and main line except by a plumber and with the approval of the village.

SECTION 8: TAMPERING

- A. No person other than an authorized agent of the village may connect to any of its water lines, tamper with, or remove any meter or parts thereof or any seal, or insert a meter by-pass without permission of the village under penalty provided in the Ohio Revised Code. A tampering violation is also due cause for having water service discontinued.
- B. If the village finds that a meter seal has been broken, a connection installed ahead of the meter, any by-pass inserted, or there is evidence that the meter has been tampered with, the water will be shut off and will not be turned on again until the owner of the premises pays for the estimated quantity of water which has been used and not registered, and in addition, shall pay a fee for turning on the water. The criminal laws of the State of Ohio provide severe penalties for tampering with water meters, meter seals, valves and other devices in the water system. The penalties herein provided are in addition to the penalties provided by the criminal laws of the State of Ohio, and the payment of penalties herein mentioned will not in any way relieve any person from prosecution.
- C. No person shall unlawfully secure a supply of water through a corporation stop, curb stop, valve or other device after it has been closed for the violation of any of the "Rules and Regulations" without first having secured the necessary permit from the village.

SECTION 9: GUARANTEE OF SUPPLY

- A. The village does not guarantee any fixed pressure or a continuous supply of water, but will, in an emergency, try to notify affected customers.
- B. Persons or entities using steam boilers, gas engines or other equipment, or whose operation depends on a supply of water direct from the service pipe, should have in mind the preceding rule and provide storage of sufficient water to operate a reasonable length of time.

SECTION 10: GUARANTEE OF SERVICE

Every reasonable effort will be attempted to restore service should an interruption of service occur. The village shall not be liable for any accidents or damage resulting from interruption of service or conditions caused by the design limitations of the various systems. Temporary shutdowns of the water supply by the village may be necessary for improvements or repairs. Whenever possible, and as time permits, all customers will be notified prior to shut down.

SECTION 11: CONSTRUCTION WATER

- A. Water used during construction shall be metered and billed to the applicant for water service at the water rates in effect. A water meter shall be installed after application is made for service and the corresponding tap-in fees and water service connection charges paid.
- B. Should a meter not be installed, the monthly minimum rate will be charged plus estimated usage. Any damage to the water meter during the construction period will be the responsibility of the water service applicant.

SECTION 12: REQUEST FOR INSPECTION

Requests for inspection or water tap shall be made 24 hours in advance of inspection or tapping. All work must be visible when the inspection is performed.

SECTION 13: SPECIAL WATER METERS

- A. Customers who use large amounts of water for various watering activities or swimming pools may realize savings in charges by having a separate meter installed to measure usage. Since sanitary sewer service charges are based upon the amount of water consumed, adjustments to sewage charges can be made by obtaining a special meter from the village office. No adjustment will be made unless this special meter is used. There will be a deposit for the use of this meter. Applications for a separate meter must be directed to the Village Administrator and should be submitted to the Village Fiscal Officer at the Village Administration office. Residents who have a permanent swimming pool installed may purchase a meter from the village to receive this adjustment.
- B. Secondary meters may be purchased from the Village at cost for usage in lawn/plant watering. These meters shall be charged the quarterly minimum plus usage for water, but will not have charges for sewerage. Residents who purchase secondary meters must request shut off in order to avoid minimum charges during times in which they are not used.

SECTION 14: ADMINISTRATIVE

- A. The prices to be charged for water furnished by the Village Water Department to all customers situated outside the village limits of the Village of Botkins, are hereby fixed at 150% the rate charged to consumers situated in the village, unless grandfathered in at a lower rate.
- B. Billing shall be rendered quarterly on the utility bill and shall be payable in person at the Village Office, mailed to the Village Office, or otherwise allowed through the advancement of the Village’s Utility Billing System.
- C. Bill may be paid using cash, check, or money order. The Village maintains the right to allow payment through credit/debit cards at a future date.

SECTION 15: BULK WATER SALE POLICY

- A. This policy is needed to set pricing and costs for the sale of bulk water to haulers.

(1) Administrative fee	\$50
(2) Rate per every 1,000 gallons	\$17.50
(3) Minimum charge is for 1,000 gallons	
(4) Charged by 1,000-gallon increments	
(5) After hours fee-per hour	\$50
(6) The above-mentioned fees are cumulative per day	

- B. Regular loading hours are Monday through Friday, 7:30 a.m. to 4:00 p.m. with appointment made prior. After hours are any others upon approval of the Public Works Director. After-hours loading charge will be charged for any part of an hour.
- C. Once the water leaves the village appurtenance, the village is no longer liable or responsible and it is no longer considered potable water by EPA standards.
- D. All invoices are payable and due 30 days from the invoice date.

SECTION 16: OPERATIONS AND FEES

1. Turn-off at meter pit and/or curb stop (as a result of a violation or upon request)	\$50
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2. Turn-off at main (as a result of a violation)	\$25 plus cost
3. Meter reread (if original correct)	\$25 reading
4. Meter test (if meter accurate)	\$50 plus cost
5. Damage meter repair	Cost
6. Damage fire hydrant	Cost
7. Maintenance of special fire flow meters	\$25 per quarter
8. Check Returned Fee	\$35
9. Check Holding Fee	\$15
10. Late Fee	10%

Village of Botkins, Ohio
Ordinance No. 25-08

**AN ORDINANCE VACATING CERTAIN DEDICATED STREETS IN THE
VILLAGE OF BOTKINS, OHIO AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Botkins, Shelby County, Ohio ("Village") has determined it necessary to vacate certain portion of dedicated streets located within the Village, and which streets are indicated on a survey attached to this Ordinance as Exhibit A ("Street"); and

WHEREAS, because the Village Council has determined that the street serves no municipal purpose and is no longer required, it shall be vacated without petition according to Ohio Revised Code 723.05.

NOW, THEREFORE, be it ordained by the Council of the Village, a two-thirds majority of the members elected thereto concurring herein:

SECTION 1:

The Village Council finds and determines that the vacation of the street described in this Ordinance and shown on "Exhibit A" will not be detrimental to the general interest, that good cause exists for the vacation of such street, and that the vacation of such Streets ought to be made.

SECTION 2:

The streets as described above in this Ordinance shall be and hereby are vacated.

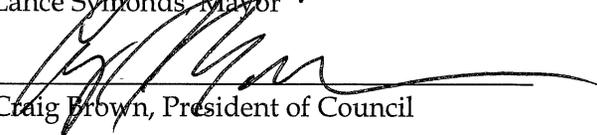
SECTION 3:

The Fiscal Officer is respectfully directed to cause a certified copy of this Ordinance to be filed in the office of the Shelby County Recorder and properly indexed therein and to further cause a certified copy of this Ordinance to be filed in the office of the Shelby County Auditor.

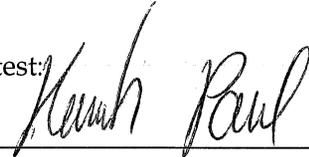
Adopted this 30th day of April, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

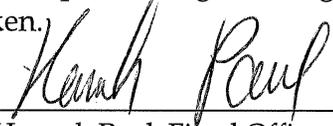
Attest: 

Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-08 passed by the Council of the Village of Botkins on the 30th day of April, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

VILLAGE OF BOTKINS
ORDINANCE NO. 25-09

AN ORDINANCE AMENDING AND REPLACING CERTAIN PORTIONS
OF THE VILLAGE OF BOTKINS'S ("VILLAGE") ZONING CODE AS IT
PERTAINS TO NUISANCE ABATEMENTS AND DECLARING AN
EMERGENCY

WHEREAS, the Village Council has determined that it is necessary and appropriate for the Village's health, safety, and welfare to amend and replace certain portions of the Village's Zoning Code namely, Ordinance 20-20 ("Nuisance Abatement Code"); and,

WHEREAS, the Village's health, safety, welfare, and aesthetics are furthered by amending and replacing the Nuisance Abatement Code insofar as said amendments promote a uniform and neat appearance in the Village and will help keep the Village safe and sanitary.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF BOTKINS, STATE OF OHIO, THAT:

Section 1. The Nuisance Abatement Code (enacted as Ordinance 20-20 of the Village of Botkins' Code of Ordinances) shall be amended as set forth in the document entitled *Nuisance Abatement Code* which is attached hereto as Exhibit A and is incorporated herein by reference. The Zoning Code is not modified or repealed by the language in the document entitled *Nuisance Abatement Code* unless there is a direct conflict between the provisions of Exhibit A and the language contained within the Zoning Code. If there is such a direct conflict, the language in the *Nuisance Abatement Code* shall prevail.

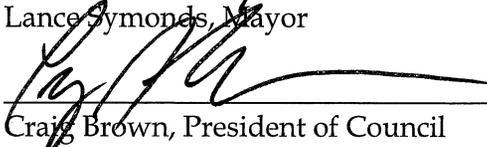
Section 2. The *Nuisance Abatement Code* repeals and replaces any prior legislation related to nuisances/property maintenance contained within the Zoning Code.

Section 3. This Ordinance is declared to be emergency legislation, necessary for the immediate preservation of the Village's health, safety, and welfare aimed at promoting a uniform and neat appearance in the Village and keeping the Village a safe and sanitary place for its citizens to reside.

Adopted this 11th day of June, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

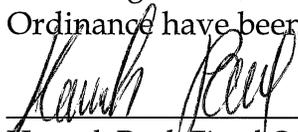
Attest:

CERTIFICATION

STATE OF OHIO

COUNTY OF SHELBY

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-09 passed by the Council of the Village of Botkins on the 11th day of June, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

Exhibit A

NUISANCE ABATEMENT CODE FOR THE VILLAGE OF BOTKINS, OHIO

DEFINITIONS:

For the purpose of this Code, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural shall include the singular; the word "building" shall include the word "structure", and the word "shall" is mandatory and not directory.

- a. *DETERIORATION* means the condition or appearance of the exterior of the building, or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or other evidence of physical decay, neglect, or lack of maintenance.
- b. *EXTERIOR OF THE PREMISES* means those portions of a building which are exposed to public view and the open space of any premises outside of any building.
- c. *FINAL ORDER* means that a Notice of Violation has been served according to this Code, and the persons named have failed to comply within the time allowed, and have either waived their right to appeal to the appropriate governmental body or their appeal has been denied by that body.
- d. *GARBAGE* means animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.
- e. *INFESTATION* means the presence of insects, rodents, vermin, or other pests on the premises which constitute a health hazard.
- f. *NUISANCE* means that which is defined by the statutes of the State of Ohio and declared thereby to be a nuisance, and also including conditions defined herein and all conditions dangerous to human life or detrimental to the health of persons on or near the premises where the condition exists and where the conditions are perilous by active and negligent operation thereof, and unsanitary conditions are anything offensive to the senses or dangerous to health.
- g. *OCCUPANT* means any person living and sleeping in a dwelling unit or having an actual possession of said dwelling unit or any person who leases or rents a non-residential building, structure, or any portion thereof.
- h. *OWNER* means any person who, along or jointly or severally with others, shall have legal or equitable title to any premises, with or without the accompanying actual possession thereof; or shall have charge, care, or control as owner or agent of the owner; or as executor, administrator, trustee, receiver, or guardian of the estate, or as a mortgagee in possession.
- i. *PERSON* includes any individual, corporation, association, partnership, trustee, lessee, agent, or assignee.
- J. *PREMISES* means a lot, plot, or parcel of land, including the buildings or structures thereon.
- k. *REFUSE* means all putrescible and non-putrescible solid wastes (except body wastes) including, but not limited to garbage, rubbish, ashes, dead animals, and industrial wastes; an accumulation of brush, broken glass, stumps, and roots that present a safety hazard and includes garbage, trash, and debris which present an unsanitary and/or safety hazard.

- I. *RUBBISH* means non-putrescible solid waste consisting of both combustible and non-combustible wastes such as paper, wrappings, tin cans, yard clippings, leaves, wood, glass, crockery, plastics, and similar materials.

ENFORCEMENT:

The enforcement of any and all provisions of this Code is placed with the Village Administrator, the Village Police Department, and the Village Fire Department, as they believe may be required to carry out and effectuate all of the provisions herein.

INSPECTION:

All buildings, premises, and uses within the Village are subject to exterior inspections from time-to-time by the Village Administrator, Police Chief, or Fire Chief.

MAINTENANCE RESPONSIBILITY:

- a. The owner and/or manager of every structure or use within the Village shall be responsible for maintaining the exterior surfaces of the same in conformance with the provisions of this Code.
- b. The owner and/or manager of every structure or use within the Village shall be responsible for maintaining the yard area contiguous thereto in conformance with the provisions of this Code.
- c. The owner and/or manager of every yard or lot within the Village shall be responsible for maintaining their yard and/or lot area in conformance with the provisions of this Code.
- d. No owner or manager shall be relieved from the obligations of, nor be entitled to defend any violation by reason of any contract or agreement between them and any other person.

GENERAL EXTERIOR MAINTENANCE REQUIREMENTS:

- a. The exterior surfaces of all structures or uses within the Village, whether functional or aesthetic, shall be maintained in good repair. Any exterior part or feature thereof having functional use shall be capable of performing the use for which such part or feature was designed.
- b. The entire yard area extending up to and including the lot line in all directions shall be maintained in a safe, clean, and sanitary condition.

EXTERIOR SURFACES:

- a. All exterior surfaces of every structure or use within the Village shall be maintained so as to resist decay or deterioration from any naturally-occurring cause. All exterior surfaces shall be covered with paint, finish, or other surface-coating so as to prevent such decay and deterioration. An exterior wall segment, facing, or other distinguishable surface area determined by the Village Administrator to be substantially bare, peeling, flaking, pitted, corroded, or otherwise deteriorated, will require the wall segment, facing, or other distinguishable surface area to be surface-coated in its entirety. If the surface to be coated is a portion of a larger structure, such surface coating shall be compatible in color, texture, and design with the entire structure.
- b. Any deteriorated or decayed exterior walls, doors, porches, floors, steps, railings, or parts or features thereof, shall be repaired or replaced.

- c. Any damaged or broken windows, screens, or shutters and deteriorated or decayed sill, sash, molding, lintel, frame, or trim thereof, shall be repaired or replaced.

FOUNDATIONS:

- a. The foundation of every structure or use within the Village shall be maintained in such condition and repair as to prevent damage to the structural integrity of the same.

ROOFS, GUTTERS, DOWNSPOUTS, AND CHIMNEYS:

- a. The roof of every structure or use within the Village shall be maintained weather-tight. All missing shingles, or other roofing materials, shall be replaced with materials of similar kind, nature, design, and color as the original thereof. If it is determined by the Village Administrator that the total area of any roof segment, or distinguishable portion thereof, is comprised of missing or deteriorated shingles, or other roofing material, then the roof segment or distinguishable portion thereof shall be replaced or repaired with materials of similar kind, nature, design, and color as the original thereof.
- b. Any structure or use within the Village having gutters and/or downspouts in place shall be maintained in such a manner as to keep such gutters and/or downspouts free of exterior rust or corrosion. Such rust or corrosion, as may develop in the course of ordinary use of the same, shall be removed, painted, or otherwise surface-coated as to keep such gutters and/or downspouts free of visible rust or corrosion.

YARD MAINTENANCE:

- a. Refuse
 - (1) No furniture, mattresses, household furnishings, rugs, appliances, dilapidated vehicles or vehicle parts, discarded or abandoned machinery, and construction equipment shall be placed or stored in any yard area or use within the Village over a period in excess of ten (10) days. Said ten (10) day period may be extended as a result of extenuating circumstances if approved by the Village Administrator, Police Chief, or Fire Chief.
 - (2) Exterior property areas of all premises or uses shall be kept free of debris, objects, materials, or conditions that, in the opinion of the Village Administrator, create a health, accident, or fire hazard, or are a public nuisance, or constitute a blighting or deteriorating influence on the neighborhood. All debris shall be removed within ten (10) days. Said ten (10) day period may be extended as a result of extenuating circumstances if approved by the Village Administrator, Police Chief, or Fire Chief.
- b. Grass and Weed Control, Surface Condition
 - (1) Removal of Noxious and Excessively High Grass and Weeds Constituting a Public Nuisance
 - (a) It is hereby deemed that weeds or grass growing at a height of nine (9) inches or higher upon any property within the Village are a public nuisance.

All lots shall be provided with grass or other appropriate ground cover or landscaping material so as to assure absorption of rainfall and prevent erosion and rapid runoff of surface water.

c. Accessory Structures

- (1) All structures or uses located in the yard areas within the Village, such as sheds, barns, garages, bins, and the like, shall be maintained in good repair in conformance with other provisions of this Code having regard to foundations, roofs, and exterior surfaces.
- (2) Any broken, rusted, deteriorated, or decayed fence, yard enclosure, or other device or structure located in the yard area contiguous to any structure or use within the Village shall be repaired or removed.

d. Ground Surface Hazards

Holes, cracks, excavations, breaks, projections, and obstructions at any place on the premises which, in the opinion of the Zoning Inspector, are a hazard to persons using the premises shall not be permitted.

e. Motor Vehicles

A nuisance is hereby declared to exist when a person, firm, or corporation keeps, stores, places, or allows to remain, unlicensed motor vehicles, motor vehicles in an inoperative condition, motor vehicles unfit for further use, automobile or motor vehicle parts on any parcel of land, street, or alley, within the corporate limits of the Village of Botkins.

- (1) "Motor vehicle in an inoperative condition" means and includes any style or type of motor driven vehicle used or useful for the conveyance of persons or property which is unable to move under its own power due to defective or missing parts and which has remained in such condition for a period in excess often (10) consecutive days.
- (2) "Motor vehicle unfit for further use" means and includes any style or type of motor driven vehicle used for the conveyance of persons or property which is in a dangerous condition, has defective or missing parts, or is in such a condition generally as to be unfit for further use as a conveyance.
- (3) "Automobile and motor vehicle parts" shall mean and include any portion or parts of any motor driven vehicle as detached from the vehicle as a whole.

INFESTATION:

All structures, and the premises thereof, shall be maintained free of vermin, rodents, and other pests, and free of sources of breeding, harborage, and infestation by such vermin, rodents, and other pests.

NOTICE OF VIOLATION:

- a. Where a violation of any provision of this Code is found to exist, the Village, through its Village Administrator, Police Chief, or Fire Chief, shall cause a written notice of such violation to be served upon the owner, manager, occupant, or other person responsible for the correction thereof. The Notice shall specify the violation committed, and shall provide a reasonable period of time, not more than thirty (30) days, to correct or abate the violation. When the nuisance involves a motor vehicle, a period of 72 hours is considered a reasonable period of time to correct or abate the violation. The Notice shall state that, if the violation is not corrected or abated within the time allowed, the Village may enter upon the premises and perform the correction or abatement, may impound a motor vehicle found to be a nuisance, and charge the cost thereof to the person

named in a Final Order.

- b. Notice shall be served by certified mail to the current address, as recorded with the County Auditor or Bureau of Motor Vehicles, as the case may be, as to the owner, and the property address as to the occupant.
- c. When the nuisance involves a motor vehicle, a copy of the Notice shall also be conspicuously affixed to the motor vehicle if the surrounding facts and circumstances make it practicable to do so.
- d. In the absence of appeal, as provided below, the completion of Notice and Failure to Comply shall constitute a Final Order as to administrative proceedings.

APPEAL:

- a. Within fourteen (14-) days of the date of receipt of Notice of Violation, the person may request a hearing before the Board of Zoning Appeals by filing a written request with the Village Administrator. The appeal shall be heard at the next regularly scheduled meeting of the Board of Zoning Appeals; allowing at least five (5) days' notice to the party and the Village Administrator. The Board of Zoning Appeals may sustain, modify, or dismiss, in whole or in part, any action required to correct or abate the violation set forth in the Notice and shall issue an Order incorporating its determinations, and such Order shall be a Final Order as to these administrative proceedings.
- b. The Board of Zoning Appeals shall consider the following in determining appropriate action to be taken, to-wit:
 - (1) That any modification of the original order of the Village Administrator, Police Chief, or Fire Chief, shall not, in any material way, alter the standards of this Code and shall not affect detrimentally the health or safety of occupants, or the health, safety, or welfare of the occupants or owners of adjacent premises or of the immediate neighborhood; and
 - (2) That strict enforcement would constitute an undue and unnecessary hardship on the owner, manager, or resident by reason of compelling an expenditure for repair of the premises which would substantially disproportionate any benefit to the health, safety, or welfare of the community that might be derived therefrom.
- c. Further appeal may proceed according to R.C. Chapter 2506.

MISDEMEANOR FOR FAILURE TO CORRECT OR ABATE:

It shall be unlawful for any person, manager, or occupant to fail to correct or abate a violation, as determined by a Final Order entered into under this Code.

Prosecution for criminal violations of this Code shall be in either the Shelby County Common Pleas Court or the Sidney Municipal Court. The Final Order shall be prima facie evidence of the violation of this Code.

PENALTY:

Whoever fails to comply with any Final Order, as provided herein, shall be upon conviction of the same, be guilty of a misdemeanor of the fourth degree.

A separate offense shall be deemed committed each day on which a violation occurs or continues.

VILLAGE RIGHT OF ABATEMENT:

In the event a violation is not corrected or abated as required by a Final Order, the Village of Botkins shall have the right to enter upon the premises and make the correction or abatement and recover the actual cost thereof, plus fifteen percent for inspections and administrative fees, from the owner and/or other person named in the Final Order.

ABATEMENT PROCEDURE FOR YARD & WEED NUISANCES:

- a. Upon information that a Final Order has not been complied with, the Legislative Authority may cause written notice to be served on the owner, lessee, manager, or occupant of the premises; giving notice that the Village of Botkins will enter the premises five days thereafter to make correction or abatement.

After the passage of five days with the continued failure to abate or correct, the Village Administrator shall hire the necessary machinery and labor to perform the required task.

Expenses incurred shall, when approved by Council, be paid out of the money in the treasury not otherwise appropriated.

ABATEMENT PROCEDURE FOR GENERAL DISORDERLINESS:

- a. Upon information that a Final Order has not been complied with, the Legislative Authority may cause written notice to be served on the owner, lessee, manager, or occupant of the premises; giving notice that the Village of Botkins will issue fines on the property for each day the property remains non-compliant.

After the passage of five days with the continued failure to abate or correct, the Village Administrator shall issue fines for each day the nuisance is not abated. Notice of fines shall be served to the property owner via certified mail weekly. Uncollected fines will be recorded as a lien on the property in accordance with this Ordinance.

Fines for general disorderliness shall be \$100.00 per day that nuisance remains unabated following a Final Order and Written Notice.

ABATEMENT PROCEDURE FOR MOTOR VEHICLE NUISANCE:

- a. Upon information that a Final Order involving a motor vehicle nuisance has not been complied with, a police officer is authorized to remove or direct the removal of the motor vehicle for purposes of impounding the motor vehicle.
- b. Whenever a police officer impounds a motor vehicle, as authorized herein, and the officer knows or is able to ascertain from the registration records in the vehicle, the name and address of the owner thereof, the officer shall, in a timely manner, give or cause to be given notice in writing to the owner of the fact of such impoundment and the reasons therefore and of the place to which the vehicle has been removed.
- c. Whenever a police officer impounds a vehicle under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as provided above, the officer shall cause a search of the records of the Bureau of Motor Vehicles to be made within three days of the removal to ascertain the name of the owner. Notice by certified mail, with the return receipt requested, shall be sent to the owner of the motor vehicle at his or her last known address within three days after the results of the search are received. The officer shall mail, to the Bureau of Motor Vehicles and file with the proprietor of any place where the vehicle may be stored, a copy of the notice. The notice shall include a complete description of the vehicle, the date and time of the removal, the place from which removed, the reasons for removal, and the name of the place where the vehicle is stored.

FEES FOR SERVICE AND RETURN:

The Chief of Police, or any police officer, may make service and return of the Notice provided for in this Ordinance, and shall be allowed the same fees as provided for service and return of summons in civil cases.

CERTIFICATION TO COUNTY AUDITOR:

If the bill for abatement or correction is not paid within thirty 30 days after submission, then the Fiscal Officer shall certify said costs, together with a ten percent 10% penalty, to the Shelby County Auditor for placement on a tax duplicate to be collected as other taxes for return to the Village, and shall be a lien upon the premises from the date of certification.

**Village of Botkins, Ohio
Ordinance No. 25-10**

**AN ORDINANCE VACATING A CERTAIN ALLEY IN THE VILLAGE OF
BOTKINS, OHIO AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Botkins, Shelby County, Ohio ("Village") has determined it necessary to vacate a certain alley located within the Village, and which alley is shaded on the map attached to this Ordinance as Exhibit A ("Alley"); and

WHEREAS, the Alley is approximately sixteen and one half (16.5) feet in width and approximately one hundred and forty-four (144) feet in length and is more particularly described as follows:

An alley located in the Village of Botkins, Ohio which street runs east to west, perpendicular to S. Sycamore Street located between Lot 118-001 (11-05-04-106-001) to the north and Lot 401-012 (11-05-04-106-012) to the south.

WHEREAS, because the Village Council has determined that the alley serves no municipal purpose and is no longer required, it shall be vacated without petition according to Ohio Revised Code 723.05.

NOW, THEREFORE, be it ordained by the Council of the Village, a two-thirds majority of the members elected thereto concurring herein:

SECTION 1:

The Village Council finds and determines that the vacation of the alley described in this Ordinance will not be detrimental to the general interest, that good cause exists for the vacation of such alley, and that the vacation of such alley ought to be made.

SECTION 2:

The lots abutting the alley are as follows:

111-001 Kyle & Leah Berlekamp (11-05-04-106-001)
111-002 Jeffery & Cindy Leydig (11-05-04-106-002)
111-003 Jeffery & Cindy Leydig (11-05-04-106-003)
111-004 Jacob & Ashley Roberts (11-05-04-106-004)

120-005 Jacob & Ashley Roberts (11-05-04-106-005)
121-006 Gary & Anita Bornhorst (11-05-04-106-006)
121-007 Gary & Anita Bornhorst (11-05-04-106-007)
122-008 Gary & Anita Bornhorst (11-05-04-106-008)
122-009 Gary & Anita Bornhorst (11-05-04-106-009)
123-010 Gary & Anita Bornhorst (11-05-04-106-010)
124-011 Gary & Anita Bornhorst (11-05-04-106-011)
397-016 David Berner (11-05-04-106-016)
398-015 Trevor & Desdemona Rogers (11-05-04-106-015)
401-012 Christian & Rachel Petek (11-05-04-106-012)

SECTION 3:

The alley as described above in this Ordinance shall be and hereby is vacated.

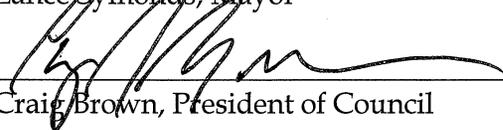
SECTION 4:

The Fiscal Officer is respectfully directed to cause a certified copy of this Ordinance to be filed in the office of the Shelby County Recorder and properly indexed therein and to further cause a certified copy of this Ordinance to be filed in the office of the Shelby County Auditor.

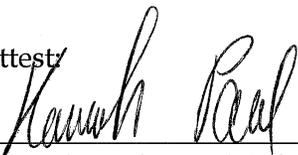
Adopted this 13th day of August, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

Attest:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-10 passed by the Council of the Village of Botkins on the 13th day of August, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

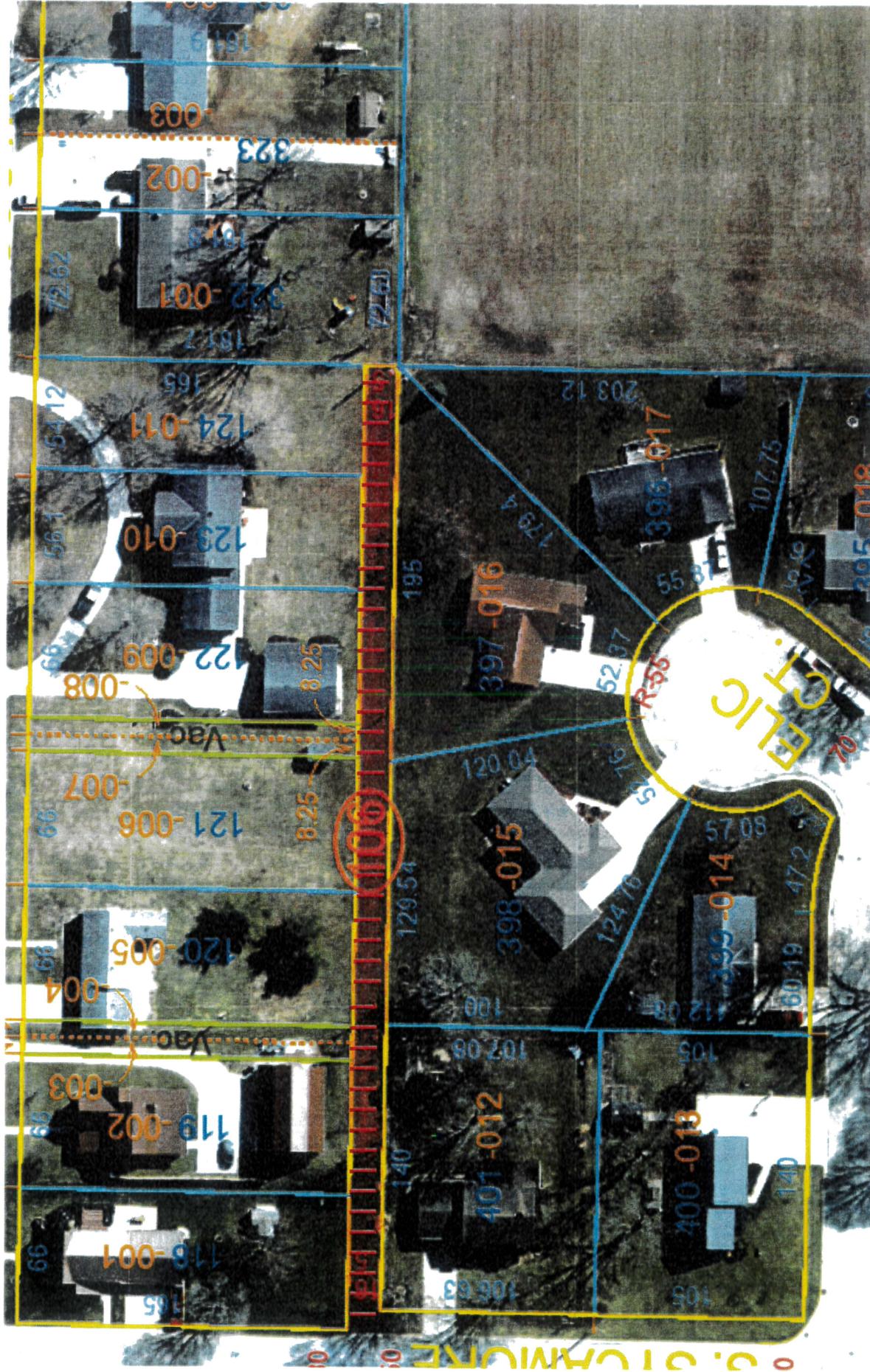


Exhibit A

**Village of Botkins, Ohio
Ordinance No. 25-11**

**AN ORDINANCE VACATING CERTAIN DEDICATED STREETS IN THE
VILLAGE OF BOTKINS, OHIO AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Botkins, Shelby County, Ohio ("Village") has determined it necessary to vacate certain portion of dedicated streets located within the Village, and which streets are indicated on a recorded plat attached to this Ordinance as Exhibit A ("Street"); and

WHEREAS, because the Village Council has determined that the street serves no municipal purpose and is no longer required, it shall be vacated without petition according to Ohio Revised Code 723.05.

NOW, THEREFORE, be it ordained by the Council of the Village, a two-thirds majority of the members elected thereto concurring herein:

SECTION 1:

The Village Council finds and determines that the vacation of the street described in this Ordinance and shown on "Exhibit A" will not be detrimental to the general interest, that good cause exists for the vacation of such street, and that the vacation of such Streets ought to be made.

SECTION 2:

The streets as described above in this Ordinance shall be and hereby are vacated.

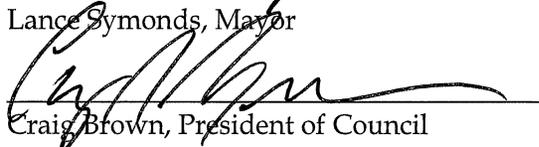
SECTION 3:

The Fiscal Officer is respectfully directed to cause a certified copy of this Ordinance to be filed in the office of the Shelby County Recorder and properly indexed therein and to further cause a certified copy of this Ordinance to be filed in the office of the Shelby County Auditor.

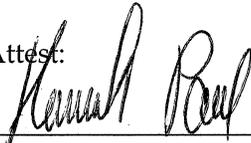
Adopted this 25th day of June, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

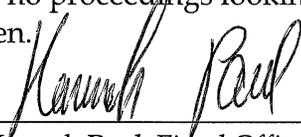
Attest:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-11 passed by the Council of the Village of Botkins on the 25th day of June, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.

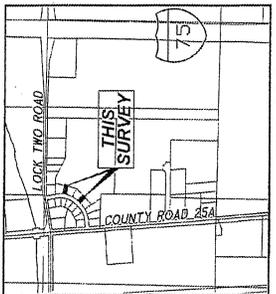


Hannah Paul, Fiscal Officer

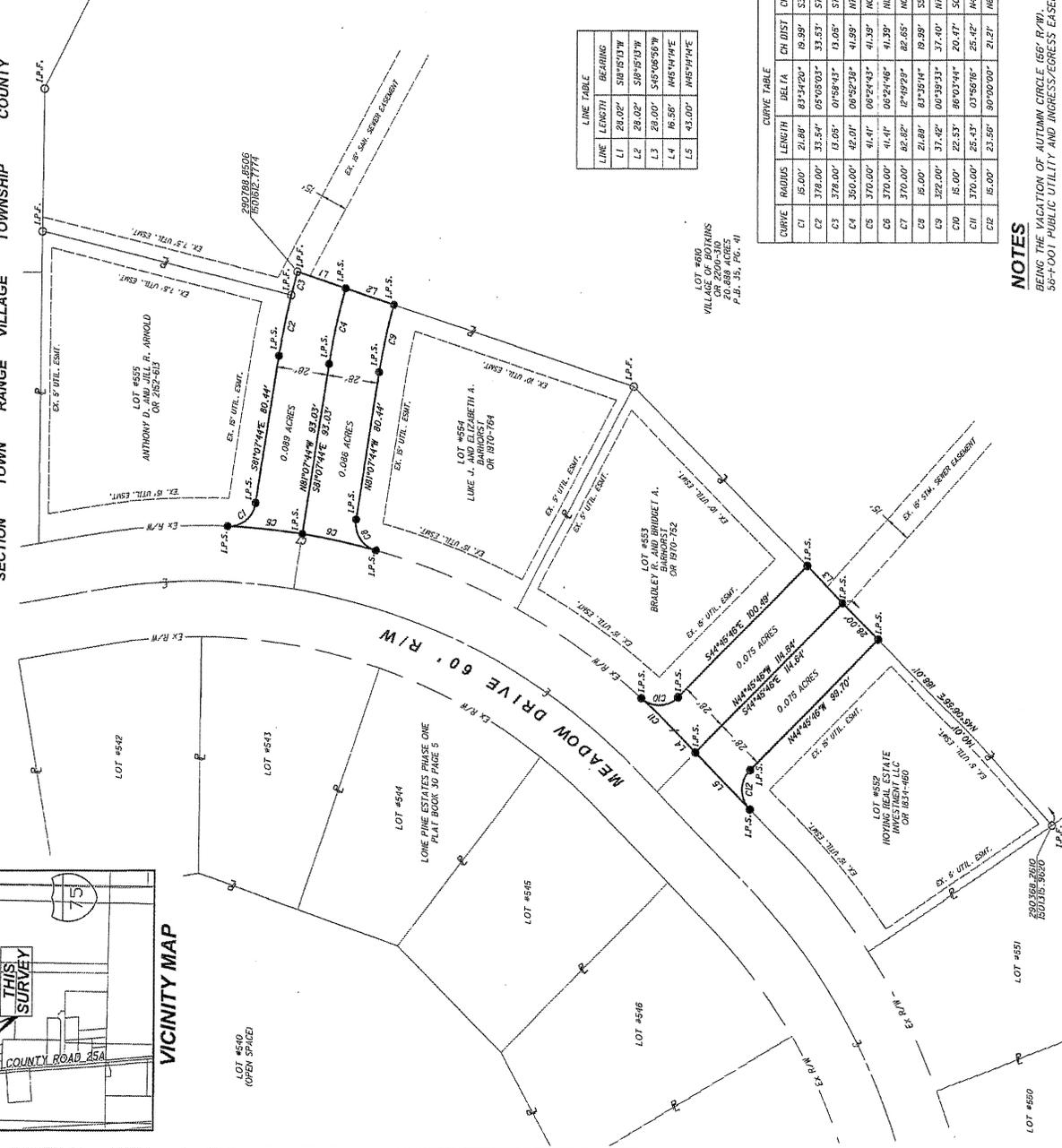
Exhibit A

AUTUMN CIRCLE VACATION

SECTION 9 TOWN 7 S RANGE 6 E BOTKINS VILLAGE TOWNSHIP DINSMORE SHELBY OHIO COUNTY



VICINITY MAP



LEGEND

- L.P.S. 5/8" X 30" REBAR
- L.P.F. W/CAP SET
- L.P.F. IRON PIN FOUND

THE BEARINGS ARE BASED ON
MAD 83 COR'S 2011 ADJUSTMENT, OHIO
NORTH ZONE, OHIO REAL TIME
NETWORK CONTIN



SURVEY REFERENCES

REC. P.B. 30, PG. 5
REC. P.B. 35, PG. 41

VILLAGE OF BOTKINS COUNCIL

THIS PLAT WAS APPROVED AND ACCEPTED BY US
THIS 30th DAY OF APRIL, 2025.

BY ORDINANCE # 25-08.
Mayor MAYOR
Clerk CLERK

VILLAGE OF BOTKINS PLANNING COMMISSION

THIS PLAT WAS INSPECTED AND ACCEPTED BY
US THIS 15th DAY OF APRIL, 2025.

Chairperson CHAIRPERSON

SHELBY COUNTY ENGINEER

THIS PLAT WAS APPROVED FOR RECORDING BY ME THIS
DAY OF JUNE 6th, 2025.

Engineer SHELBY COUNTY ENGINEER
FILED JUN 06 2025

AMY L. BERNING
SHELBY COUNTY AUDITOR
BY *Amy L. Berning*

CERTIFICATION
I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND BASED ON ADEQUATE FIELDWORK PERFORMED IN THE FIELD AND ADEQUATE MEASUREMENTS. I CERTIFY THAT THE DISTANCES SET OR TO BE SET AS SHOWN, CURVE DISTANCES ARE MEASURED ON THE ARC.

PREPARED BY:
ChoiceOne Engineering
SHELBY, OHIO 45707-0000
LORDSBURG, OHIO 43125-0254
WWW.CHOICEONEENGINEERING.COM

DATE: 02-11-2023
DRAWN BY: CJK
JOB NUMBER: SHE072501
SHEET NUMBER: 1 OF 1

REGISTERED PROFESSIONAL ENGINEER
ALLEN J. BERTKE
8629

NOTES

BEING THE VACATION OF AUTUMN CIRCLE (66' R/W),
56'-FOOT PUBLIC UTILITY AND INGRESS/EGRESS EASEMENT TO REMAIN.

Allen J. Bertke
ALLEN J. BERTKE, P.S. #8629
DATE: 3-19-25

LINE TABLE

LINE	LENGTH	BEARING
L1	28.00'	S87°51'31"W
L2	28.00'	S87°51'31"W
L3	28.00'	S45°05'55"W
L4	46.58'	N45°14'14"E
L5	43.00'	N45°14'14"E

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CH DIST	CH BEARING
C1	15.00'	21.88'	87°14'20"	18.89'	S32°20'34"E
C2	378.00'	33.54'	05°05'03"	33.53'	S7°35'25"E
C3	378.00'	13.05'	07°59'43"	13.05'	S75°00'18"E
C4	350.00'	42.01'	09°52'28"	41.89'	N7°42'25"W
C5	370.00'	41.41'	05°24'43"	41.39'	N05°39'54"E
C6	370.00'	41.41'	05°24'46"	41.39'	N2°04'39"E
C7	370.00'	42.88'	12°49'29"	42.85'	N08°52'17"E
C8	15.00'	21.88'	87°35'14"	19.89'	S57°00'39"W
C9	322.00'	37.42'	03°39'33"	37.40'	N7°44'57"W
C10	15.00'	22.53'	86°03'44"	20.47'	S04°43'54"E
C11	370.00'	25.43'	03°56'16"	25.42'	N43°47'08"E
C12	15.00'	23.58'	90°00'00"	23.21'	N48°45'46"W

LOT #50
VILLAGE OF BOTKINS
20.889 ACRES
P.B. 35, PG. 41

LOT #53
BRADLEY R. AND BRIDGET A.
BARRONST
ON 310-152

LOT #54
LUKE J. AND ELIZABETH A.
BARRONST
ON 310-164

LOT #55
ANTHONY D. R. ARNOLD
OR 252-403

LOT #56
LONE PINE ESTATES PHASE ONE
PLAT BOOK 30 PAGE 5

LOT #57
HOYING DEAL ESTATE
INVESTMENT LLC
OR 1831-160

VILLAGE OF BOTKINS, OHIO
Resolution No. 25-12

A RESOLUTION INCREASING APPROPRIATION OF THE 2025 BUDGET
\$26,000 AND TO DECLARE AN EMERGENCY

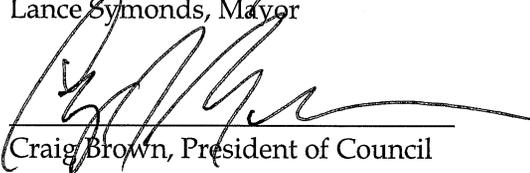
\$26,000.00 is to be appropriated to the General Fund in account 1000-320-5599.500 - Park Capital Projects.

Funds to be appropriated for the cost of additional concrete work at Cole Park, consisting of a pickleball court, curbs for the playground, and a concrete pad for a bench at Cole Field.

This Resolution is necessary as an emergency measure for the preservation of the health, safety, and welfare of the residents of the Village. This Resolution shall go into immediate effect upon its passage.

Passed this 30th day of July 2025.


Lance Symonds, Mayor


Craig Brown, President of Council

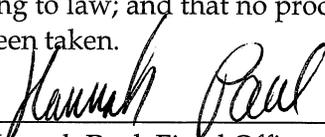
ATTEST:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-12 passed by the Council of the Village of Botkins on the 30th day of July, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.


Hannah Paul, Fiscal Officer

**Village of Botkins, Ohio
Ordinance No. 25-13**

**AN ORDINANCE VACATING A CERTAIN PORTION OF UTILITY
EASEMENT IN THE VILLAGE OF BOTKINS, OHIO AND DECLARING AN
EMERGENCY**

WHEREAS, the Village of Botkins, Shelby County, Ohio ("Village") has determined it necessary to vacate a certain portion of a utility easement located within the Village, and which utility easement is shaded on the map attached to this Ordinance as Exhibit A ("Easement"); and

WHEREAS, the Utility Easement on the South side of Lot 583 (Parcel 110233376003) is approximately fifteen (15) feet in width from North to South and approximately one hundred and fifty (150) feet in length from East to West;

WHEREAS, because the Village Council has determined that a portion of five (5) feet of such easement serves no municipal purpose and is no longer required, it shall be vacated without petition.

NOW, THEREFORE, be it ordained by the Council of the Village, a two-thirds majority of the members elected thereto concurring herein:

SECTION 1:

The Village Council finds and determines that the vacation of the utility easement in this Ordinance will not be detrimental to the general interest, that good cause exists for the vacation of such utility easement, and that the vacation of such utility easement ought to be made.

SECTION 2:

The utility easement as described above in this Ordinance shall be and hereby is vacated.

SECTION 4:

The Fiscal Officer is respectfully directed to cause a certified copy of this Ordinance to be filed in the office of the Shelby County Recorder and properly indexed therein and to further cause a certified copy of this Ordinance to be filed in the office of the Shelby County Auditor.

Adopted this 27th day of August, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

Attest


Hannah Paul, Fiscal Officer

CERTIFICATION

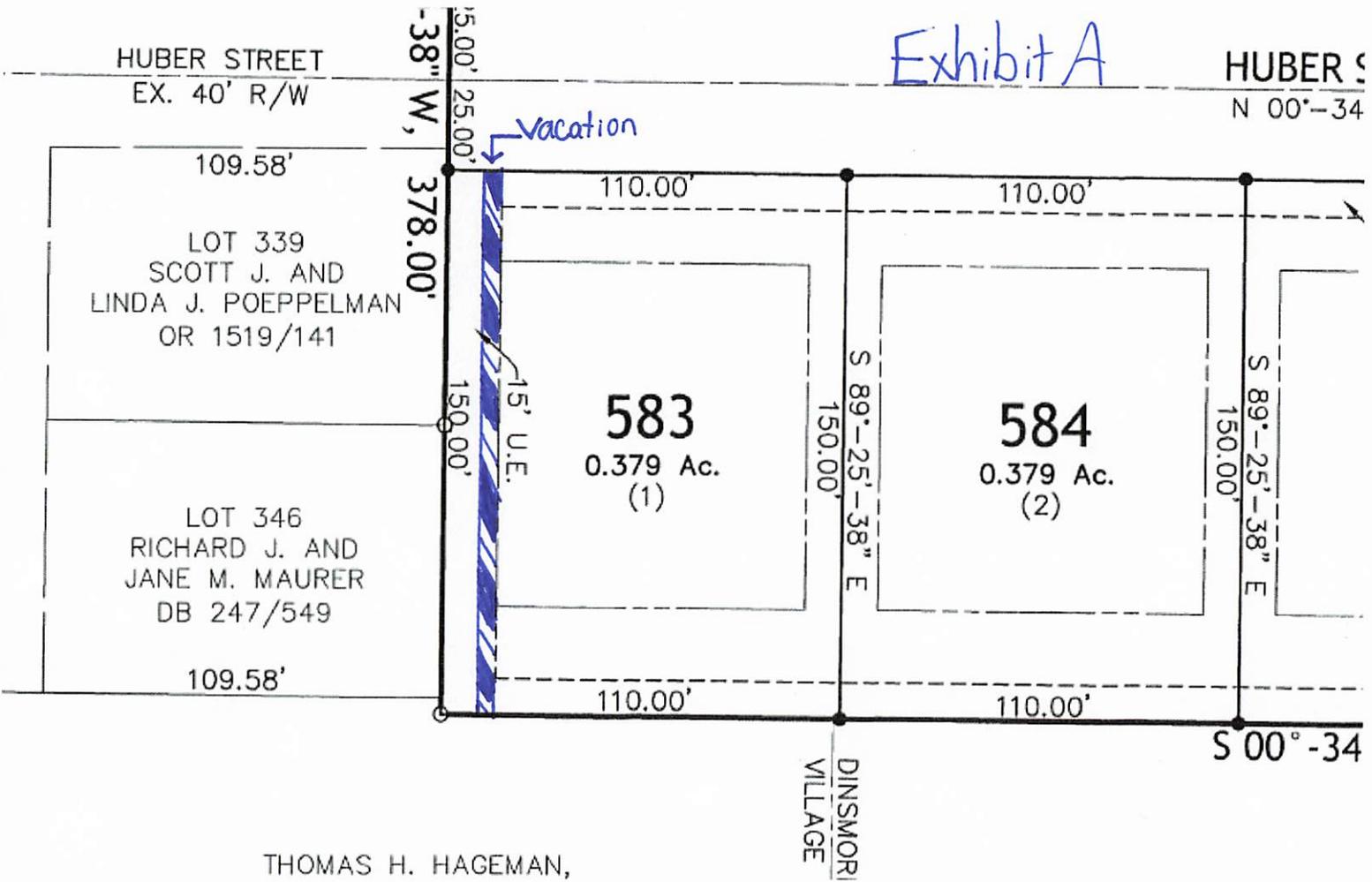
STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-13 passed by the Council of the Village of Botkins on the 27th day of August, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

Exhibit A



VILLAGE OF BOTKINS, OHIO
Resolution No. 25-14

**A RESOLUTION INCREASING APPROPRIATION OF THE 2025 BUDGET \$40,500
AND TO DECLARE AN EMERGENCY**

\$26,000.00 is to be appropriated to the Sewer Fund in account 5201-540-5310.500 – Sewer Utilities.

\$14,500.00 is to be appropriated to the Sewer Fund in account 5201-540-5190.500 – Sewer Wages.

Funds to be appropriated to return funds previously transferred to capital projects and professional services. Transferred funds were used for the Wastewater Treatment Plant Upgrades engineering, which has been offset by state reimbursements.

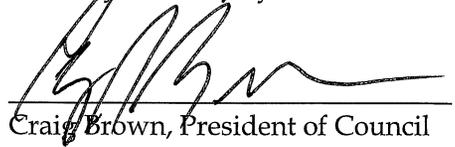
Additional funds were used for the replacement of the roof at the records building at the wastewater treatment plant.

This Resolution is necessary as an emergency measure for the preservation of the health, safety, and welfare of the residents of the Village. This Resolution shall go into immediate effect upon its passage.

Passed this 13th day of August 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

ATTEST:

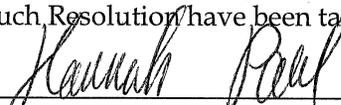


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-14 passed by the Council of the Village of Botkins on the 13th day of August, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.



Hannah Paul, Fiscal Officer

Village of Botkins, Ohio

Ordinance No. 25-15

**AN ORDINANCE DESIGNATING A NO PARKING AREA WITHIN THE
VILLAGE OF BOTKINS, OHIO**

WHEREAS, the Council of the Village of Botkins, Ohio, has determined that it is in the best interest of the health, welfare, and safety of the residents of the Village of Botkins to declare a no parking area on a portion of South Sycamore Street;

WHEREAS, the portion of South Sycamore Street between State Street and the East/West alley north of parcel 110504103013 which is indicated in Exhibit-A, is declared a no parking area on both sides of the road.

NOW, THEREFORE, be it ordained by the Council of the Village of Botkins, Ohio, a majority of the members elected thereto concurring:

SECTION 1:

That sides of S. Sycamore Street between State Street and the East/West alley north of parcel 110504103013, be designated as a no-parking zone for all hours of the day.

SECTION 2:

That the maintenance workers of the Village of Botkins are herewith authorized and directed to post appropriate no parking signs in this area.

SECTION 3:

Any violation of this Ordinance shall constitute a violation of Section 76.04 of the Code of Ordinances of the Village of Botkins and shall be punishable in accordance with Section 70.99 thereof.

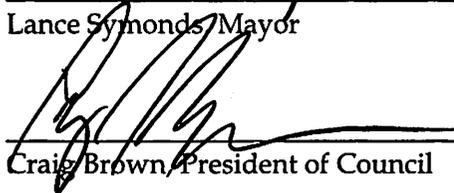
SECTION 4:

That this Ordinance shall go into full force and effect from and after the earliest date allowed by law.

Adopted this 10th day of September, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

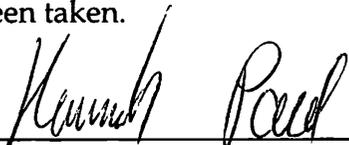
Attest:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-15 passed by the Council of the Village of Botkins on the 10th day of September, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

RESOLUTION 25-16

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR**

(VILLAGE COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35, 5705.281

The Council of the Village of Botkins, Shelby County, Ohio,

met in regular session on the 24 day of September,
(Regular or Special)

20 25, at the office of the Village with the following

members present:

Craig Brown

Council Member

Kevin Market

Council Member

Nick Greve

Council Member

Lucas Greve

Council Member

Jake Roberts

Council Member

Christian Petek

Council Member

Mr/Mrs/Ms Christian Petek moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Shelby County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; therefore be it

RESOLVED, By the Council of the Village of Botkins, Shelby County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax necessary to be levied within and without the ten mill limitations as follows:

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

LEVY	County Auditor's Est Amount Outside 10 Mill Limitation	County Auditor's Est Amount Inside 10 Mill Limitation	County Auditor's Est Tax Rate To Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
		Column IV	V	VI
GENERAL FUND		\$ 67,963	2.00	
GENERAL FUND		\$ 6,786	0.20	
TOTAL		\$ 74,750	2.20	

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

LEVY	County Auditor's Est Tax Rate	County Auditor's Est Amount

and be it further

RESOLVED, That the Fiscal Officer of this Council be, and he/she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr/Mrs/Ms Jake Roberts seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr/Mrs/Ms Nick Greve,

Mr/Mrs/Ms Craig Brown,

Mr/Mrs/Ms Lucas Greve,

Mr/Mrs/Ms Kevin Market,

Mr/Mrs/Ms Jake Roberts,

Mr/Mrs/Ms Christian Petek,

Adopted this 24 day of September,

Kevin Paul,

Fiscal Officer of the Council
Village of Botkins
Shelby County, Ohio

CERTIFICATE TO COPY

ORIGINAL ON FILE

The State of Ohio, Shelby County,

I, Hannah Paul, Fiscal Officer of the Council of the Village of Botkins in said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original:

No. 25-16

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

VILLAGE COUNCIL
Village of Botkins
Shelby County, Ohio

Adopted September 24, 2025

now on file with said Council, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 24 day of September, 2025

Hannah Paul

Fiscal Officer of the Council
Village of Botkins
Shelby County, Ohio.

***A copy of this Resolution must be certified to the County Auditor by the first day of October in each year, or at such later date as may be approved by the Budget Commission.**





RECEIVED
DEPARTMENT OF EDUCATIONAL PSYCHOLOGY
UNIVERSITY OF THE PHILIPPINES MANILA

TO THE HONORABLE CHAIRMAN
COMMISSION ON HIGHER EDUCATION
MANILA

FROM THE DEPARTMENT OF EDUCATIONAL PSYCHOLOGY
UNIVERSITY OF THE PHILIPPINES MANILA

IN RESPONSE TO YOUR LETTER
DATED APRIL 15, 1964

YOUR LETTER IS BEING
FORWARDED TO THE
RELEVANT AGENCIES

FOR THEIR CONSIDERATION
AND ACTION

VERY TRULY
YOURS

DEPARTMENT OF EDUCATIONAL PSYCHOLOGY
UNIVERSITY OF THE PHILIPPINES MANILA

Village of Botkins, Ohio
Ordinance No. 25-17

**AN ORDINANCE VACATING A CERTAIN ALLEY IN THE VILLAGE OF
BOTKINS, OHIO, REPEALING AND REPLACING ORDINANCE NO. 25-10,
AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Botkins, Shelby County, Ohio ("Village") has determined it necessary to vacate a certain alley located within the Village, and which alley is shaded on the map attached to this Ordinance as Exhibit A ("Alley"); and

WHEREAS, the Alley is approximately sixteen and one half (16.5) feet in width and approximately one hundred and forty-four (144) feet in length and is more particularly described as follows:

An alley located in the Village of Botkins, Ohio which street runs east to west, perpendicular to S. Sycamore Street located between Lot 118 to the north and Lot 401 to the south.

WHEREAS, because the Village Council has determined that the alley serves no municipal purpose and is no longer required, it shall be vacated without petition according to Ohio Revised Code 723.05.

NOW, THEREFORE, be it ordained by the Council of the Village, a two-thirds majority of the members elected thereto concurring herein:

SECTION 1:

The Village Council finds and determines that the vacation of the alley described in this Ordinance will not be detrimental to the general interest, that good cause exists for the vacation of such alley, and that the vacation of such alley ought to be made.

SECTION 2:

The legal descriptions of the lots abutting the alley are as follows:

Kyle & Leah Berlekamp

- *LOT 118 VILLAGE OF BOTKINS 090-05-04-106-001*

Jeffery & Cindy Leydig

- *LOT 119 IN THE VILLAGE OF BOTKINS 090-05-04-106-002*

- PT VAC ALLEY ADJ LOT 119 IN THE VILLAGE OF BOTKINS 090-05-04-106-003

Jacob & Ashley Roberts

- LOT 120 WHOLE 090-05-04-106-005
- VAC ALLEY ADJ TO LOT 120 090-05-04-106-004

Gary & Anita Bornhorst

- LOT 121 WHOLE 090-05-04-106-006
- V/A LOTS 121 & 122 090-05-04-106-007
- V/A LOTS 121 & 122 090-05-04-106-008
- LOT 122 WHOLE 090-05-04-106-009
- LOT 123 WHOLE 090-05-04-106-010
- LOT 124 WHOLE 090-05-04-106-011

David Berner

- LOT 397 IN PAUL WILT SECOND SUB IN THE VILLAGE OF BOTKINS 090-05-04-106-016 PLAT V8 P61

Trevor & Desdemona Rogers

- LOT 398 IN PAUL WILT 2ND SUB IN THE VILLAGE OF BOTKINS 090-05-04-106-015 PLAT V8 P61

Christian & Rachel Petek

- LOT 401 WHOLE PAUL WILT SECOND SUBDIVISION VILLAGE OF BOTKINS 090-05-04-106-012 PLAT V8 P61

SECTION 3:

The alley as described above in this Ordinance shall be and hereby is vacated.

SECTION 4:

The Fiscal Officer is respectfully directed to cause a certified copy of this Ordinance to be filed in the office of the Shelby County Recorder and properly indexed therein and to further cause a certified copy of this Ordinance to be filed in the office of the Shelby County Auditor.

Adopted this 24 day of September, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

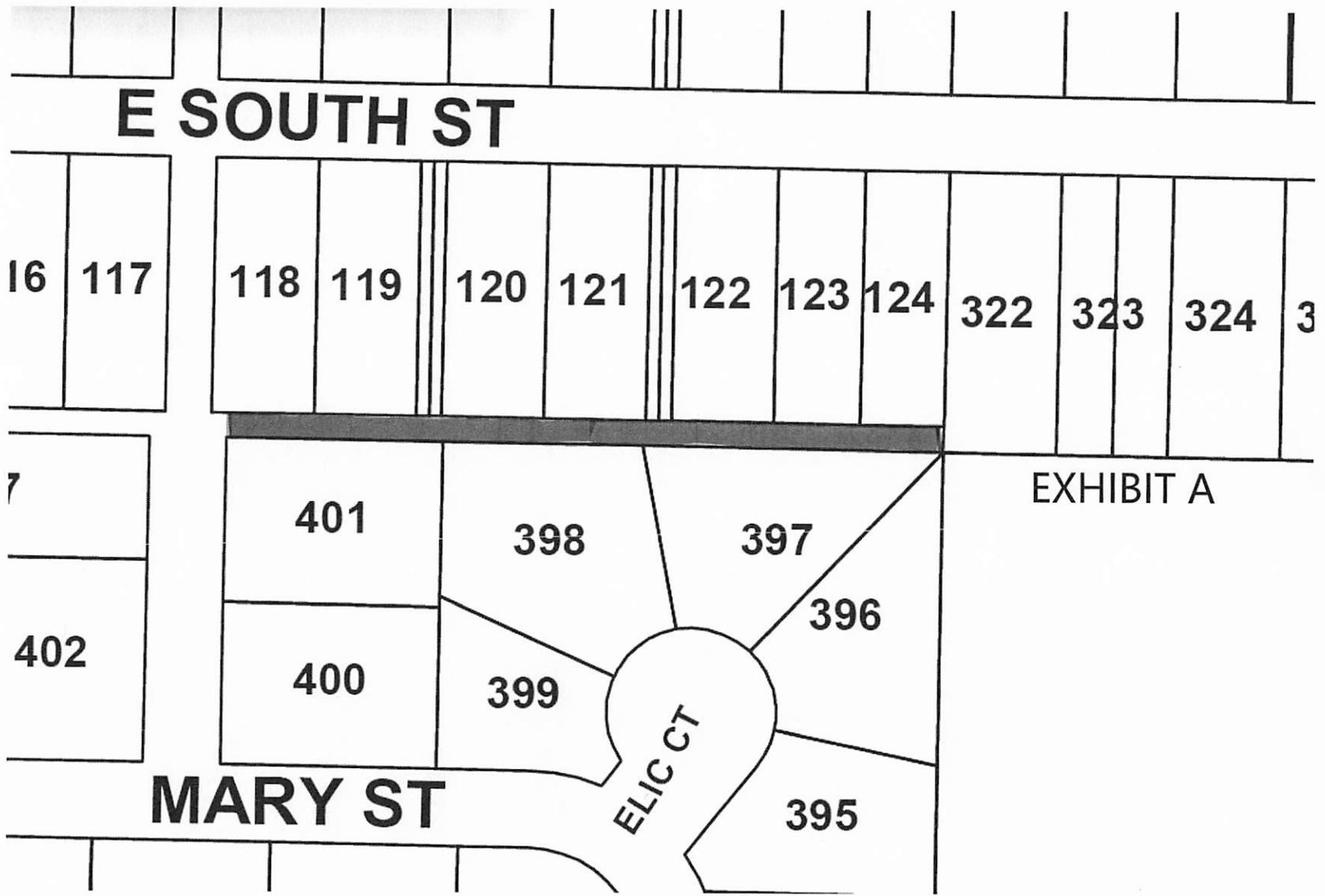
Attest: Hannah Paul
Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-17 passed by the Council of the Village of Botkins on the 24 day of September, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.

Hannah Paul
Hannah Paul, Fiscal Officer



Village of Botkins, Ohio
Ordinance No. 25-18

**AN ORDINANCE VACATING A CERTAIN ALLEY IN THE VILLAGE OF
BOTKINS, OHIO, AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Botkins, Shelby County, Ohio ("Village") has received a petition to vacate a certain alley located within the Village, and which alley is shaded on the map attached to this Ordinance as Exhibit A ("Alley"); and

WHEREAS, the Village has determined that the alley does not serve any municipal purpose; and

WHEREAS, the Alley is approximately sixteen and one half (16.5) feet in width and approximately sixty-six (66) feet in length and is more particularly described as follows:

An alley located in the Village of Botkins, Ohio which street runs east to west, perpendicular to S. Sycamore Street located between Lot 29 to the north and Lot 401 to the south.

NOW, THEREFORE, be it ordained by the Council of the Village, a two-thirds majority of the members elected thereto concurring herein:

SECTION 1:

The Village Council finds and determines that the vacation of the alley described in this Ordinance will not be detrimental to the general interest, that good cause exists for the vacation of such alley, and that the vacation of such alley ought to be made.

SECTION 2:

The legal descriptions of the lots abutting the alley are as follows:

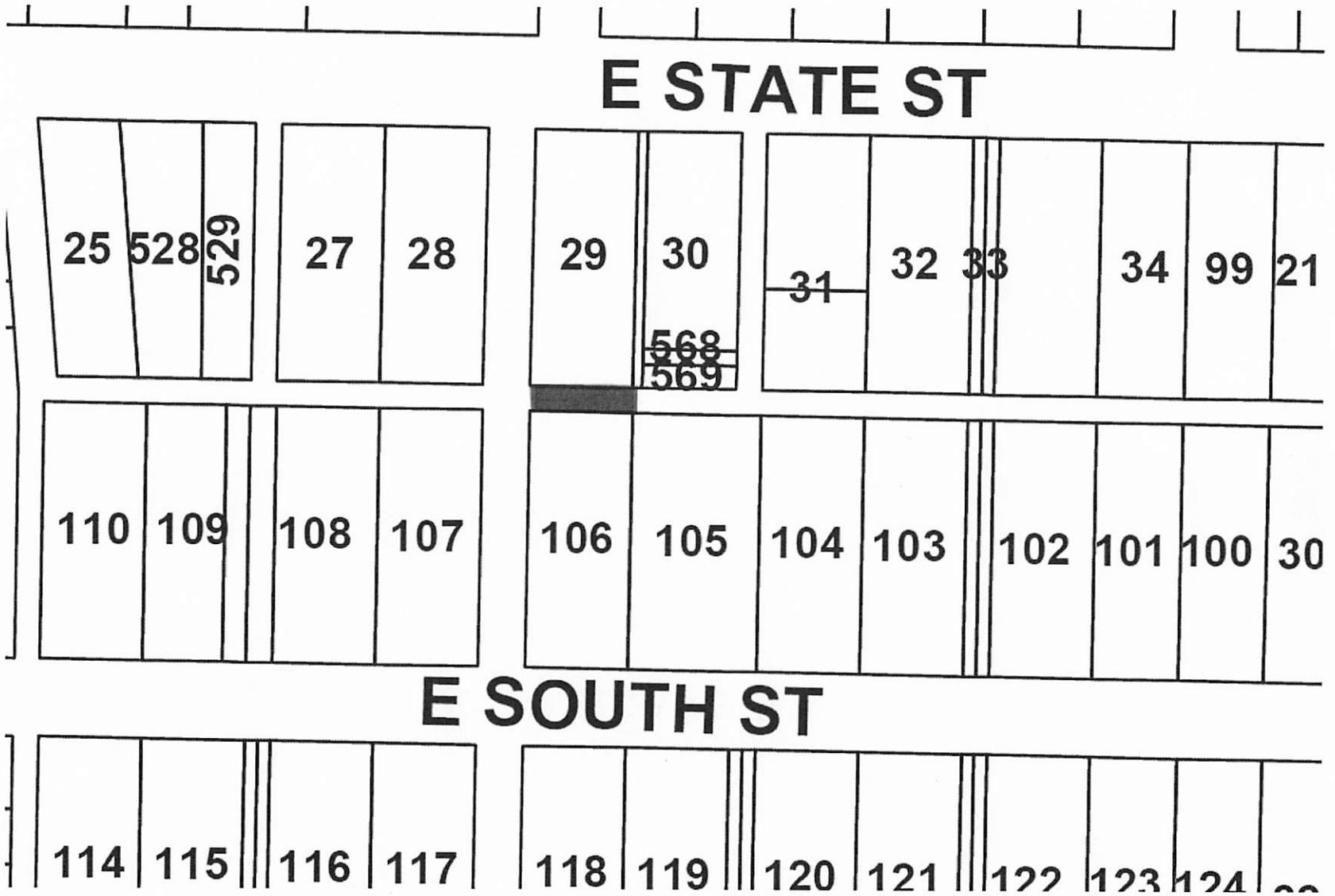
Kenneth & Violet Koenig

- *LOT 29 IN THE VILLAGE OF BOTKINS 090-05-04-103-001 PLAT V1 P334*

Ronald & Beth Klopfenstein

- *LOT 106 WHOLE FOURTH ADDITION VILLAGE OF BOTKINS 090-05-04-103-013*

EXHIBIT A



PETITION TO VACATE A PORTION OF VILLAGE ALLEY

To: The Mayor and Village Council of Botkins, Shelby County, Ohio

We, the undersigned property owners whose properties are adjacent to the portion of the Village alley described below, hereby respectfully petition the Village to vacate said portion of the alley.

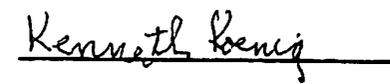
Description of Alley to be Vacated:

The east-west alley lying between Lots 29 and 106 in the Village of Botkins, beginning at S. Sycamore St. and extending approximately 66 feet eastward to the easter property lines of the lots.

Petitioners:

We respectfully request that the Village Council take the necessary steps to vacate the above-described portion of the alley pursuant to Ohio Revised Code § 723.04.

Signatures of Adjacent Property Owners:

Name (Printed)	Signature	Address	Lot No.
Ron Klopfenstein		104 S. Sycamore	Lot 106
Kenneth Koenig		201 E. State	Lot 29

Date: 9/08/2025

SECTION 3:

The alley as described above in this Ordinance shall be and hereby is vacated.

SECTION 4:

The Fiscal Officer is respectfully directed to cause a certified copy of this Ordinance to be filed in the office of the Shelby County Recorder and properly indexed therein and to further cause a certified copy of this Ordinance to be filed in the office of the Shelby County Auditor.

Adopted this 8th day of October, 2025.



Lance Symonds, Mayor


Craig Brown, President of Council

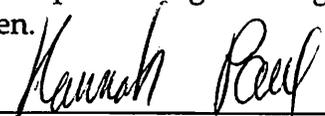
Attest:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-18 passed by the Council of the Village of Botkins on the 8th day of October, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

**VILLAGE OF BOTKINS, OHIO
Resolution No. 25-19**

**A RESOLUTION INCREASING APPROPRIATION OF THE 2025 BUDGET \$29,000
AND TO DECLARE AN EMERGENCY**

\$17,500.00 is to be appropriated to the Thaman Fund in account 2041-320-5690.500 – General Expenses.

Funds to be appropriated for the use of Reclamite on the parking lot and park lane at the Botkins Community Park.

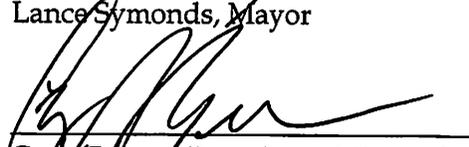
\$11,500.00 is to be appropriated to the Sewer Fund in account 5201-540-5310.500 – Sewer Utilities.

Funds to be appropriated for fund transferred internally to Capital Equipment General Expenses.

This Resolution is necessary as an emergency measure for the preservation of the health, safety, and welfare of the residents of the Village. This Resolution shall go into immediate effect upon its passage.

Passed this 24th day of September 2025.


Lance Symonds, Mayor


Craig Brown, President of Council

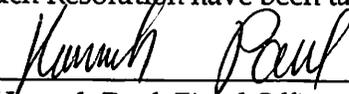
ATTEST:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-19 passed by the Council of the Village of Botkins on the 24th day of September, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.


Hannah Paul, Fiscal Officer

RESOLUTION NO. 25-20

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the Village of Botkins is planning to make capital improvements to South Street;

AND WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission programs;

NOW THEREFORE, be it RESOLVED by the Council of the Village of Botkins, Shelby County, Ohio, as follows:

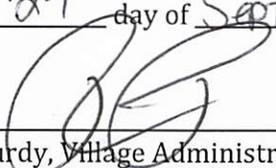
SECTION ONE: The Village Administrator is hereby authorized to apply to the Ohio Public Works Commission for funds to make improvements to South Street, known as South Street Reconstruction Phase II (from Main Street to First St.).

SECTION TWO: The Village Administrator is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION THREE: Mote & Associates, Inc. is hereby authorized to assist the Village of Botkins in its application process and complete the engineering associated with the project.

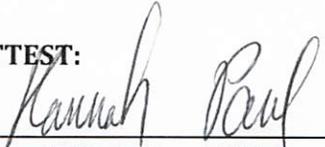
SECTION FOUR: This Resolution is hereby declared an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the citizens of the Village of Botkins, Shelby County, as there is a time limitation for the application of such financial assistance, and this Resolution shall take effect and be in full force from and after its passage and approval by the Village Administrator.

PASSED 24 day of September, 2025.



Randy Purdy, Village Administrator

ATTEST:



Hannah Paul, Fiscal Officer

South Street Reconstruction - Phase II

Village of Botkins

Preliminary Construction Cost Estimate ~ September 2025

(From Main Street to First Street)

<u>Item No.</u>	<u>Description</u>	<u>Qty.</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Item Cost</u>
202	Curb and Gutter Removed	2,700	L.F.	\$8.00	\$21,600.00
202	Walk Removed	2,400	S.F.	\$5.00	\$12,000.00
202	Concrete Pavement Removed, Drives	300	S.Y.	\$15.00	\$4,500.00
202	Catch Basin Removed	4	Each	\$400.00	\$1,600.00
202	Manhole Removed	2	Each	\$1,000.00	\$2,000.00
202	Pipe Removed	70	L.F.	\$20.00	\$1,400.00
203	Excavation	2,100	C.Y.	\$24.00	\$50,400.00
204	Subgrade Compaction & Proof Rolling	4,600	S.Y.	\$2.50	\$11,500.00
204	Subgrade Preparation	470	C.Y.	\$50.00	\$23,500.00
204	Subgrade Stabilization, Geogrid Placement	2,800	S.Y.	\$6.00	\$16,800.00
301	Asphalt Concrete Base	390	C.Y.	\$250.00	\$97,500.00
304	Aggregate Base	790	C.Y.	\$70.00	\$55,300.00
407	Non-Tracking Tack Coat (0.055 Gal./S.Y.)	500	Gal.	\$8.00	\$4,000.00
441	A. C. Surface Course, Type 1 (448), PG64-22	160	C.Y.	\$300.00	\$48,000.00
441	A. C. Intermediate Course, Type 2 (448)	225	C.Y.	\$275.00	\$61,875.00
452	Non-Reinforced Concrete Pavement	450	S.Y.	\$90.00	\$40,500.00
608	Concrete Walk	9,200	S.F.	\$18.00	\$165,600.00
608	Curb Ramp w/ Detectable Warnings	6	Each	\$600.00	\$3,600.00
609	Combination Curb and Gutter	2,800	L.F.	\$25.00	\$70,000.00
609	Type '6' Curb	100	L.F.	\$25.00	\$2,500.00
611	4" Storm Drain Repair	1	Each	\$250.00	\$250.00
611	6" Storm Drain Repair	1	Each	\$300.00	\$300.00
611	8" Storm Drain Repair	1	Each	\$350.00	\$350.00
611	12" Storm Drain Repair	1	Each	\$400.00	\$400.00
611	8" Conduit, Type 'B' (707.33)	300	L.F.	\$45.00	\$13,500.00
611	12" Conduit, Type 'B' (707.33)	800	L.F.	\$80.00	\$64,000.00
611	8" x 8" Tee (707.33)	15	Each	\$100.00	\$1,500.00
611	8" Cap	30	Each	\$30.00	\$900.00

South Street Reconstruction - Phase II

Village of Botkins

Preliminary Construction Cost Estimate ~ September 2025

(From Main Street to First Street)

<u>Item No.</u>	<u>Description</u>	<u>Qty.</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Item Cost</u>
611	Catch Basin	8	Each	\$2,400.00	\$19,200.00
611	Catch Basin Reconstructed to Grade	1	Each	\$3,500.00	\$3,500.00
611	Storm Manhole	4	Each	\$3,500.00	\$14,000.00
611	Manhole Reconstructed to Grade	6	Each	\$800.00	\$4,800.00
614	Maintenance of Traffic	1	Lump	\$8,000.00	\$8,000.00
624	Mobilization	1	Lump	\$10,000.00	\$10,000.00
625	Conduit, 1" PVC (725.051)	1,400	L.F.	\$8.00	\$11,200.00
625	Electrical Conductors	1,400	L.F.	\$12.00	\$16,800.00
630	Removal of Grnd. Mtd. Signs, Supports, Reinst.	1	Lump	\$1,000.00	\$1,000.00
638	Fire Hydrant Removed	3	Each	\$550.00	\$1,650.00
638	Water Valve Abandoned	3	Each	\$350.00	\$1,050.00
659	Seeding and Mulching	1,200	S.Y.	\$8.00	\$9,600.00
33 11 13	8" Waterline (AWWA C-909 DR-18)	1,450	L.F.	\$100.00	\$145,000.00
33 11 13	8" - 45° Bend	4	Each	\$600.00	\$2,400.00
33 11 13	8" - 90° Bend	2	Each	\$600.00	\$1,200.00
33 11 13	6" - 45° Bend	2	Each	\$500.00	\$1,000.00
33 11 13	8" x 6" Reducer	1	Each	\$500.00	\$500.00
33 11 13	6" Cutting-In-Sleeve	1	Each	\$500.00	\$500.00
33 11 13	8" x 6" Tee	3	Each	\$650.00	\$1,950.00
33 11 13	12" x 8" Tapping Tee and Valve	1	Each	\$6,000.00	\$6,000.00
33 12 13	3/4" Water Service Connection	20	Each	\$1,800.00	\$36,000.00
33 12 13	1" Water Service Connection	4	Each	\$2,500.00	\$10,000.00
33 12 16	8" Gate Valve w/ Box	4	Each	\$2,200.00	\$8,800.00
33 12 16	6" Gate Valve w/ Box	3	Each	\$1,600.00	\$4,800.00
33 12 19	Fire Hydrant	3	Each	\$5,000.00	\$15,000.00
32 12 34	Asphalt Rejuvenating Agent (Reclamite)	4,600	S.Y.	\$2.00	\$9,200.00

South Street Reconstruction - Phase II

Village of Botkins

Preliminary Construction Cost Estimate ~ September 2025

(From Main Street to First Street)

<u>Item No.</u>	<u>Description</u>	<u>Qty.</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Item Cost</u>
Spec.	Manhole Chimney	10	Each	\$1,200.00	\$12,000.00
Spec.	8" Inserta-Tee Connection	10	Each	\$400.00	\$4,000.00
Spec.	Erosion and Sediment Control	1	Lump	\$1,500.00	\$1,500.00
Spec.	Light Pole Base with Anchor Bolts	5	Each	\$1,500.00	\$7,500.00
Spec.	Light Pole	5	Each	\$1,800.00	\$9,000.00
Spec.	Light Fixture	5	Each	\$2,000.00	\$10,000.00
				Subtotal =	\$1,162,525.00
				Contingency =	\$116,375.00
				Estimated Construction Cost =	\$1,279,000.00

CERTIFICATION

I hereby certify the above estimate to be realistic for the information currently available and that Prevailing Wage Rates were taken into consideration when determining the estimated cost for this project; in evidence whereof, I have set my signature and seal on this date.

Mote & Associates, Inc.

Signature: _____

Date: _____

Ohio Engineer's License #: 48648

Village of Botkins
South Street Reconstruction Ph.II
(Main Street to First Street)
OPWC Funding Option for 2026 Awards

2025 Application

District 13

Estimated Cost = \$1,279,000.00 (Engineering Not Included)

Village of Botkins - Local Match

OPWC Grant

OPWC Loan

Score

183 Dist. / 55 SG

Funding Breakdown

\$447,650.00

\$581,945.00

\$249,405.00

TOTAL PROJECT COST:

\$1,279,000.00

2024 Application - Ph. I

District 13

Estimated Cost = \$913,000.00 (Engineering Not Included)

Village of Botkins - Local Match

OPWC Grant

OPWC Loan

Score

188 Dist. / 58 SG

Funding Breakdown

\$364,321.00

\$323,679.00

\$225,000.00

TOTAL PROJECT COST:

\$913,000.00

Village of Botkins

210 South Mill Street
P.O. Box 190
Botkins, Ohio 45306
Phone (937)693-4368

CHIEF FINANCIAL OFFICER'S CERTIFICATION OF LOCAL FUNDS & LOAN REPAYMENT

September 24, 2025

I, Hannah Paul, Fiscal Officer of the Village of Botkins, hereby certify that the Village of Botkins has the amount of **\$447,650.00** in the General and/or Capital Fund and that this amount will be used to pay the local share for the Phase II - South Street Reconstruction project when it is required.

I, Hannah Paul, Fiscal Officer of the Village of Botkins, also hereby certify that the Village of Botkins will collect the amount of **\$249,405.00** in the General and/or Capital Fund and that this amount will be used to repay the Ohio Public Works Commission SCIP or RLP loan requested for the Phase II - South Street Reconstruction project over a 30-year term.



Hannah Paul
Fiscal Officer
Village of Botkins

6.0 Attachments / Completeness review

Confirm in the boxes below that each item listed is attached (Check each box)

- A certified copy of the legislation by the governing body of the applicant authorizing a designated official to sign and submit this application and execute contracts. This individual should sign under 7.0, Applicant Certification, below.
- A certification signed by the applicant's chief financial officer stating the amount of all local share funds required for the project will be available on or before the dates listed in the Project Schedule section. If the application involves a request for loan (RLP or SCIP), a certification signed by the CFO which identifies a specific revenue source for repaying the loan also must be attached. Both certifications can be accomplished in the same letter.
- A registered professional engineer's detailed cost estimate and useful life statement, as required in 164-1-13, 164-1-14, and 164-1-16 of the Ohio Administrative Code. Estimates shall contain an engineer's seal or stamp and signature.
- A cooperative agreement (if the project involves more than one subdivision or district) which identifies the fiscal and administrative responsibilities of each participant.
- Farmland Preservation Review - The Governor's Executive Order 98-IV, "Ohio Farmland Protection Policy" requires the Commission to establish guidelines on how it will take protection of productive agricultural and grazing land into account in its funding decision making process. Please include a Farm Land Preservation statement for projects that have an impact on farmland.
- Capital Improvements Report. CIR Required by O.R.C. Chapter 164.06 on standard form.
- Supporting Documentation: Materials such as additional project description, photographs, economic impact (temporary and/or full time jobs likely to be created as a result of the project), accident reports, impact on school zones, and other information to assist your district committee in ranking your project. Be sure to include supplements which may be required by your local District Public Works Integrating Committee.

7.0 Applicant Certification

The undersigned certifies: (1) he/she is legally authorized to request and accept financial assistance from the Ohio Public Works Commission as identified in the attached legislation; (2) to the best of his/her knowledge and belief, all representations that are part of this application are true and correct; (3) all official documents and commitments of the applicant that are part of this application have been duly authorized by the governing body of the applicant; and, (4) should the requested financial assistance be provided, that in the execution of this project, the applicant will comply with all assurances required by Ohio Law, including those involving Buy Ohio and prevailing wages.

Applicant certifies that physical construction on the project as defined in the application has NOT begun, and will not begin until a Project Agreement for this project has been executed with the Ohio Public Works Commission. Action to the contrary will result in termination of the agreement and withdrawal of Ohio Public Works Commission funding from the project.

Randy Purdy, Village Administrator

Certifying Representative (Printed form, Type or Print Name and Title)

Original Signature (Date Signed)

Village of Botkins

210 South Mill Street
P.O. Box 190
Botkins, Ohio 45306
Phone (937)693-4368

September 24, 2025

To: Ohio Public Works Commission

Re: Permission for Representation in "WorksWise"
Subdivision Code #149-07832

I acknowledge that the Ohio Public Works Commission's web portal, WorksWise, is the official project application and management tool for OPWC funding. As a representative of Village of Botkins, Subdivision Code 149-07832, I hereby authorize Mote & Associates, Inc. permission to perform any and all of the following tasks in the name of Village of Botkins as follows: complete and submit an application for funds, modify and submit an application for funds, submit project disbursements, and close out funded projects. The contact information for Mote & Associates, Inc. is Jerry McClannan, Principal Engineer, 214 West Fourth Street, Greenville, Ohio. This permission remains in effect until otherwise revoked at which time the OPWC must be notified in writing.

Sincerely,

Randy Purdy
Village Administrator

VILLAGE OF BOTKINS, OHIO
Resolution No. 25-21

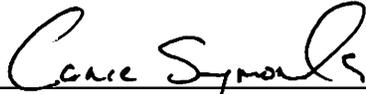
**A RESOLUTION INCREASING APPROPRIATION OF THE 2025 BUDGET \$31,500
AND TO DECLARE AN EMERGENCY**

\$31,500.00 is to be appropriated to the Capital Improvement Fund in account 4905-801-5599.500 – Capital Projects.

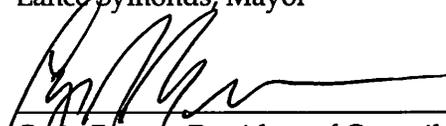
Funds to be appropriated for the resurfacing of S. Mill street between Edgewood and Botkins Commons.

This Resolution is necessary as an emergency measure for the preservation of the health, safety, and welfare of the residents of the Village. This Resolution shall go into immediate effect upon its passage.

Passed this 29th day of October 2025.

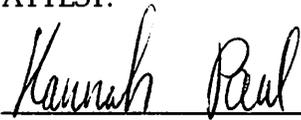


Lance Symonds, Mayor



Craig Brown, President of Council

ATTEST:

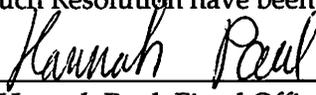


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-21 passed by the Council of the Village of Botkins on the 29th day of October, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.



Hannah Paul, Fiscal Officer

**Village of Botkins, Ohio
Ordinance No. 25-22**

AN ORDINANCE AMENDING THE RENTS AND CHARGES FOR WATER USE AND DISTRIBUTION AND SEWERAGE SERVICES TO RESIDENTS AND COMMERCIAL ESTABLISHMENTS LOCATED WITHIN THE MUNICIPAL CORPORATION LIMITS OF THE VILLAGE OF BOTKINS AND TO USERS OF THE VILLAGE'S WATER DISTRIBUTION AND SEWERAGE SYSTEMS WHO RESIDE OUTSIDE THE MUNICIPAL CORPORATION LIMITS OF THE VILLAGE.

WHEREAS, the Council of the Village of Botkins, ("Village") has determined it necessary to adjust the rates charged to residential and commercial users of the Village's water distribution and sewerage system.

NOW, THEREFORE, be it ordained by the Council of the Village; *a majority of the members elected thereto concurring herein*:

SECTION 1:

That effective January 1, 2026, the rents and charges for use of the Village's water distribution system shall be and are hereby fixed as follows:

- The minimum rents and charges for water usage which does not exceed Six Thousand (6,000) gallons per calendar quarter shall be \$95.00.
- From January 1, 2026 through December 31, 2026, water usage which exceeds Six Thousand (6,000) gallons per calendar quarter shall be charged at \$4.00 per thousand gallons of usage.
- The bulk water rate for the same period of time shall be \$20.00 per One Thousand (1,000) gallon.

That effective January 1, 2027, the rents and charges for use of the Village's water distribution system shall be and are hereby fixed as follows:

- The minimum rents and charges for water usage which does not exceed Six Thousand (6,000) gallons per calendar quarter shall be \$97.85.
- From January 1, 2027 through December 31, 2027, water usage which exceeds Six Thousand (6,000) gallons per calendar quarter shall be charged at \$4.12 per thousand gallons of usage.
- The bulk water rate for the same period of time shall be \$20.00 per One Thousand (1,000) gallon.

SECTION 2:

That effective January 1, 2026 the rents and charges for use of the Village's sewerage system shall be and are hereby fixed as follows:

- For water usage which does not exceed Six Thousand (6,000) gallons per calendar quarter, the minimum charge for use of the Village's sewerage system shall be \$95.00.
- From January 1, 2026 through December 31, 2026, for water usage which exceeds Six Thousand (6,000) gallons per calendar quarter, the charges for use of the Village's sewerage system shall be \$4.00 per thousand gallons of water usage.

That effective January 1, 2027, the rents and charges for use of the Village's sewerage system shall be and are hereby fixed as follows:

- For water usage which does not exceed Six Thousand (6,000) gallons per calendar quarter, the minimum charge for use of the Village's sewerage system shall be \$97.85.
- From January 1, 2027 through December 31, 2027, water usage which exceeds Six Thousand (6,000) gallons per calendar quarter, the charges for use of the Village's sewerage system shall be \$4.12 per thousand gallons of water usage.

SECTION 3:

That Effective January 1st, 2026, the following Storm Water Fee shall be assessed to each end-user as follows:

- A Storm Water Fee of \$1.50 per month will be assessed to any unit attached to the water delivery system that month for the purpose of storm tiles, drains, and retention/detention basin maintenance and construction.

SECTION 4:

That effective January 1st, 2026, the following Capital Fees shall be assessed to each end-user as follows:

- A Capital Fee of \$2.50 per month will be assessed to any unit attached to the water delivery system that month for the purpose of funding capital improvements.

- A Capital Fee of \$2.50 per month will be assessed to any unit attached to the sewer system during that month for the purpose of funding capital improvements.

SECTION 5:

This Ordinance shall go into full force and effect on the earliest date provided by law. All Ordinances inconsistent herewith are repealed with the effective date of this Ordinance.

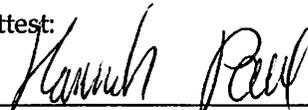
Adopted this 10 day of December, 2025.



 Lance Symonds, Mayor



 Craig Brown, President of Council

Attest:


 Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
 COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-22 passed by the Council of the Village of Botkins on the 10 day of December, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



 Hannah Paul, Fiscal Officer

Village of Botkins, Ohio

ORDINANCE #25-23

Annual Appropriations Ordinance

An Ordinance to make appropriations for Current Expenses and other Expenditures of the Village of Botkins, State of Ohio, during the fiscal year ending December 31, 2026.

Be it resolved by the Council of the Village of Botkins, State of Ohio, that, to provide for the current expenses and other expenditures of the said Village of Botkins during the fiscal year ending December 31, 2026, the following sums be and they are hereby set aside and appropriated as follows, viz:

1000	General	\$1,686,950
2011	Streets	\$160,250
2021	State Highway	\$2,000
1001	Continuing Professional Education	\$1,000
2041	Thaman Private Trust	\$0
2101	Permissive Motor Vehicle Tax	\$0
4905	Capital Improvement	\$933,000
4901	Capital Improvement Fire Share	\$205,000
4902	Issue 2	\$550,000
5101	Water	\$399,000
5201	Sewer	\$345,000
5901	Storm	\$20,000
9976	Library - Stofer	\$0
9977	Library - Sheets	\$0
5911	Refuse	\$28,000
2271	Alcohol Enforcement & Education	\$500
2272	Drug Enforcement & Education	\$500
Total Expenditures All Funds		\$4,331,200

And the Village Clerk is hereby authorized to draw warrants on the Village Treasurer for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefor, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or Ordinance. Provided further that the appropriation for contingencies can only be expended upon appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the village, and for purposes other than those covered by other specific appropriations herein made.

This resolution shall take effect at the earliest period allowed by law.

Passed December, 10, 2005
Attest: Hannah Paul
Fiscal Officer

[Signature]
President of Council

CERTIFICATE

Section 5705.39, R.C. - "No appropriation measure shall become effective until the county auditor files with the appropriating authority a certificate that the total appropriations from each fund, taken together with all other outstanding appropriations, do not exceed such official estimate or amended official estimate. When the appropriation does not exceed such official estimate, the county auditor shall give such certificate forthwith upon receiving from the appropriating authority a certified copy of the appropriation measure.

The State of Ohio Shelby County, ss.

I, Hannah Paul Clerk of the Village of Botkins

in said County, and in whose custody the Files, Journals, and Records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the, original Ordinance now on file with said Village, that the foregoing Ordinance has been compared by me with

the said original and that the same is a true and correct copy thereof.

Witness my signature, this 10 day of

December, 2025

Kenneth Paul

Fiscal Officer of the Village of Botkins
Shelby County, Ohio

Village of Botkins, Ohio
Ordinance No. 25-24

**AN ORDINANCE AMENDING AND RESTATING THE ZONING
REGULATIONS OF THE VILLAGE OF BOTKINS, OHIO**

WHEREAS, the Constitution and Statutes of the State of Ohio empower the Village of Botkins ("Village") to enact a zoning ordinance and to provide for its administration, enforcement, amendment, and restatement; and

WHEREAS, the Village Council deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the Village to amend Ordinance No. 03-04, which amended Ordinance No. 557 passed May 11, 1971 ("Original Ordinance"); and

WHEREAS, the Village Council pursuant to the provisions of Chapter 713 of the Ohio Revised Code, has appointed a Planning Commission for planning and zoning to recommend the boundaries of the various zoning districts and appropriate regulations to be enforced therein; and

WHEREAS, the Planning Commission of the Village has determined that an amendment and restatement of the Original Ordinance is needed to update and modernize the Botkins Zoning Code; and

WHEREAS, the Planning Commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Village; and

WHEREAS, the Planning Commission has made a preliminary report and held public hearings thereon, and submitted its final report to the Village Council; and

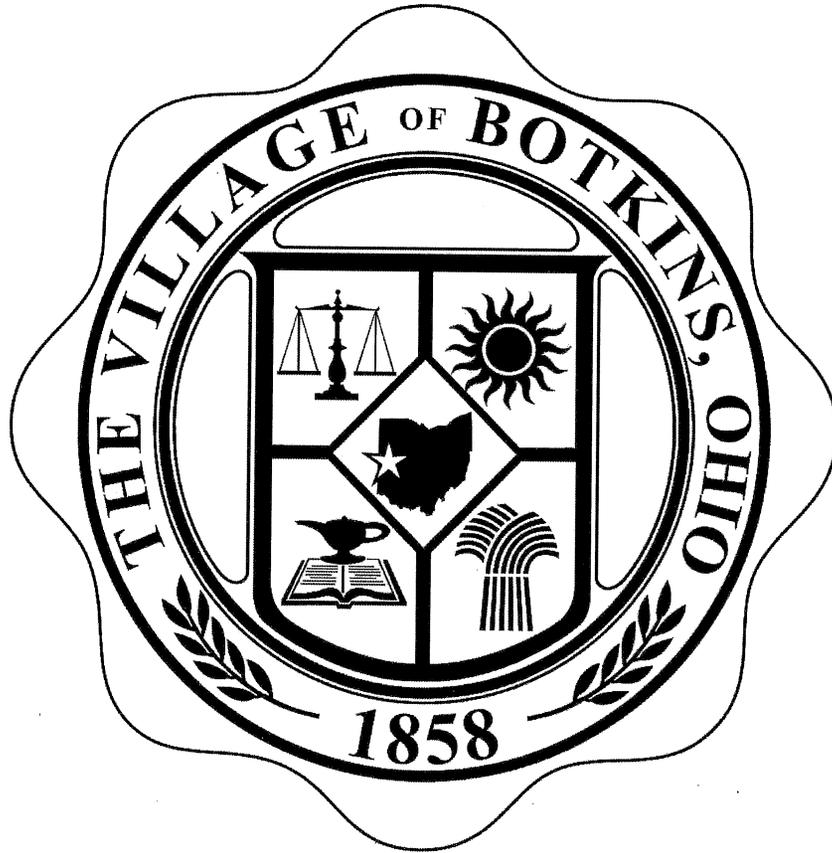
WHEREAS, the Planning Commission reviewed this Ordinance at its meeting on the 15th day of October, 2025, and recommend adoption of this Ordinance; and

WHEREAS, the Village Council held a hearing on the proposed revisions to the Regulations on the 6th day of November, 2025; and

WHEREAS, notice of the hearing was published at the Village's posting locations and on the Village's social media accounts; and

WHEREAS, a copy of this Ordinance was available in the Clerk's office for thirty (30) days prior to the Public Hearing before the Village Council; and

Village of Botkins



Zoning Code Regulations Botkins Code Title XV Chapter 153

153.044 C-4 Special Business District

153.045 I Industrial District

Supplemental District Regulations

153.055 Intent

153.056 Accessory structures

153.057 Satellite dish antenna regulations

153.058 Radio and television antenna regulations

153.059 Buffer and transition between residential/commercial and residential/industrial zoned properties

153.060 Principal building per lot

153.061 Required refuse collection areas

153.062 Fences, walls and hedges

153.063 Projections into required yards

153.064 Visibility at intersections

153.065 Temporary uses

153.066 Swimming pools/ponds

153.067 Home occupations

153.068 Residential design and appearance standards

153.069 Adult entertainment facilities

153.070 Mobile homes on individual parcels (lots)

153.071 Bed and breakfast inns

153.072 Automobile washing facilities

153.073 Wireless telecommunications facilities

Conditional Uses; Substantially Similar Uses

153.085 Contents of conditional use permit application

153.086 General standards for all conditional uses

153.159 Off-street loading design standards

Signage

153.170 Intent

153.171 General requirements

153.172 Definitions

153.173 Measurement of sign area

153.174 On-premise signs exempted from permit regulations

153.175 Signs requiring a permit

153.176 On-premise signs permitted in residential zones

153.177 On-premise signs permitted in business and industrial zones

153.178 Off-premise signs

153.179 Prohibited signs

153.180 Permit application procedures

153.181 Violations

153.182 Denial of permit

Amendments

153.195 Intent

153.196 Initiation of zoning amendments

153.197 Contents of application for zoning map amendment

153.198 Contents of application for zoning text amendment

153.199 Recommendation by Planning Commission

153.200 Public hearing by Village Council

153.201 Notice of public hearing in newspaper

153.202 Notice to parties of interest

153.203 Action by Village Council

- 153.260 Failure to obtain a building/zoning permit
- 153.261 Construction and use to be as provided in applications, plans and permits
- 153.262 Entry and inspection of property
- 153.263 Stop work order
- 153.264 Building/zoning permit revocation
- 153.265 Complaints regarding violations
- 153.266 Notice of violation
- 153.267 Additional remedies
- 153.999 Penalty

GENERAL PROVISIONS

§ 153.001 TITLE.

This chapter shall be known and may be cited to as the Zoning Code of the Village of Botkins, except as referred to herein, where it shall be known as this Zoning Code.

§ 153.002 INTENT.

- A. The intent of this Zoning Code is to promote and protect the public health, safety and general welfare of the village, in accordance with planning process that is reflected in the contents of this Zoning Code and in the zoning map of the village by:
1. Dividing the village into zones or districts within which specific regulations contained in this Zoning Code control the location, construction, reconstruction, alteration, and use of buildings, structures, and land for residence, commerce, industry, or other specific uses;
 2. Regulating the intensity of land use through the control of the amount of lot area on which construction is authorized and a determination of the area of open space surrounding any human-made improvements upon the land;
 3. Facilitating the orderly, efficient, and appropriate growth and development within the village;
 4. Protecting residential, business, commercial and industrial land uses from encroachment by incompatible land uses that would not be conducive to the public health, safety and general welfare;
 5. Regulating certain non-conforming uses of land, buildings and structures;
 6. Promoting a pattern of rational land use relationships among residential, business, commercial, and industrial uses for the purposes of promoting the public health, safety, and general welfare; and
 7. Establishing development densities by zoning district that economize the provision of water, sewer, streets and highways, fire and police protection, schools, parks, recreation facilities, and other government services.
- B. The intent is to implement this Zoning Code and its companion zoning map, village design criteria, and construction standards and drawings of and in various planning studies which have been or will be approved by Council from time to time.

§ 153.003 INTERPRETATION.

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

ACCESSORY USE OR STRUCTURE - An object or structure constructed or installed on, above, or below the surface of a parcel, which is located on the same lot as a principal object or structure, and which is subordinate to or serves the principal object or structure, is subordinate in the area to the principal object or structure, and is customarily incidental to the principal object or structure. Among other things, accessory use or structures include anything of a subordinate nature attached to or not attached to a principal structure, such as, satellite dishes, antennas, sheds, detached garages, decks and carports if not attached. Except as otherwise required in this Zoning Code an accessory use or structure shall be a permitted use.

ADULT USE CANNABIS - Cannabis and cannabis products lawfully sold or used for recreational purposes by individuals 21 years or older, in accordance with state law.

ALLEY - See THOROUGHFARE.

ALTERATIONS, STRUCTURAL - Any change, addition, or modification in construction, use, or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams, or girders.

ANIMAL GROOMING - An activity where the principal business is domestic pet hygiene including washing, brushing, shearing and nail cutting.

ANIMAL HOSPITAL - Any building or structure used for treatment and care of injured or ailing animals administered by a doctor of veterinary medicine licensed to practice in the state.

ANIMAL LIVESTOCK - Animals kept or raised on farms such as cattle, horses, pigs, goats or sheep for personal use only.

APARTMENT - Two or more rooms, designed for, arranged for, intended for or occupied as a residence by one family.

APARTMENT HOUSE - Any building housing three or more apartment units; provided said units are the principal use of the building.

AUTOMOBILE REPAIR, PAINTING AND BODY SHOPS - Places where the following services may be carried out: the sale of engine fuels, general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service such as body, frame, or fender straightening and repair, and overall painting, undercoating, rust protection, paint protection, and fabric protection of automobiles.

AUTOMOBILE SERVICE STATION - Any building used for the supply of gasoline, oil or other fuel for motor vehicle propulsion, which can include space and facilities for washing, polishing, greasing and servicing motor vehicles.

accessory building is attached to the main building in a substantial manner, as by a roof, such accessory building shall be counted as a part of the PRINCIPAL BUILDING.

BUILDING SERVICES AND SUPPLIES - Facilities, including facilities for plumbing and heating equipment, sheet metal shops, and similar uses.

BUILDING/ZONING PERMIT - A permit issued by the Zoning Administrator for the construction or alteration of any building or structure authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

BUSINESS, PROFESSIONAL AND ADMINISTRATIVE OFFICES - Uses that include, but are not limited to, corporate offices; insurance; real estate; law; engineering; architecture; management and consulting; accounting; bookkeeping and investment; data processing services; advertising, commercial art and public relations; news syndicates; travel agencies; personnel and employment services; and detective and protective services.

CAR WASH - See AUTOMOBILE WASHING FACILITIES.

CARRY-OUT - A place of business where food and beverages are purchased for consumption on or off the premises. These can include photo kiosks and freestanding automatic teller machines.

CEMETERY - Land used or intended to be used for the disposition of deceased persons and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

CHILD DAY CARE CENTER; COMMERCIAL OR PROFESSIONAL - Any place in which child day care is provided, with or without compensation, for eight or more children at any one time; or any place that is not the permanent residence of the licensee or administrator in which child day care is provided, with or without compensation, for at least eight children at any one time. In counting children for the purposes of this definition, any children under six years of age who are related to a licensee, administrator or employee and who are on the premises shall be counted.

CLINIC - See MEDICAL OFFICES AND CLINICS.

COMMERCIAL ENTERTAINMENT FACILITIES - Any profit-making activity which is generally related to the entertainment field. These facilities include motion picture theaters; sports arenas; tennis, racquetball and handball courts; health clubs; bowling alleys; and similar entertainment activities.

COMMERCIAL OUTDOOR RECREATION FACILITIES - Any outdoor profit-making activity which is generally related to the recreation field. These facilities include amusement parks, drive-in theaters, carnivals, fairgrounds, golf driving ranges, golf courses, miniature golf courses, racetracks, skating rinks and similar outdoor activities.

DRIVE-IN - A business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle, or within a building or structure on the same premises and devoted to the same purpose as the DRIVE-IN service.

DWELLING - Any building or portion thereof designed or used as the residence of one or more persons, but not including a tent, cabin, trailer or trailer coach, tree house, or a room in a hotel or motel.

DWELLING; MULTI-FAMILY - A dwelling consisting of three or more dwelling units including condominiums with varying arrangements of entrances and party walls.

DWELLING; REAR - A building designed for or used as the residence or sleeping place of one or more persons.

DWELLING; SINGLE-FAMILY - A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

DWELLING; TWO-FAMILY - A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

DWELLING UNIT - A building, or a portion thereof, designed for occupancy of one family for residential purposes and having living, cooking, sleeping and sanitation facilities.

EASEMENT - Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

EDUCATIONAL INSTITUTIONS, ELEMENTARY, JUNIOR HIGH AND HIGH SCHOOLS - Public, private and/or religious schools including grades K through 12.

ELDERLY HOUSING FACILITIES - Residential developments specially designed to house retired and elderly persons, and which may include a mixture of living options, including apartments, group quarters, and nursing care facilities.

ERECTED - Includes the terms built or constructed, altered, or reconstructed. ERECTED also includes moving of a building or structure onto a lot or any physical operations on the premises which are required for construction. Excavation, fill drainage and the like shall be considered an operation of erection.

FACTORY-BUILT HOUSING - A factory-built structure designed for long-term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this Zoning Code, FACTORY-BUILT HOUSING shall include the following.

supplies; and the storage of funeral vehicles, but shall not include facilities for cremation. Where a FUNERAL HOME is permitted, a funeral chapel and residency shall also be permitted.

GARAGE; PRIVATE - A detached accessory building or a portion of the principal building used only for the storage of vehicles and incidental personal property.

GARAGE; PUBLIC - A building or portion thereof other than a private garage or automobile service station used for equipping, servicing, repairing, hiring, selling, or storing vehicles or similar equipment.

GAS STATION - See AUTOMOBILE SERVICE STATION.

GENERAL MERCHANDISE STORES - These facilities include department, variety, discount, home furnishing, grocery, retail sales and drug stores.

GROUP HOME - A residential facility licensed and/or approved by the state which provides residential services to individuals who are mentally retarded, developmentally disabled, or physically handicapped, who cannot otherwise care for themselves or who are convalescing or undergoing rehabilitation and/or treatment.

HEAVY EQUIPMENT RENTAL, SALES, SERVICE AND STORAGE - These facilities include rental, sales, service, and storage of semi-tractor trailers, agricultural equipment, and construction equipment.

HOME OCCUPATIONS - Any occupation carried out for gain by a resident and conducted as a customary, incidental and accessory use in the residential dwelling unit. (See § 153.067.)

HOTEL - A building occupied primarily as the temporary abiding place of individuals who are lodged with or without meals and in which there are more than 12 sleeping rooms or apartments.

HOUSEHOLD ITEMS REPAIR SHOP - Repair of items normally found in the household including, but not limited to, shoes, watches, clocks, jewelry, appliances and similar items.

INDUSTRIAL; ENCLOSED - Any industrial use conducted entirely within an enclosed building of any size for the manufacturing, fabricating, processing, heavy repair, servicing, or storing of motor vehicles, equipment, raw materials, or manufactured products; provided that all such uses comply with the nuisance performance standards as set forth in § 153.068.

INDUSTRIAL; OPEN - Any industrial use which requires both building and open area for the manufacturing, fabricating, processing, heavy repair, servicing or storing of motor vehicles, equipment, raw materials, or manufactured products; provided that all such uses comply with the nuisance performance standards as set forth in § 153.068.

D. **SIDE LOT LINE** - A lot line which is neither a front lot line nor a rear lot line. A SIDE LOT LINE separating a lot from a street is called a side street lot line.

LOT MEASUREMENTS - A lot shall be measured as follows.

A. **DEPTH** - The distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

B. **WIDTH** - The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the front building setback line.

LOT; MINIMUM AREA OF - The total horizontal area within the lot lines of a lot which is computed exclusive of any portion of the right-of-way of any public street.

LOT OF RECORD - A lot which is part of a subdivision recorded in the Office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT TYPES

A. **CORNER LOT** - A lot located at the intersection of two or more streets. (See § 153.007 Exhibit A.)

B. **INTERIOR LOT** - A lot with only one front yard on a street. (See § 153.007 Exhibit A.)

C. **THROUGH LOT** - A lot other than a corner lot with a front yard on more than one street. THROUGH LOTS abutting two streets may be referred to as double frontage lots. (See § 153.007 Exhibit A.)

LUMBER YARDS AND BUILDING MATERIALS SALE AND STORAGE - Buildings or premises used for the storage and sale of lumber and building materials.

MEDICAL MARIJUANA - Cannabis and cannabis products used for medical purposes by qualified patients under state-approved medical marijuana programs.

MEDICAL OFFICES AND CLINICS - Offices of physicians, dentists, and other health practitioners and medical and dental laboratories. Establishments primarily engaged in outpatient care with permanent facilities and with medical staff to provide diagnosis and/or treatment for patients who are ambulatory and do not require in-patient care.

MINI-WAREHOUSE - See SELF-SERVICE STORAGE FACILITY.

MOBILE HOME - See FACTORY-BUILT HOUSING, MANUFACTURED HOME.

PERSONAL SERVICES - Services of a personal nature including, beauty and barber shops; individual laundry and dry cleaning establishments; laundromats; photo studios and photo finishing; tailoring; clothing rental; and other services performed for persons or their apparel.

PET SHOPS - Any building or structure used for the sale, other than casual sale, of domestic pets and pet supplies.

PLACES OF WORSHIP - Establishments of recognized religious organizations operated for worship or for promotion of religious activities.

PLANNING COMMISSION - The Village of Botkins Planning Commission.

PRE-EXISTING USE - An existing use of the type listed as a special use in the zoning district that was lawfully established on the effective date of this Zoning Code.

PRINCIPAL USE - The primary or predominant use of any land or improvement on it.

PRIVATE CLUBS - An association organized and operated not for profit for persons who are bona fide members paying annual dues, which owns, hires, or leases premises, the use of which premises is restricted to such members and their guests. The affairs and management of such association are conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting. Food, meals and beverages may be served on such premises; provided adequate dining room space and kitchen facilities are available. Alcoholic beverages may be sold or served to members and their guests; provided such service is secondary and incidental to the promotion of some other common objective of the organization; and further provided that such sale or service of alcoholic beverages is in compliance with all applicable federal, state, county and local laws.

PRIVATE SCHOOLS - Private schools, including, but not limited to, business or commercial schools, dance or music academies, kindergarten, nursery, play and special schools other than educational facilities.

PROFESSIONAL OFFICES - See BUSINESS, PROFESSIONAL AND ADMINISTRATIVE OFFICES.

PROTECTED USE - Uses are defined as:

- A. Religious institution, including a church synagogue, mosque, temple or building which is primarily used for religious worship and activities;
- B. Residential district or use, including single-family, duplex, townhouse, multi-family, retirement or nursing home, or mobile home park; and
- C. Schools, including any public or private educational facility, day care facility, nursery school and preschool.

SEAT - For the purpose of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each 24 lineal inches of benches, pews, or space for loose chairs.

SELF-SERVICE STORAGE FACILITY - A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customers' goods or materials.

SERVICE GARAGE - See AUTOMOBILE REPAIR, PAINTING AND BODY SHOPS.

SERVICE STATION - See AUTOMOBILE SERVICE STATION.

SETBACK LINE - A line established by the Zoning Code, generally parallel with and measured from the lot line, defining the limits of a yard in which no portion of any principal structure, other than accessory building, may be located except as may be provided in said Zoning Code. (See YARD.)

SIGHT TRIANGLE - A triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of three and 12 feet above the established street grade. The street grade is measured at the intersection of the centerlines of the intersecting street pavements and the triangular space is determined by a diagonal line connecting two points measured 20 feet along each of the street property lines equi-distant from the intersection of the property lines or the property lines extended at the corner of the lot.

SIGN - Any fabricated sign or display structure, including the structure itself and any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial, picture, stripe, line, trademark, reading matter, or illuminating device, which is constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever, and displayed in any manner for recognized advertising purposes.

SINGLE-FAMILY DWELLING - See DWELLING.

SIGNS - (See §§ 153.170 through 153.182 for a list of definitions related to signage regulations.)

STORY - The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. (See § 153.007 Exhibit C.)

STREET - See THOROUGHFARE.

VEHICLE SALES, RENTAL AND SERVICE - The sales, service, and rental of new and used cars, trucks, trailers, motorcycles, mobile homes, recreational vehicles, snowmobiles, and boats. This does not include semi-tractor trailers, farm equipment and construction equipment.

VILLAGE ADMINISTRATOR/ZONING ADMINISTRATOR - A person appointed by Council of the Village of Botkins to handle the administration of the village. The Village Administrator may be provided with the assistance of such other persons as needed to administer this Zoning Code.

WAREHOUSE - A building used principally for the storage of goods and materials.

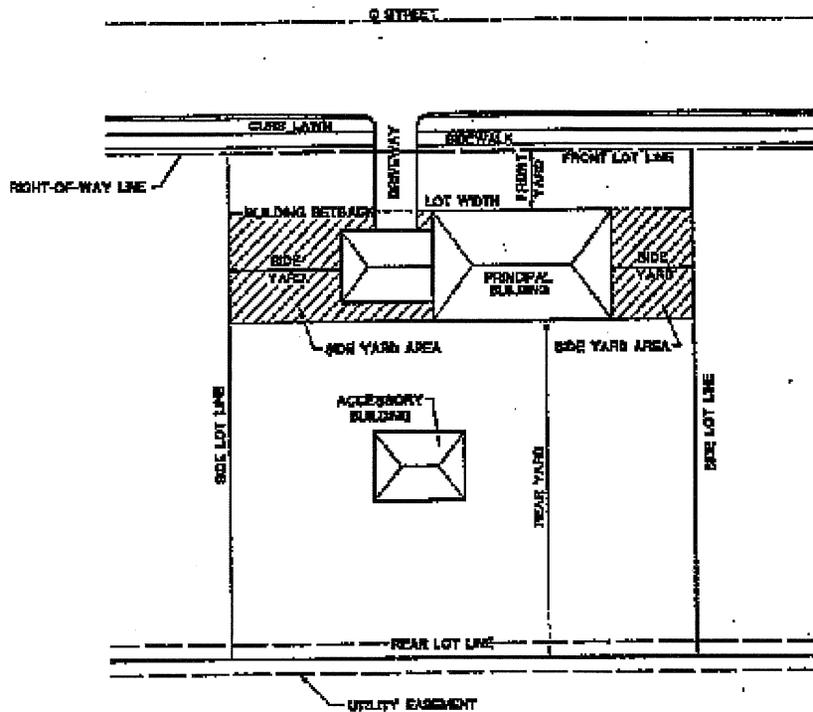
YARD - An open space on the same lot with a main building, unoccupied and unobstructed by structures from the ground upward, except as otherwise provided in this Zoning Code. (See § 153.007 Exhibit B.)

- A. **FRONT YARD** - An open space extending in full width of the lot, the depth of which is the minimum permitted horizontal distance between the front lot line and the nearest point of the main building. For corner lots and through lots, all sides of a lot adjacent to streets shall be considered FRONT YARD. (See § 153.007 Exhibit B.)
- B. **REAR YARD** - An open space extending the full width of the lot, the depth of which is the minimum permitted horizontal distance between the rear lot line and the nearest point of the main building. (See § 153.007 Exhibit B.)
- C. **SIDE YARD** - An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building. (See § 153.007 Exhibit B.)

ZONE - The same as district.

ZONING ADMINISTRATOR/VILLAGE ADMINISTRATOR - The person authorized to issue building/zoning permits and to enforce the Zoning Code of the Village of Botkins, Ohio as designated by the Mayor.

EXHIBIT B: BUILDING - PRINCIPAL AND LOTS TERMS



- A. Lot area: total horizontal area not including any right-of-way
- B. Lot width: measured at building setback line
- C. Lot coverage: percent of lot occupied by building

EXHIBIT D: EXAMPLES FOR ADDITIONS TO NON-CONFORMING STRUCTURES

(See § 153.111)

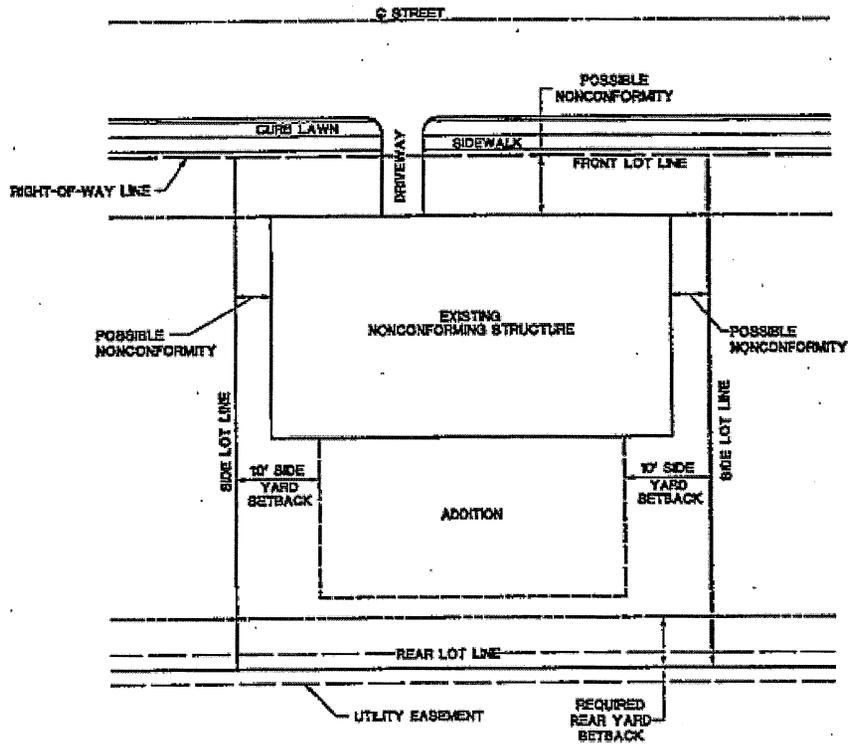
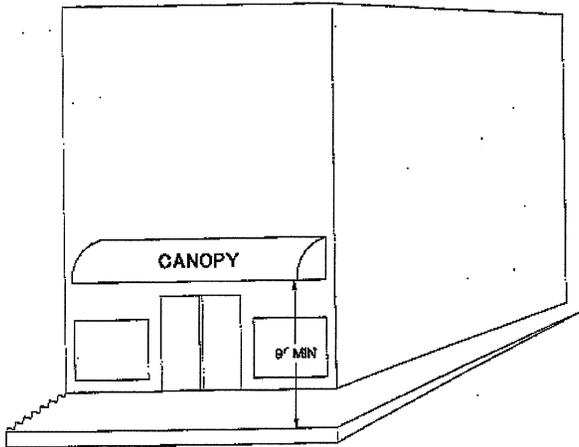


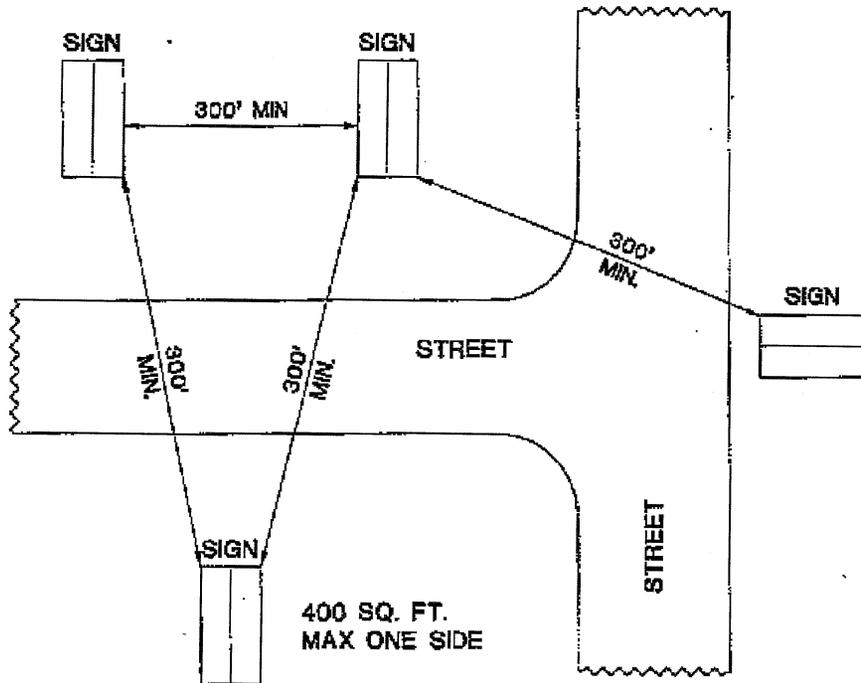
EXHIBIT F: MARQUEE, AWNING AND CANOPY SIGNS

(See § 153.177(D))



- A. Signs shall not be located on or project over any right- of-way except in a C-1 or C-3 District in which it may extend three feet from the face of building on public property and six feet on private property or two feet off the back of curb.
- B. Signs shall not be permitted to obstruct or adversely affect traffic visibility.

EXHIBIT H: OFF- PREMISES SIGNS



- A. Advertising signs will be set back from all rights-of-way at least as far as required front yard depth for principal buildings in the district, where located.
- B. No advertising sign will exceed the height of the roof line of the building.
- C. No more than two advertising signs shall be attached together.
- D. There shall be a 400 square feet maximum area per side of the advertising sign.
- E. See regulations for signs near residential districts.

final authority as to the current zoning status of lands, buildings, and other structures in the village.

§ 153.023 INTERPRETATION OF DISTRICT BOUNDARIES.

- A. The following rules shall be used to determine the precise location of any zoning district boundary unless such boundary is specifically indicated on the official zoning map.
1. Where district boundaries are so indicated as approximately following the centerlines of streets, or street right-of-way lines, such centerlines, street lines, or right-of-way lines shall be construed to be said boundaries.
 2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
 3. Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines or right-of-way lines, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the official zoning map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the official zoning map.
 4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.
 5. Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the village unless otherwise indicated.
 6. Where district boundaries are so indicated that they follow or approximately follow the limits of any village corporation, such boundaries shall be construed as following such limits.
 7. Whenever any street, alley or other public way is vacated by official Council action, the zoning district adjoining each side of such street, alley, or public way shall automatically be extended to the center of such vacation, and all areas within that vacation shall thenceforth, be subject to all regulations appropriate to the respective extended districts.
- B. All questions and disputes concerning the exact location of zoning district boundaries shall be interpreted by the Zoning Administrator. When the Zoning Administrator's interpretation is disputed, determination shall be made by the Board of Appeals as described in § 153.216.

§ 153.024 ZONING UPON ANNEXATION.

DISTRICT REGULATIONS

§ 153.035 COMPLIANCE WITH REGULATIONS.

The regulations for each district set forth by this Zoning Code shall be the minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

- A. No building, structure, or land shall be used or occupied, and no building, structure, or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations specified for the district in which it is located.
- B. Except as otherwise provided in this Zoning Code, no building or other structure shall be erected or altered to:
 - 1. Provide for greater height or bulk;
 - 2. Accommodate or house a greater number of families;
 - 3. Occupy a greater percentage of lot area; or
 - 4. Have narrower or smaller rear yards, front yards, side yards or other open spaces than required in its district, or in any other manner be contrary to the provisions of this Zoning Code.
- C. Except as otherwise provided in this Zoning Code, no yard or lot existing at the time of passage of this Zoning Code shall be reduced in dimension or area below the minimum requirements set forth in the district. Yards or lots created after the effective date of this Zoning Code shall meet at least the minimum requirements set forth in the district.

Penalty, see § 153.999

§ 153.037 SUMMARY OF PERMITTED AND CONDITIONAL USES.

P = Permitted Use

C = Conditional Use

Use	R-1 Single Family Residential	R-2 Single/Family Residential	R-3 Multifamily Residential	C-1 Central & Downtown Business	C-2 General Commercial & Light Industrial	C-3 Streetscape Business	C-4 Special Business	A Agricultural	P Public Services	I Industrial
RESIDENTIAL										
Single-Family	P	P	P					P		
Two-Family		P	P							
Multi-Family			P	C		C				
Upper-Story Apartment				C		C				
Boarding or Lodging Houses				C		C				
Bed and Breakfast Inns			P			C				
Elderly Housing Facilities		C	C							
Community-Oriented Residential Social Service Facilities/Group Home			C							
Home Occupations	C	C	C							

Use	R-1 Single Family Residential	R-2 Single/Family Residential	R-3 Multifamily Residential	C-1 Central & Downtown Business	C-2 General Commercial & Light Industrial	C-3 Streetscape Business	C-4 Special Business	A Agricultural	P Public Services	I Industrial
PUBLIC AND RECREATIONAL										
Educational Institutions, Elementary, Jr. High and High Schools									P	
Places of Worship	C	C	C						P	
Libraries	C	C	C						P	
Public Buildings of all Types									P	
Non-Commercial Recreational Facilities				C	C	C			P	
Cemeteries										
Museums				P	P	P		P	P	
Child Day Care Centers, Commercial or Professional				P	P	P				
Nursing Homes				P	P	P				
Hospitals				P	P	P			P	
Private Clubs				C	C	C				
BUSINESS OFFICES										
Business, Professional, and Administrative Offices				P	P	P				
Medical Offices and Clinics				P	P	P				
Mobile Home Park/Court (Within a PUD with Restrictions)	C	C	C							

Use

R-1 Single Family Residential R-2 Single/Family Residential R-3 Multifamily Residential C-1 Central & Downtown Business C-2 General Commercial & Light Industrial C-3 Streetscape Business C-4 Special Business A Agricultural P Public Use I Industrial

Use	R-1 Single Family Residential	R-2 Single/Family Residential	R-3 Multifamily Residential	C-1 Central & Downtown Business	C-2 General Commercial & Light Industrial	C-3 Streetscape Business	C-4 Special Business	A Agricultural	P Public Use	I Industrial
ROAD SERVICE AND COMMERCIAL ENTERTAINMENT										
Automobile, Painting and Body Shops					P					
Automobile Repair					P					
Automobile Service Stations				C	P	C				
Automobile Washing Facilities				C	P	C				
Bars, Taverns, Nightclubs, and Dance Clubs				P	P	P				
Carry Outs				P	P	P				
Commercial Recreational Facilities				C	P	C				
Commercial Entertainment Facilities				P	P	P				
Convenience Stores				P	P	P				
Motels and Hotels				P	P	P				
Self-Service Storage Facilities				P	P	P				
Adult Entertainment Facilities					P		C			

LIGHT INDUSTRIAL										
Farm Implement Sales					P					
Farm Operations								P		
Grain Bins and Grain Elevators										P
Construction Trade Facility					P					
Building Services and Supplies Facilities					P					
Lumber Yards and Building Materials Sales and Storage					P					
Heavy Equipment Rentals, Sales, Service, and Storage					P					
Transportation Terminals					C					P
Utility Service Companies										C
Wireless Telecommunications Facilities										

HEAVY INDUSTRIAL										
Industrial Developments										P
Enclosed Industrial										P

Minimum per unit - 1,100 square feet

Minimum rear yard setback - 30 feet*

Minimum side yard setback - 10 feet

* Unless otherwise specified, the front and rear yard for all non-residential uses in an R-1 District shall be a minimum of 40 feet

§ 153.039 R-2 SINGLE-/TWO-FAMILY RESIDENTIAL DISTRICT.

- A. Intent. The intent of this District is to provide a sound housing mix. This District provides for an approximate medium density and recognizes the development of other than single-family dwelling units on average size lots.
- B. Principal permitted uses.
- C. Residential uses.
 - i. Single-family detached dwellings, including modular homes
 - ii. Two-family dwellings
- D. Conditional uses. A building or premises may be used for the following purposes in the R-2 Two-Family Residential District if a conditional use permit for the use has been obtained in conformance with the provisions of this Zoning Code - conditional use permits.
- E. Residential uses.
 - 1. Elderly Housing Facilities
 - 2. Home Occupations
- F. Public and recreational uses.
 - 1. Places of Worship
 - 2. Libraries
- G. Business offices
 - 1. Medical offices and clinics
- H. Height and area regulations. The maximum height and minimum lot requirements within the R-2 Two-Family Residential District shall be as follows.

General Requirements for Single-Family Dwellings and Other Permitted Uses

Maximum height - 35 feet or 2-1/2 stories

D. Conditional uses. A building or premises may be used for the following purposes in the R-3 Multi-Family Residential District if a conditional use permit for the use has been obtained in conformance with the provisions of this Zoning Code - conditional use permits.

E. Residential uses.

i. Elderly Housing Facilities

ii. Community-oriented residential social service facilities/group homes

F. Public and recreational uses.

1. Places of worship

2. Libraries

G. Business offices.

1. Medical offices and clinics

H. Height and area regulations. The maximum height and minimum lot requirements within the R-3 Multi-Family Residential District shall be as follows.

General Requirements for Two-Family Dwellings

Maximum height - 35 feet

Maximum lot coverage - 50%

Minimum front yard setback - 25 feet

Minimum lot area - 4,000 square feet per unit

Minimum lot width - 30 feet per unit

Minimum per unit - 940 square feet

Minimum rear yard setback - 30 feet

Minimum side yard setback - 10 feet

General Requirements for Multi-Family Dwellings

Maximum height - 35 feet or 4 stories

Maximum lot coverage - 35%

Minimum front yard setback - 25 feet

Minimum lot width - 85 feet

- iii.* Restaurants, standard
 - iv.* Restaurants, fast food
 - v.* Financial establishments
 - vi.* Private schools
 - vii.* Arcade and pool halls
 - viii.* Household items repair shops
 - ix.* Printing, publishing, lithographing, binding and computer-based establishments
 - x.* Computer based establishments
 - xi.* Nurseries and garden supplies stores
 - xii.* Tobacco, tobacco related products, and any products containing nicotine
 - xiii.* Commercial fitness centers
4. Road service and commercial entertainment uses
- i.* Bars, taverns, nightclubs, and dance clubs
 - ii.* Carry Outs
 - iii.* Commercial entertainment fac
 - iv.* Convenience stores
 - v.* Motels and hotels
- C. Conditional uses. A building or premises may be used for the following purposes in the C-1 Commercial District if a conditional use permit for the use has been obtained in conformance with the provisions of this Zoning Code - conditional use permits.
- 1. Residential uses.
 - i.* Multi-family dwellings
 - ii.* Upper-story apartments
 - iii.* Boarding or lodging houses
 - 2. Public and recreational uses
 - i.* Non-commercial recreational facilities

§ 153.042 C-2 GENERAL COMMERCIAL/LIGHT INDUSTRIAL DISTRICT.

A. Intent. This District is intended to provide an integrated collection of structures and uses designed to supply a majority of the daily needs of village residents.

B. Principal permitted uses.

1. Public and recreational uses.

i. Museums

ii. Child day care centers, commercial or professional

iii. Nursing Homes

iv. Hospitals

2. Business office uses.

i. Business, professional and administrative offices

ii. Medical offices and clinics

3. Retail commercial and service uses.

i. General merchandise stores

ii. Personal services

iii. Restaurants, standard

iv. Restaurants, fast-food

v. Financial establishments

vi. Funeral homes

vii. Animal hospitals, veterinary clinics

viii. Pet shops and animal grooming

ix. Private schools

x. Arcade and pool halls

xi. Kennels

xii. Household items repair shops

xiii. Vehicle sales and rentals

- i. Non-commercial recreational facilities
 - ii. Private clubs
- 2. Light industrial.
 - i. Transportation terminals.

D. Height and area regulations. The maximum height and minimum lot requirements within the C-2 General Commercial/Light Industrial District shall be as follows.

General Requirements for All General Commercial Uses

- Maximum height - 40 feet or 4 stories
- Maximum lot coverage - None
- Minimum front yard setback - 35 feet
- Minimum lot area - 5,000 square feet per unit
- Minimum lot width - 50 feet per unit
- Minimum per unit - None
- Minimum rear yard setback - 10 feet
- Minimum side yard setback - 10 feet

General Requirements When Adjacent/Abutting Any Residential District or Use

- Maximum height - 40 feet or 4 stories
- Maximum lot coverage - None
- Minimum front yard setback - 35 feet
- Minimum lot area - 5,000 square feet per unit
- Minimum lot width - 50 feet per unit
- Minimum per unit - None
- Minimum rear yard setback - 30 feet
- Minimum side yard setback - 20 feet

- ii. Carry outs
 - iii. Commercial entertainment facilities
 - iv. Convenience stores
 - v. Motels and hotels
- C. Conditional uses. A building or premises may be used for the following purposes in the C-1 Commercial District if a conditional use permit for the use has been obtained in conformance with the provisions of this Zoning Code - conditional use permits.
- 1. Residential uses.
 - i. Multi-family dwellings
 - ii. Upper-story apartments
 - iii. Boarding or lodging houses
 - 2. Public and recreational uses.
 - i. Non-commercial recreational facilities
 - ii. Private clubs
 - 3. Business office uses.
 - i. Business, professional, and administrative offices
 - ii. Medical offices & clinics
 - 4. Road service and commercial entertainment uses.
 - i. Automobile service stations
 - ii. Automobile washing facilities
 - iii. Commercial recreational facilities
- D. Height and area regulations. The maximum height and minimum lot requirements within the C-3 Streetscape Business District shall be as follows.

General Requirements for All Streetscape Business Uses

Maximum height - 40 feet or 4 stories

Maximum lot coverage - None

Minimum front yard setback - None

General Requirements for All Special Business Uses

Maximum height - 20 feet

Maximum lot coverage - 70%

Minimum front yard setback - 50 feet

Minimum lot area - 40,000 square feet

Minimum lot width - 100 feet

Minimum per unit - None

Minimum rear yard setback - 50 feet

Minimum side yard setback - 50 feet

The District cannot be adjacent to or abut any residential district or use.

§ 153.045 I INDUSTRIAL DISTRICT.

- A. Intent. The purpose of this District is to provide for industrial and other uses that by virtue of their characteristics should be isolated from residential uses. These uses perform essential functions for the village including employment and should be provided for in areas that are best suited for industrial development by reasons of location, topography, soil conditions, and the availability of adequate utilities and transportation systems.
- B. Principal permitted uses.
 - 1. Retail commercial and service uses.
 - i. Commercial fitness centers
 - 2. Light industrial uses.
 - i. Grain bins and grain elevators
 - ii. Transportation terminals; and
 - 3. Heavy industrial uses.
 - i. Planned industrial developments
 - ii. Enclosed industrial.
- C. Conditional uses. Generally, A building or premises may be used for the following purposes in the I Industrial District if a conditional use permit for the

General Requirements for all Permitted Uses

Maximum height - 35 feet or 2.5 stories

Maximum lot coverage - 25%

Minimum front yard setback - 20 feet

Minimum lot area - 45,000 feet

Minimum lot width - 50 feet

Minimum per unit - None

Minimum rear yard setback - 20 feet

Minimum side yard setback - 20 feet

§ 153.047 P PUBLIC USE DISTRICT.

A. Intent. The Public Use District is intended to accommodate land and facilities used for public, institutional, and community purposes, including parks, government buildings, schools, places of worship, and similar uses that serve the general public.

B. Principal permitted uses.

1. Public and recreational uses.

- i. Educational institutions, elementary, jr. high, and high schools
- ii. Places of worship
- iii. Libraries
- iv. Public buildings of all types
- v. Non-commercial recreational facilities
- vi. Museums
- vii. Hospitals

C. Height and area regulations. The maximum height and minimum lot requirements within the P Public Use District shall be as follows.

General Requirements for all Permitted Uses

Maximum height - 40 feet or 4 stories

Maximum lot coverage - 70%

SUPPLEMENTAL DISTRICT REGULATIONS

§ 153.055 INTENT.

The purpose of supplemental district regulations is to set specific conditions for various uses, classifications of uses or areas wherein problems may occur, in order to alleviate or preclude such problems, and to promote the harmonious exercise of property rights without conflict.

§ 153.056 ACCESSORY STRUCTURES.

It is the purpose of this Zoning Code to regulate accessory structures in order to promote public health, safety and welfare. It is the intent of these sections to permit such uses to be established and maintained in a manner which makes them compatible with principal uses and harmonious with uses upon adjacent properties.

- A. Except as otherwise provided in this Zoning Code, an accessory use or structure shall be permitted in association with a principal use or structure provided that:
 - 1. It shall be 50% or less of the gross floor area of the principal structure in lots of five acres or more
 - 2. It shall not contain or be used as a dwelling unit and shall not be located in the front or side yard of any lot
 - 3. It shall not exceed 18 feet in height and not exceed height of the primary structure except in lots of five acres or more where the height shall not exceed 35 feet
 - 4. It shall meet all yard requirements of the principal use, except the structure shall be no closer than five feet to the side and rear lot lines, no closer than five feet from a recorded easement, and no closer than ten feet to the principal structure.
- B. All accessory structures require a building/zoning permit, except as noted below:
 - 1. Sheds/utility buildings less than or equal to 150 square feet
 - 2. Radio/television antennas

§ 153.057 SATELLITE DISH ANTENNA REGULATIONS.

Satellite dish antennas shall be permitted as an accessory structure in all zone districts and are subject to requirements as follows:

determined by the Zoning Administrator. Placement of antenna systems within an easement shall be prohibited.

- C. Roof-mounted antenna systems shall be located on the rearward portion of the roof as viewed from the front yard and shall be limited to a maximum height of 15 feet above the highest roof peak. Roof installations shall be mounted in accordance with manufacturer's recommendations and be properly secured to prevent damage from wind and snow loads.
- D. Ground-mounted antenna systems in residential and commercial districts shall not exceed a maximum overall height of 60 feet. Maximum overall height for ground-mounted TV antenna systems shall not exceed 15 feet above the highest roof peak of the principal structure or 60 feet total, whichever is least.
- E. All antenna systems shall be properly grounded, resistant to lightning strikes and meet all National Electrical Code requirements.
- F. All antenna systems shall be non-corrosive, designed, engineered, and permanently installed to withstand wind and snow loads specified by the Ohio Basic Building Code.

§ 153.059 BUFFER AND TRANSITION BETWEEN RESIDENTIAL/COMMERCIAL AND RESIDENTIAL/INDUSTRIAL ZONED PROPERTIES.

- A. Under those circumstances where the development of either a single-family residential project is proposed to occur adjacent to or abutting property zoned and/or used for industrial or commercial purposes, or in the case where an industrial or commercial project is proposed to occur adjacent to or abutting property zoned or used for single-family residential purposes, the owner or developer of the project must undertake improvements to provide for the creation of a suitable transition and buffer between the non-compatible uses. The purpose of the buffer is to obscure non-compatible uses and diminish the impact that the industrial or commercial activity may have on the environment found in the single-family residential area. It is intended to protect the interest of the existing or future occupant of the residential area. This requirement would only be triggered when new development occurs; it does not apply to existing conditions.
- B. The following provisions shall apply with respect to screening.
 - 1. Screening shall be provided for one or more of the following purposes:
 - i. A visual barrier to partially or completely obstruct the view of structures or activities
 - ii. An acoustic screen to aid in absorbing or deflecting noise

within easement areas, unless suitable measures are undertaken to alleviate problems that might be caused by the installation of the buffer.

8. The buffer must commence on the lot line between the subject properties, unless precluded by insurmountable problems posed by the location of utilities or easements, on the property which is subject to development. If insurmountable conditions prohibit the commencement of the buffer and transition area on the property line, the commencement shall occur in an area as close as possible to the common lot line. The Village Administrator may permit the installation of the obscuring wall on the opposite side of an alley, street or right-of-way when mutually agreeable to the affected property owners.
9. Outdoor storage of materials is not permitted in residential districts. Outdoor storage of material shall be allowed in non-residential districts; provided that such materials are enclosed and secured, and in no case shall such materials be stored higher than six feet in height. All storage and service areas shall be screened from view from the perimeter of the site with fencing and/or view-obscuring landscaping not to exceed six feet from the ground. Said fencing or landscaping shall be maintained in good condition by the owner.

§ 153.060 PRINCIPAL BUILDING PER LOT.

Only one principal building shall be permitted on each lot in any zoning district, subject to the provisions established in each district. However, in all districts permitting commercial or industrial uses, it is permissible to erect more than one principal building devoted to such commercial or industrial use on the same lot.

§ 153.061 REQUIRED REFUSE COLLECTION AREAS.

The refuse collection areas provided by all multi-family residential, commercial, and industrial uses for the collection of trash, garbage, and other refuse shall be enclosed on three sides by a solid wall, fence, or shrubbery of at least five feet in height, unless within an enclosed building or structure. Provisions shall be made for regular and adequate vehicular access to such areas for collection purposes, as determined necessary by the Village Administrator. Storage areas of proper density in residential districts shall utilize such additional screening as required in this Zoning Code.

§ 153.062 FENCES, WALLS AND HEDGES.

In order to protect and screen property, prevent unintended access to commercial and industrial sites, provide security and privacy to property owners, provide a physical and visual barrier between different land uses, define property lines, and improve the

§ 153.064 VISIBILITY AT INTERSECTIONS.

Vision clearance/sight triangle as defined in this Zoning Code is required on all corner lots at the street corner. The Village Administrator is hereby empowered to cause all obstructions to be removed in the interest of public safety.

§ 153.065 TEMPORARY USES.

- A. The following regulations are necessary to govern certain uses which are of a non-permanent nature. For such uses requiring a temporary use permit, at least seven days before the instigation of such use, an application for a temporary use permit shall be made to the Village Administrator, which shall contain a graphic description of the property to be used, a description of the proposed use, and a site plan, with sufficient information to determine the yard, setback, parking, and sanitary facility requirements for the proposed temporary use.
- B. Temporary uses of public land are exempt from the requirements of this section.
- C. The following uses are deemed to be temporary uses and shall be subject to the specified regulations and time limits which follow, as well as the regulations of any district in which they are located.
 1. Real estate sales offices, which shall contain no living accommodations, shall be permitted within any district for any new subdivision for a period of one year, except that two extensions not to exceed six months each may be granted if conditions warrant. Such offices shall be removed upon the completion of the sales of the lots therein, or upon the expiration of the temporary use permit, whichever occurs first.
 2. Temporary buildings, offices, and equipment and storage facilities required in conjunction with construction activity may be permitted within any district for a period of one year, except that six-month extensions may be granted if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction or upon expiration of the temporary use permit, whichever occurs first.
 3. Temporary sales and services may be permitted within parking areas within any commercial district. A building/zoning permit valid for a period not to exceed four consecutive days shall only be issued three times within any 12-month period to any individual or organization. The application for the temporary use permit shall be accompanied by written permission of the property owners and shall be prominently displayed at the site. The Village Administrator shall not issue a permit for such temporary use if he or she determines that it encroaches upon more than 25% of the required parking area.

Aboveground pools that have integral fences or railings and have a swing up securing/locking ladder is acceptable in lieu of fence; and

D. All swimming pools require a building/zoning permit.

§ 153.067 HOME OCCUPATIONS.

- A. Home occupations are accessory uses in the R-1, R-2 and R-3 Districts.
- B. Only members of the immediate family occupying such dwelling shall be employed in such occupation.
- C. The use of the dwelling unit for the home occupation shall be clearly subordinate to its use for residential purposes by its occupants, and not more than 25% of the floor of the principal structure shall be used in conducting the home occupation.
- D. There shall be no change in the outside appearance of the building or premises, or other visible evidence of conducting the home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the building.
- E. No electrical or mechanical equipment shall be used except such as may be used for domestic or household purposes. In addition, electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuation in line voltage outside the dwelling unit or which creates noise not normally associated with residential uses shall be prohibited.
- F. No offensive noise, vibration, smoke, or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable effect shall be produced therein or therefrom.
- G. No additional parking demand shall be created.
- H. Examples of prohibited home occupations include, but are not limited to, the following:
 - 1. Appliance repair
 - 2. Light assembly, manufacturing or fabricating
 - 3. Motor vehicle repair, painting or body work, including reupholstery, detailing or washing
 - 4. Small engine repair, lawn and garden equipment repair
 - 5. Veterinary offices and kennels
 - 6. Warehousing of any type; and welding or machine shop

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

1. **ADULT USES, SEXUALLY-ORIENTED BUSINESSES or ADULT ENTERTAINMENT FACILITY.** Businesses defined as below.
2. **ADULT BOOK STORE, ADULT NOVELTY STORE or ADULT VIDEO STORE** - A commercial establishment which devotes a significant portion of its interior business or advertising (25% or more of its retail floor space) to the sale or rental, for any form of consideration, or any one or more of the following:
 - i. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, DVD, CD-ROM, slides, or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical area as defined herein.
 - ii. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse.
3. **ADULT CABARET** - A night club, bar, restaurant or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features persons who appear nude or semi-nude; live performances which are characterized by the exposure of specified anatomical area or by specified sexual activities, or films, motion pictures, video cassettes, DVD, CD-ROM, slides, or other photographic reproductions which are characterized by the exposure of specified anatomical area or by specified sexual activities.
4. **ADULT MOTEL** - A motel, hotel or similar commercial establishment which offers public accommodation, for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, DVD, CD-ROM, slide or other photographic reproductions which are characterized by the exposure of specified anatomical area or by specified sexual activities.
5. **ADULT MOTION PICTURE THEATER** - A commercial establishment where films, motion pictures, video cassettes, DVD, CD-ROM, slide or similar photographic reproductions which are characterized by the exposure of specified anatomical area or by specified sexual activities are shown for any form of consideration.
6. **ADULT THEATER** - A theater, concert hall, auditorium or similar commercial establishment which, for any form of consideration, regularly features persons, who appear in a state of nudity or live performances which

- ii. The conversion of an existing business, whether or not a sexually-oriented business, to any of the sexually-oriented businesses defined in this Zoning Code.
 - iii. The addition of any of the sexually-oriented businesses defined in this Zoning Code to any other existing sexually-oriented business.
 - iv. The relocation of any such sexually-oriented business.
14. **NUDITY or STATE OF NUDITY** - The showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than a full, opaque covering; or of a female breast with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.
 15. **OPAQUE** - Not allowing visibility through.
 16. **OPERATOR** - The owner, permit holder, custodian, manager, operator, or person in charge of any permitted or licensed premises.
 17. **PERMITTED OR LICENSED PREMISES** - Any premises that requires a license and/or permit and that is classified as a sexually-oriented business.
 18. **PERMITTEE and/or LICENSEE** - A person in whose name a permit and/or license to operate a sexually-oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.
 19. **PROTECTED USES** - The uses listed below.
 20. **RELIGIOUS INSTITUTION** - Any church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.
 21. **RESIDENTIAL DISTRICT OR USE** - A single-family, duplex, townhouse, multiple-family, retirement or nursing home, or mobile home park.
 22. **SCHOOL** - Any public or private educational facility, including but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, primary schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. SCHOOL includes the school grounds, but does not include any facilities used primarily for another purpose and only incidentally as a SCHOOL.

1. Adult uses shall be established only in zoning districts where they are primarily permitted.
2. A sexually-oriented business lawfully operating as a conforming use is not rendered non-conforming by the subsequent location of a protected use within 1,000 feet of the sexually-oriented business unless its permit and/or license has expired or been revoked.

D. Permit required.

1. No sexually-oriented business shall be permitted to operate without a valid sexually-oriented business permit issued by the village. Operation of such a business without a permit is a misdemeanor.
2. The Village Administrator and Police Chief are jointly responsible for granting, denying, revoking, renewing, suspending and canceling permits for proposed or existing sexually-oriented businesses. To be approved, applications must comply with all the locational and zoning requirements of the village.
3. Applications must be made on a form provided by the village. Applicants must provide an original and two copies of a sworn application which must contain the following information and documents:
 - i. If the applicant is:
 - a. An individual; the individual's legal name, aliases and proof of age over 18 by birth certificate or driver's license, and Social Security number.
 - b. A partnership; the complete name, all partner's names and a copy of any partnership agreement.
 - c. A corporation; its complete name, date of corporation; names of all officers, directors and stockholders owning 10% or more of the shares, name and address of its registered agent, and evidence of good standing under state law.
 - ii. The name of the sexually-oriented business if different from the applicant's name and any registration documents.
 - iii. Whether the applicant or other individual(s) named in the application has been convicted of a misdemeanor criminal act within the five years immediately preceding the application date, or any felony regardless of the date of conviction, and, if so, the act involved and the date and place of the conviction.

6. A \$100 non-refundable application fee is due at the time the applicant files an application.
7. Concurrent with obtaining a permit to operate a sexually-oriented business, the applicant shall obtain certification that the proposed location complies with the location requirements of this Zoning Code.
8. The possession of other types of state or village permits and/or licenses, including a liquor license, does not exempt an applicant from the requirement of obtaining a sexually-oriented business permit.
9. By filing an application, the applicant shall be deemed to have consented to the provisions of this Zoning Code and to the investigation of the application by the Village Administrator and his or her designees.
10. The applicant is required to provide the village with the names of all employees required to be licensed by this Zoning Code. This obligation continues even after a permit is granted or renewed.
11. A sexually-oriented business permit may be renewed annually upon written application, subject to payment of the annual permit fee and that the permit holder is still in conformance with the permit requirements.

E. Application investigation process.

1. Upon receipt of an application, the village shall investigate to determine if the requirements of this Zoning Code have been met.

F. Issuance of permit.

1. An application shall be granted or denied within 60 days from the date of its proper filing.
2. Grant of application for permit:
 - i. An application shall be granted if the requirements of this Zoning Code are met.
 - ii. The permit shall state on its face the name of the person or persons to whom it is granted and the address of the sexually-oriented business and the permit expiration date. The permit shall be posted in a conspicuous place at or near the entrance to the sexually-oriented business so it can be read at any time.
3. Denial of application for permit:
 - i. An application for permit may be denied for any of the following reasons:

basis for denial has been corrected and at least 90 days have elapsed from the date the denial became final, a new permit may be granted.

J. Suspension of permit.

1. A permit to operate a sexually-oriented business may be suspended until the violation causing the suspension has been corrected; provided the period is not to exceed 30 days, if a permittee or an employee of a permittee:
 - i. Violates or is not in compliance with this Zoning Code.
 - ii. Works at the sexually-oriented business while under the influence of alcohol or of a controlled substance.
 - iii. Refuses to allow an inspection of the sexually-oriented business in accordance with this Zoning Code.
 - iv. Permits gambling on the premises of the sexually-oriented business.
 - v. Transfers the sexually-oriented business permit to another in violation of this Zoning Code.
 - vi. Employs a person without a valid employee license as required by this Zoning Code.

K. Revocation of permit.

1. A permit to operate a sexually-oriented business shall be revoked upon a determination that either a permit is to be suspended for a second time within a 12-month period or that a permittee or an employee of a permittee:
 - i. Gave false or misleading information on the permit application which enhanced the permittee's opportunity to obtain a permit.
 - ii. Allowed the possession, sale or use of a controlled substance on the premises.
 - iii. Allowed prostitution on the premises.
 - iv. Operated the business while under permit suspension.
 - v. Has been convicted of a specified criminal act for which the time period required has not elapsed.
 - vi. Committed a specified criminal act on the permitted premises on one or more occasions within a 12-month period while employed by the permit holder.

2. On a form provided by the village, the applicant shall provide his or her:
 - i. Name, including any stage names or aliases.
 - ii. Age, birth date and birthplace.
 - iii. Current resident and business addresses and phone numbers.
 - iv. Height, weight and hair and eye color.
 - v. State driver's license or identification number and Social Security number.
 - vi. Proof of minimum age of 18.
 - vii. A color photograph and fingerprints on a form provided by the village.
 - viii. A statement detailing the license or permit history of the applicant for the previous five years including information as to whether a permit had ever been denied, revoked or suspended; the reason for such action; the date of such action; and the jurisdiction in which such action occurred.
 - ix. Information as to whether the applicant has been convicted of a specified criminal act and the date, place, jurisdiction and nature of such conviction.
 - x. A signed release indicating the applicant's understanding that village, county and state criminal records checks, going back five years before the date of the application, will be performed for the applicant.
3. The application review shall be completed within 15 days of filing. The employee license shall be issued unless the village finds that:
 - i. The applicant knowingly made a false, misleading or fraudulent statement of material fact.
 - ii. The applicant is under 18 years of age.
 - iii. The applicant has been convicted of a specified criminal act.
 - iv. The license is to be used in a business prohibited by this Zoning Code or other state or local law.
 - v. The applicant has had an employee license revoked within two years of the date of the current application.
4. An employee license may be renewed annually upon written application subject to the payment of a \$10 renewal fee and a finding that the applicant is still in conformance with the application requirements.

of 1:00 a.m. and 9:00 a.m. of any particular day. Any employee who engages in the above activity also commits a misdemeanor.

- S. Nudity prohibited. Public nudity is prohibited in sexually-oriented businesses. Any sexually-oriented business which is found in violation of this Zoning Code shall have its permit suspended in addition to any other penalty provided by law.
- T. Criminal penalties for the operation of a sexually-oriented business without a valid permit. In addition to the criminal penalties found in other sections of this Zoning Code, it shall be unlawful and a person commits a misdemeanor if he or she operates or causes to be operated a sexually-oriented business and knows or should know that the business does not have a sexually-oriented business permit or has a permit which has expired or which has been suspended or revoked.
- U. Exemptions.
 - 1. It is a defense to prosecution for violation of this Zoning Code that a person appearing in a state of nudity did so in a modeling class operated:
 - i. By a college, junior college, or university supported in whole or in part by taxation.
 - ii. By a private college or university which maintains and operates educational programs in which credits are transferable to a college junior college, or university supported entirely or partly by taxation.
 - iii. In a structure:
 - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing.
 - b. Where, in order to participate in a class a student must enroll at least three days in advance of the class.
 - c. Where no more than one nude model is permitted at a time.
 - 2. It is a defense to prosecution that an employee of a sexually-oriented business exposed any specified anatomical area during the bona fide use of a rest room or dressing room accessibly only to employees.
- V. Immunity from prosecution. The village, Police Department and all other village offices, agents, and employees charged with enforcement of state and local laws and codes shall be immune from prosecution, civil or criminal, for reasonable, good faith trespass upon a sexually-oriented business while acting within the scope of authority conferred by this Zoning Code.

- J. The applicant shall submit the proposed bed and breakfast inn to the County Community Development Department for review and a written certificate of occupancy shall be presented to the Village Administrator prior to the issuance of a building/zoning permit.
- K. The plans for the proposed bed and breakfast inn shall be reviewed by Fire Chief, and a building/zoning permit shall not be issued by the Village Administrator until the Fire Chief has inspected the bed and breakfast inn.
- L. The applicant shall submit the proposed bed and breakfast inn to the County Health Department for review.

§ 153.072 AUTOMOBILE WASHING FACILITIES.

- A. All washing activities shall be carried on within an enclosed building, except for entrance and exit doors which may be left open during the hours of operation.
- B. The minimum site size shall be 15,000 square feet, with no less than 100 feet of frontage.
- C. Automobile washing structures shall be located at least 50 feet from any adjoining residential property and shall be no closer than ten feet from side property lines.
- D. Vacuuming or steam cleaning equipment may be located outside a building, but shall not be placed closer than 50 feet to any adjacent residential property and at least 20 feet from a public right-of-way.
- E. Water or residue from the washing process shall not be allowed to drain from the site containing such establishment.
- F. All parking and access drives shall be hard-surfaced and dust-free.
- G. The following waiting and parking requirements shall be minimum requirements.
 - 1. A minimum of six off-street waiting spaces shall be provided for every bay of a self-service washing facility, and a minimum of ten off-street waiting spaces shall be provided for every bay with automatic or assembly-line type washing facilities. Waiting spaces shall not block or otherwise interfere with site circulation patterns.
 - 2. A minimum of two parking spaces shall be provided at the exit end of each washing bay for drying and hand finishing of vehicles.
 - 3. One parking space for each regular employee of the premises with a minimum of two employee parking spaces for the site.

located, shall be considered a non-conforming structure so long as such approval is current and not expired.

- C. Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
1. **ANTENNA** - Any panel, whip, dish or other apparatus designed for communications through the sending and/or receiving of electromagnetic waves, excluding any support structure other than brackets.
 2. **ANTENNA SUPPORT STRUCTURE** - Any building or other structure other than a tower which can be used for location of facilities.
 3. **CELLULAR COMMUNICATION SERVICES** - Personal communications accessed by means of cellular equipment and services.
 4. **CELLULAR OR WIRELESS COMMUNICATIONS ANTENNA** - Any structure or device used to receive or transmit electromagnetic waves between cellular phones, pagers, commercial mobile services, wireless services, and ground-wired communications systems including both directional antennas, such as panels, microwave dishes and satellite dishes, and omni-directional antennas, such as whips and equipment utilized to serve personal communication services.
 5. **CELLULAR OR WIRELESS COMMUNICATIONS SITE** - Any tract of land, lot, or parcel that contains the cellular or wireless communications tower, antenna, support structure(s), parking, and any other uses associated with and ancillary to cellular or wireless communications transmission.
 6. **CELLULAR OR WIRELESS COMMUNICATIONS SUPPORT STRUCTURE** - Any building or structure accessory to, but necessary for the proper functioning of the cellular or wireless communications antenna or tower.
 7. **CELLULAR OR WIRELESS COMMUNICATIONS TOWER** - Any freestanding structure used to support a cellular or wireless communications antenna.
 8. **CELLULAR OR WIRELESS COMMUNICATIONS TOWER; HEIGHT OF** - The height of the structure, measured from the base to its top and including any antenna located thereon.
 9. **WIRELESS TELECOMMUNICATION FACILITY (FACILITY)** - Any cables, towers, wires, lines, wave guides, antennas and any other equipment or facilities associated with the transmission or reception of communications as authorized by the FCC which a person or entity seeks to locate or have

8. Security enclosure required. All towers and equipment shelters shall be enclosed either completely or individually as determined by the village. All co-locators on the site, as well as village representatives and authorized employees, shall have reasonable access to the facility site. No fencing shall be required on top of a building or other structure if access to the roof or top of the structure or building is secure.
9. Existing vegetation and buffer plants. Existing vegetation (trees, shrubs and the like) shall be preserved to the maximum extent possible. Buffer plants shall be located around the perimeter of the security enclosure as deemed appropriate by the village. An evergreen screen may be required around the perimeter of the property in lieu of such buffer plants.
10. Access control and emergency contact. No trespassing signs shall be posted around the facility, along with a telephone number of who to contact in the event of an emergency.
11. Maintenance. Any owner/operator of property used as a facility shall maintain such property and all structures in good condition, free from trash, litter, outdoor storage, weeds and other debris.
12. Co-location. All facilities shall be subject to the co-location requirements set forth in division (E) of this section.

E. Co-location requirement.

1. Potential public sites. In order to encourage the location of a facility on publicly-owned property, the village shall undertake an identification of publicly-owned properties that the village determines are suitable for such use. The village shall regularly update such identification and make the results of such available to the public.
2. Exemption of proof of co-location availability. Persons locating a facility upon a publicly-owned property identified as eligible for siting shall be exempted from the requirements herein regarding presentation of proof that co-location is not available. However, persons locating on such public sites shall continue to be subject to the requirements concerning co-location design (see below).
3. Co-location design required. No new tower shall be constructed in the village unless such tower is capable of accommodating at least one additional facility owned by another party.
4. Technically suitable space. Authorization for a tower shall be issued only if there is not a technically-suitable space reasonably available on an existing tower or structure within the geographic area to be served.

- i. Cellular or wireless communication towers less than 100 feet in height shall be located no closer than 500 feet to any residential zoning district or use.
 - ii. Cellular or wireless communication towers less than 150 feet in height shall be located no closer than 750 feet to any residential zoning district or use.
 - iii. Cellular or wireless communication towers 150 feet in height or greater shall be located no closer than 1,000 feet to any residential zoning district or use.
4. Conditional use standards concerning placement. In addition to the applicable standards enumerated in division (D) of this section, the following requirements shall apply to all conditionally-permitted cellular or wireless communication antennas and towers.
 - i. The cellular or wireless telecommunications company shall be required to demonstrate, using the latest technological evidence, that the antenna or tower must be placed where it is proposed in order to satisfy its necessary function in the company's grid system.
 - ii. If the cellular or wireless communications company proposes to build a cellular or wireless communications tower (as opposed to mounting the antenna on an existing structure), the company is required to demonstrate that it has contacted the owners of all nearby tall structures within a one-mile radius of the proposed site, asked for permission to install the cellular or wireless communications antennas on those structures, and was denied for reasons other than economic ones. Tall structures shall include, but are not limited to, smoke stacks, water towers, buildings over 50 feet in height, antenna support structures of other cellular, or wireless telecommunication companies, other communication towers and roadway lighting poles.
 - iii. The village may deny the application to construct a new cellular or wireless communications tower if it determines that the applicant has not made a good faith effort to mount the antenna on existing structures.
 - iv. The applicant shall demonstrate that the antenna/tower is the minimum height required to function satisfactorily. No antenna/tower that is taller than the minimum height shall be approved.

G. Abandonment of wireless communication facilities.

1. Required notification. All providers utilizing towers shall present a report to the village notifying it of any tower facility located in the village whose use

- d. Existing topography with a maximum of five-foot contour intervals.
 - e. The proposed finished grade of development shown by contours not exceeding five-foot intervals.
 - f. The location of all existing buildings and structures and the proposed location of the cellular or wireless communications tower and all cellular or wireless communications support structures including dimensions, heights, and where applicable, the gross floor area of the buildings.
 - g. The location and dimensions of all curb cuts, driving lanes, off-street parking, and loading areas including the number of spaces, grades, surfacing materials, drainage plans and illumination of the facility.
 - h. All existing and proposed sidewalks and open areas on the site.
 - i. The location of all proposed fences, screening and walls.
 - j. The location of all existing and proposed streets.
 - k. All existing and proposed utilities including types and grades.
 - l. The schedule of any phasing of the project.
 - m. A written statement by the cellular or wireless telecommunications company as to the visual and aesthetic impacts of the proposed cellular or wireless communications tower on all adjacent residential zoning districts.
 - n. The cellular or wireless telecommunication company must demonstrate to the village that it is licensed by the Federal Communications Commission.
 - o. Any other information as may be required by the Planning Commission to determine conformance with the zoning ordinance.
- ii. Upon submission of a complete application for site plan review to the Zoning Administrator, the application shall be transmitted to the Planning Commission where they shall review the site plan to determine if it meets the purpose and requirements as established in this section, the requirements of the zoning district where the proposed cellular or wireless telecommunications site is located, and any other applicable sections of the Zoning Code.

CONDITIONAL USES; SUBSTANTIALLY SIMILAR USES

§ 153.085 CONTENTS OF CONDITIONAL USE PERMIT APPLICATION.

Any owner, or agent thereof, of property for which a conditional use is proposed shall make an application for a conditional use permit by filing it with the Village Administrator, who shall within 20 days, transmit it to the Board of Zoning Appeals. Such application at a minimum shall contain the following information:

- A. Name, address and phone number of the applicant.
- B. Locational description of the property.
- C. Zoning district.
- D. Description of existing use.
- E. Description of proposed conditional use.
- F. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, lot lines, landscaping features, and such other information as the Village Administrator or the Board may require.
- G. A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent properties to include an evaluation of the effects on adjoining properties of such elements as traffic circulation, noise, glare, odor, fumes and vibration.
- H. A list containing the names and mailing addresses of all owners of property within 200 feet of the property in question.
- I. A fee as established by the Zoning Code (see § 153.242)
- J. A narrative addressing each of the applicable criteria contained in the following section.

§ 153.086 GENERAL STANDARDS FOR ALL CONDITIONAL USES.

In addition to the specific requirements for conditionally permitted uses as specified in this section, the Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards, and shall find adequate evidence showing that such use at the proposed location:

- A. Is in fact a conditional use as established under the provisions of this Zoning Code and appears on the schedule of district regulations adopted for the zoning district involved.

shall list all conditions and safeguards specified by the Board of Zoning Appeals for approval; or

- B. Make a written finding that the application is deficient in information or is in need of modification and is being returned to the applicant. Such finding shall specify the information and/or modifications which are deemed necessary. Make a written finding that the application is denied and specify the reason(s) for disapproval.

§ 153.088 ADDITIONAL CRITERIA.

- A. Additional conditions. The Board of Zoning Appeals may impose other conditions for a conditional use in addition to those prescribed in this section if, in the Board of Zoning Appeals' judgment, additional conditions are necessary for the protection of the public health and for reasons of safety, and convenience.
- B. Supplemental conditions and safeguards. In granting approval for any conditional use, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformance with this Zoning Code. Any violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a punishable violation of this Zoning Code.
- C. Expiration of conditional use permit. A conditional use permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized within six months of the date on which the permit was issued, or if for any reason such use shall cease for more than one year.

§ 153.089 PUBLIC HEARING.

- A. A public hearing shall be held by the Board of Zoning Appeals in considering an application for a conditional use permit.
- B. The Board of Zoning Appeals shall hold a public hearing within 60 days after it receives an application for a conditional use permit submitted by an applicant through the Village Administrator.

§ 153.090 NOTICE OF PUBLIC HEARING.

Before conducting a public hearing, notice of such hearing shall be given at the Village's designated posting locations and on Village social media at least ten days before the date of said hearing. The notice shall set forth the time and place of the hearing, and shall provide a summary explanation of the conditional use proposed.

§ 153.091 NOTICE TO PARTIES OF INTEREST.

- E. The Village Administrator shall maintain as a public record a listing of all uses which have been determined to be substantially similar. For each such use, the record shall include the use as listed in the Zoning Code, the use listed in the Zoning Code about which the determination of substantial similarity was made, and the dates of any actions thereupon.
- F. This record shall also contain the same information for all uses which have been determined not to be substantially similar. The Village Administrator shall consult this record in the process of issuing future permits.

separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in this Zoning Code, other than lot area or lot width, shall be obtained only through action of the BZA as described in §§ 153.215 through 153.224.

§ 153.109 NON-CONFORMING LOTS OF RECORD IN COMBINATION.

If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Zoning Code, and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Zoning Code, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Zoning Code, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Zoning Code.

§ 153.110 NON-CONFORMING USES OF LAND.

Where, at the time of adoption of this Zoning Code, lawful uses of land exist which would not be permitted by the regulations imposed by this Zoning Code, the uses may be continued so long as they remain otherwise lawful, provided:

- A. No such non-conforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Zoning Code.
- B. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Zoning Code.
- C. No additional structure not conforming to the requirements of this Zoning Code shall be erected in connection with such non-conforming use of land.

§ 153.111 NON-CONFORMING STRUCTURES.

Where a lawful structure exists at the effective date of adoption or amendment of this Zoning Code that could not be built under the terms of this Zoning Code by reason of restrictions on area, lot coverage, height, setbacks, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions.

B. Use by damage or destruction. Any non-conforming use of a building or structure which has been damaged or destroyed may be reconstructed as it previously existed prior to the damage or destruction. Such restoration shall not cause a new non-conformity, nor shall it increase the degree of non-conformance or non-compliance existing prior to such damage or destruction. A zoning certificate pertaining to such restoration shall be applied for and issued within six months of such damage or destruction, and rebuilding shall be completed within six months of issuance of building/zoning permit. When such a non-conforming structure is so damaged or destroyed, and not going to be reconstructed as it previously existed, no rebuilding, restoration or reoccupation shall be permitted except in conformity with all applicable regulations of this Zoning Code.

OFF-STREET PARKING AND LOADING FACILITIES

§ 153.150 INTENT.

The intent of the off-street parking and loading regulations is to protect the public health, safety and welfare by ensuring that all land uses have adequate amounts of off-street parking and loading areas in order to not create traffic hazards on public streets.

§ 153.151 GENERAL PARKING REQUIREMENTS.

In all districts, at any time any building, structure, or use of land is erected, enlarged, increased in capacity, or used, there shall be provided for every use off-street parking spaces for automobiles. A parking plan shall be required for all uses except for single- or two-family residential uses. The parking plan shall be submitted to the Village Administrator as part of the application for a building/zoning permit. The plan shall show the boundaries of the property, parking spaces, access driveways, circulation patterns, drainage and construction plans, and boundary walls, fences, and a screening plan, as appropriate.

§ 153.152 OFF-STREET PARKING DESIGN STANDARDS.

All off-street parking facilities including entrances, exits, maneuvering areas, and parking spaces shall be in accordance with the following standards and specifications.

- A. Parking space dimensions. Each off-street parking space shall have an area of not less than 162 square feet exclusive of access drives or aisles, and shall be of usable shape and condition.
- B. Access. There shall be adequate provisions for ingress and egress to all parking spaces. Where the lot or parking spaces do not provide direct access to a public street, an access drive shall be provided, with a dedicated easement of access, as follows:
 1. For a single-, two-, or multi-family residential dwelling, the access drive shall be a minimum of ten feet in width.
 2. For all other residential uses and all other uses, the access drive shall be a minimum of 18 feet in width.
 3. All parking spaces, except those required for single-, two-, or multi-family dwellings, shall have access to a public street in such a manner that any vehicle leaving or entering the parking area from or into a public street or alley shall be traveling in a forward motion.
- C. Setbacks. In C and I Districts, off-street parking spaces may be located in the required front yard on lots where business or industry is located; provided that a

Off-Street Parking Minimum Dimensional Table					
		45°	60°	90°	Parallel
A	Width of parking space	12'	10'	9'	9'
B	Length of parking space	19'	19'	19'	23'
C	Width of driveway aisle	13'	17'	25'	12'
D	Width of access driveway	17'	14'	14'	14'

§ 153.153 DETERMINATION OF REQUIRED SPACES.

In computing the number of parking spaces required by this Zoning Code, the following shall apply:

- A. Where floor area is designated as the standard for determining parking space requirements, floor area shall be the sum of the gross horizontal area of all the floors of a non-residential building measured from the faces of the exterior walls;
- B. Where seating capacity is the standard for determining parking space requirements, the capacity shall mean the number of seating units installed or indicated or each 24 linear inches of benches or pews, except where occupancy standards are set by the Fire Marshal; and
- C. Fractional numbers shall be increased to the next whole number.

§ 153.154 JOINT OR COLLECTIVE PARKING FACILITIES.

The joint or collective provision of required off-street parking areas shall comply with the following standards and requirements.

- A. All required parking spaces shall be located on the same lot with the building or use served, except that where an increase in the number of spaces is required by

- B. Other commercial establishments such as banks, savings and loan offices, or other similar facilities with service or money windows shall provide no less than four storage spaces per window.
- C. Motor vehicle service stations shall provide no less than two storage spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than 15 feet to any street right-of-way line.

§ 153.156 PARKING SPACE REQUIREMENTS.

The amount of required off-street parking spaces for new uses or buildings, additions thereto, and additions to existing buildings shall be determined in accordance with the following minimum requirements. However, no parking area shall project into a required front yard in any residential district or be permitted between the curb line and property lines (within the right-of-way) in any district, except as otherwise provided. The number of parking spaces required for uses not specifically mentioned shall be determined by the BZA. The determination shall be based upon the expected number of parking spaces the particular type of use would require to satisfy estimated peak parking load requirements.

A. Residential uses.

- 1. Single-family detached dwellings: two spaces per dwelling unit.
- 2. Two-family dwellings: two spaces per dwelling unit.
- 3. Multi-family dwellings: two spaces per dwelling unit.
- 4. Mobile home courts: two spaces per mobile home site, plus one space per each five mobile home sites for guest parking.

B. Institutional and public uses.

- 1. Elementary and junior high schools: one space per employee, plus one space per two classrooms.
- 2. High schools: one space per employee, plus one space per six students at capacity.
- 3. Places of worship: one space per four seats at maximum capacity of the main sanctuary.
- 4. Public offices and public buildings: one space for every 250 square feet of gross floor area.
- 5. Nursing and convalescent homes, including extended care facilities and rest homes: one space per six beds, plus one space for each staff and employee on the largest work shift.

6. Convenience food stores, carry-outs and mini-markets: one and one-half spaces for every 200 square feet of floor area, plus one space for each employee.
7. Drive-through and drive-in stores, and stand-alone automatic teller machines: one space for each employee, plus off-street waiting space for five vehicles per transaction location, plus one space for each 200 square feet of sales area open to the public.
8. Fraternal and social associations, dance halls, bingo halls, and private clubs: one space for every 50 square feet of floor area in assembly or meeting rooms, plus one space for every 200 square feet of other floor area.
9. Restaurants, fast food: one space per 50 gross square feet of floor area, plus one space per employee on the largest work shift with a minimum of 15 total spaces and with off-street automobile waiting space for eight vehicles for each drive-in window, with such automobile waiting space to be located behind the point where a drive-in order is placed.
10. Bars, taverns and nightclubs: one space for each three persons of capacity, plus one space for each employee on the largest work shift.
11. Vehicle sales, rental and service: one parking space for each 800 square feet of floor area, plus one space for each 3,000 square feet of open lot area devoted to the sale, rental and display of motor vehicles.
12. Animal hospitals and veterinary clinics: three spaces for each treatment area, plus one space for each staff and employee.
13. Commercial schools and studios: one space for every three students at capacity and one space for each employee.
14. Funeral homes and mortuaries: one space for every 50 square feet of public floor area, plus one space for each employee, plus one space for each business vehicle.
15. Home furnishings and home improvement stores: one space for each 400 square feet of indoor and outdoor sales, and display area, and one space for each 800 square feet of office, storage, and warehouse area.
16. Nurseries and garden supply stores: one space for each employee on the largest shift, one space for each 200 square feet of gross floor area of inside sales or display, and one space for each 1,000 square feet of exterior sales and display area.
17. Business and cleaning services: one space for every 300 square feet of sales and office area, plus one space for every employee on the largest work shift,

6. Heavy equipment rental, sales, service and storage: one space for every 800 square feet of floor area, plus one space for every 3,000 square feet of lot area devoted to the sale and display of vehicles.

§ 153.157 HANDICAPPED PARKING.

Parking facilities serving buildings and facilities required to be accessible to the physically handicapped shall have conveniently located designated spaces provided as follows or by current ADA standards.

Total Spaces in Lot/Structure	Number of Designated Accessible Spaces
Up to 100	1 space per 25 parking spaces
101 to 200	4 spaces, plus 1 per 50 spaces over 100
201 to 500	6 spaces, plus 1 per 75 spaces over 200
Over 500	10 spaces, plus 1 per 100 spaces over 500

§ 153.158 OFF-STREET LOADING SPACE REQUIREMENTS.

In any district in connection with every building or part thereof hereafter erected and having a gross floor area of 3,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with the building, at least one off-street loading space, and one additional loading space for each 10,000 square feet or fraction thereof of gross floor area so used in excess of 3,000 square feet.

§ 153.159 OFF-STREET LOADING DESIGN STANDARDS.

All off-street loading spaces shall comply with the following standards and specifications.

- A. Loading space dimensions. Each loading space shall have minimum dimensions not less than 12 feet in width, 65 feet in length and a vertical clearance of not less than 14 feet.
- B. Screening. In addition to the setback requirements specified above, screening shall be provided on each side of an off-street loading space that abuts any residential district. Screening shall comply with § 153.059.

SIGNAGE

§ 153.170 INTENT.

The intent of this subchapter is to establish and enforce standards regarding the existence, size, location, construction and manner of display of signs placed in the village in order to promote and protect the public health, safety, and morals, and to enhance the physical and economic well being of the community. It is further intended to reduce sign or advertising clutter, distractions and obstructions that may contribute to traffic accidents; reduce hazards that may be caused by signs projecting into or over public rights-of-way; curb the deterioration of the natural environment; and to support and complement the land use objectives of the community.

§ 153.171 GENERAL REQUIREMENTS.

The regulations contained in subchapter shall apply to signs placed in any and all zoning districts within the village.

- A. All illuminated signs shall employ a lighting device that only allows for the emission of light in constant intensity; and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving light(s). In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination to cause glare or reflection that may constitute a traffic hazard or nuisance. This division shall not apply to any sign performing a public service function indicating time, temperature or similar service.
- B. No sign shall employ parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. This division shall not apply to any sign performing a public service function indicating time, temperature or similar service.
- C. Signs erected and maintained pursuant to and as required by law, any governmental function, ordinance or governmental regulation shall be excluded from the regulations contained herein.
- D. Regulation of signs along interstate and primary highways shall conform to the requirements of R.C. Chapter 5516 and the regulations adopted pursuant thereto.
- E. No sign shall be placed in any public right-of-way except publicly-owned signs, such as traffic control and directional signs.
- F. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the sign shall, upon receipt of written notice from the Zoning Administrator, proceed at once to put such sign in a safe and secure condition or remove the sign altogether.

AWNING - A shelter projecting from and supported by the exterior wall of a building and constructed of non-rigid materials on a supporting framework.

AWNING SIGN - A sign painted on, printed on or attached flat against the surface of an awning.

BENCH SIGN - Advertising or business signs painted on or affixed to a bench, chair, seat, or other structure or device designed or used for sitting purposes.

BULLETIN BOARD - Any sign erected by a charitable, educational or religious institution, or public body which is posted upon the same property as such institution, for purposes of announcing events which are held upon the premises and contains no commercial message.

CANOPY - A structure (other than an awning) made of cloth, metal or other material with frames affixed to a building and carried by a frame which is supported by the ground.

COMMERCIAL MESSAGE - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

DIRECTIONAL/INFORMATIONAL SIGN - A sign, providing no advertising of any kind, which provides direction or instruction to guide persons to facilities intended to serve the public, such as public telephones, restrooms, walkways, parking areas and other similar facilities.

FREESTANDING SIGN - A sign supported upon the ground by poles, braces or posts and not attached to any building.

MAINTENANCE - The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

MARQUEE - A permanent roof-like structure extending from the wall of a building, but not supported by the ground and constructed of durable material such as metal, wood or glass.

OFF-PREMISE SIGN - A sign which directs attention to a business, profession, activity, commodity, service, or entertainment other than one conducted, sold, or offered upon the premises where such sign is located.

ON-PREMISE SIGN - A sign which pertains to the use of the premises on which it is located.

PORTABLE SIGN - A sign not permanently affixed to the ground, a building, or other structure, which may be moved from place to place, including, but not limited to, signs designed to be transported by means of wheels, menu, and sandwich board signs, and

- D. Signs denoting the name and address of the occupants of the premises shall not exceed two square feet in area and shall contain no designations or references to home occupations or professions.
- E. Governmental signs or notices used for transportation, emergency or public information purposes.
- F. Any sign advertising the sale, lease or rental of the premises upon which the sign is located shall not exceed 12 square feet in area with the exception of residential districts, where the area of the sign shall not exceed six square feet. Such signs shall be removed within ten days after the sale, lease or rental has been concluded.
- G. Political signs, placards, or posters concerning candidates or issues for election shall be posted no more than 60 days before an election and shall be removed within seven days following the close of the election event and shall not exceed six square feet in area.
- H. Warning signs, such as but not limited to "No Trespassing," "No Hunting", "No Dumping," "Keep Off The Grass" and the like shall be four square feet or less.
- I. Window signs shall not exceed 25% of the window surface.
- J. One temporary sign not exceeding 24 square feet in area on the premises of an institutional use, announcing special public events such as fairs, carnivals, festivals, charitable, or similar activities, when the same are located on the premises of such institutions may be erected for a period not to exceed 30 days. Such signs shall be removed within three days of the final day of the event.
- K. Cornerstones, commemorative markers or tablets, and historical signs shall be limited in size to nine square feet.

§ 153.175 SIGNS REQUIRING A PERMIT.

All signs not specifically included under § 153.174 shall require the issuance of a sign permit. Signs shall be classified by location (on-premises and off-premises) and by type (wall, projecting, freestanding, roof, window and interstate). The requirements for on-premises signs listed in §§ 153.176 and 153.177 are established per zoning district.

§ 153.176 ON-PREMISE SIGNS PERMITTED IN RESIDENTIAL ZONES.

The following signs are allowable in any R-1, R-2 or R-3 Residential District:

- A. All signs as permitted in § 153.174, not requiring a permit.
- B. A permanent residential subdivision sign that identifies the name of the complex or subdivision may be located within the subdivision, provided:

who pass underneath from possible injury. Sign users who place projecting signs over the public right-of-way shall assume sole liability for such sign.

- C. Freestanding signs. Freestanding signs shall be supported upon the ground by poles, braces, or posts, and shall be permitted in C-1, C-2, C-3, C-4, and I (Industrial) Districts in accordance with the following requirements.
1. There shall not be more than one freestanding, on-premise sign per business activity along each street frontage the use abuts. Where commercial uses are located on the same property with common features, such as shopping centers or commercial complexes, all such on-premise signs shall be supported by only one structure per lot with street frontage.
 2. Freestanding signs shall not be located upon or project over any right-of-way.
 3. Freestanding signs shall not obstruct or adversely affect vision clearance or traffic visibility.
 4. The maximum height from grade for freestanding signs shall be not more than 20 feet in the C-1, C-3, and C-4 Districts and 30 feet in the C-2 and I (Industrial) Districts.
 5. The maximum area size for freestanding signs shall not be larger than 40 square feet in the C-1, C-3, and C-4 Districts and 100 square feet in the C-2 and I (Industrial) Districts.
 6. Freestanding signs shall not measure less than nine feet from grade to the lowest point of the sign or its supporting structure if such sign is designed and/or located to allow pedestrian traffic to pass underneath; for vehicle passage under the sign the minimum clearance from grade is 15 feet.
 7. All freestanding signs shall be located a minimum of 25 feet from any adjoining property line or residential district.
 8. Freestanding signs that are of a temporary or portable nature may be permitted in addition to permanently-mounted, freestanding signs, subject to the following provisions:
 - i. All portable and/or temporary signs shall comply with § 153.171 as it regards lighting.
 - ii. Such signs, when located in the C-1, C-3, or C-4 Districts, shall not exceed 24 square feet in area; when located in C-2 and I (Industrial) Districts, portable and temporary signs shall not exceed 50 square feet in area.
 - iii. No portable or temporary sign shall exceed six feet in height from grade.

5. Overall height should not exceed three feet above the average height of the roof line or the parapet wall of the building to which it is attached, and should not exceed the allowable building height for that zoning district.
 6. Such signs shall be limited to single-story buildings or to the first level only of multi-story buildings.
- E. Window signs. Window signs are only permitted in the ground or first floor windows of all commercial and industrial districts. No window sign shall occupy more than 25% of the total window surface on a given side of the building.
- F. Enter/exit signs. Enter/exit signs may be permitted in addition to freestanding signs, subject to the following provisions.
1. All enter/exit signs shall comply with § 153.171 as it regards lighting.
 2. No enter/exit signs shall be permitted in the right-of-way of any street or alley.
 3. The area of such signs shall not exceed two square feet.
 4. Not more than one enter and one exit sign shall be permitted for each lot. Corner lots may be permitted one additional enter and exit sign; provided there is an access to the public street on both street frontages.
 5. No lettering or sign message other than "enter" and "exit" shall be permitted.
 6. The maximum height for an enter/exit sign shall be three feet, and such sign shall not be located in a manner that obstructs or adversely affects traffic visibility.
- G. Interstate signs. Signs that are not attached to a building, that are less than 1,900 feet from the centerline of an interstate highway right-of-way, that are at least 25 feet in height and that are intended to be read from the interstate highway. An interstate sign is an accessory use that directs attention to an on-premise business, enterprise or activity located upon a property that adjoins an interstate highway. A business may be permitted an interstate sign as a conditional use, subject to the following provisions.
1. Signs must conform to the requirements established under R.C. Chapter 5516.
 2. Signs shall not be closer than 25 feet to any right-of-way line.
 3. Signs shall not be closer than 15 feet to any adjoining property line.
 4. Signs shall not be larger than 400 square feet in area.

attracting attention to any commercial enterprise, except as noted in § 153.177(C)(8)(h).

- C. Air-activated graphics or balloons used for commercial or advertising reasons shall not be permitted, except as noted in § 153.177(C)(8)(h).
- D. No sign shall imitate, resemble, or duplicate any official traffic or governmental sign or signal.
- E. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying an advertising content shall not be permitted. This restriction does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business on a day-to-day basis.
- F. The use of roof signs is prohibited in all zoning districts within the village.

§ 153.180 PERMIT APPLICATION PROCEDURES.

Any person intending to install, place or locate a permit-required sign within the village must first make application with the Zoning Administrator. An application for a sign permit shall be made in writing (on a form supplied by the village) and attested to as to truth and accuracy by the applicant. An application shall be accompanied by all required fees and shall contain, either on its face or by attachment, the following information:

- A. All size and area dimensions for each sign.
- B. A drawing, photograph or acceptable rendering of the proposed sign that includes all colors, lettering, words, symbols, font sizes/styles and messages the applicant wishes to convey.
- C. The proposed location, position and manner of attachment of a sign.
- D. The intended use and proposed date of placement for such sign.

§ 153.181 VIOLATIONS.

- A. No person shall locate, erect, construct, reconstruct, enlarge, change, maintain, or use any sign in violation of any of the provisions of this Zoning Code, or any amendment or supplement thereto adopted by the village.
- B. Any sign installed or placed upon public property, except in conformance with the requirements of this Zoning Code, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the village shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such sign.

AMENDMENTS

§ 153.195 INTENT.

Whenever the public necessity, convenience, general welfare or good zoning practices require, the Village Council may by ordinance, after receipt of recommendation thereon from the Planning Commission, and subject to procedures provided by law, amend, supplement, change, or repeal the regulations, restrictions, and boundaries or classification of property.

§ 153.196 INITIATION OF ZONING AMENDMENTS.

Amendments to this Zoning Code may be initiated in one of the following ways:

- A. By the adoption of a motion by the Planning Commission.
- B. By the adoption of a motion by Village Council referring any amendment to Planning Commission for recommendation.
- C. By the filing of an application by the owner of the affected property.

§ 153.197 CONTENTS OF APPLICATION FOR ZONING MAP AMENDMENT.

Applications for amendments to the official zoning map adopted as part of this Zoning Code shall contain at least the following information:

- A. The name, address and phone number of the applicant.
- B. Present use.
- C. Present zoning district.
- D. Anticipated use.
- E. Proposed zoning district.
- F. A vicinity map at a scale approved by the Village Administrator showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Village Administrator may require.
- G. A statement of the reason(s) for the proposed amendment.
- H. A list of all property owners and their mailing addresses, as appearing on the County Auditor's current tax list, who are within 200 feet of the parcel or parcels proposed to be rezoned.
- I. A fee as established by the Zoning Code (see § 153.242).

§ 153.198 CONTENTS OF APPLICATION FOR ZONING TEXT AMENDMENT.

After the required public hearing, the Village Council shall either adopt or deny the recommendation of the Planning Commission or adopt some modification thereof. In the event the Village Council denies or modifies the recommendation of the Planning Commission, it must do so by not less than three-fourths of the full membership of Village Council.

- C. Description or nature of variance requested;
- D. A fee as established by Zoning Code (see § 153.234) list of all property owners and their mailing addresses who are within 200 feet of the parcel requesting variance; and
- E. Narrative statements establishing and substantiating that the variance conforms to the following standards.
 1. The granting of the variance shall be in accordance with the general purpose and intent of the regulations imposed by this Zoning Code on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.
 2. The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.
 3. There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Zoning Code would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.
 4. There must be proof of hardship or practical difficulty created by the strict application of this Zoning Code. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Zoning Code; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered.
 5. The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.
 6. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures or buildings in the same district.

§ 153.219 ADDITIONAL CONDITIONS AND SAFEGUARDS.

The Board of Zoning Appeals may further prescribe any conditions and safeguards that it deems necessary to ensure that the objectives of the regulations or provisions to which the variance applies will be met. Any violation of such conditions and

ADMINISTRATION

§ 153.235 *INTENT.*

The intent is to set forth the powers and duties of the Planning Commission, the Board of Zoning Appeals, the Village Council and the Village Administrator with respect to the administration of the provisions of this Zoning Code.

§ 153.236 *GENERAL PROVISIONS.*

The formulation, administration and enforcement of the Zoning Code is hereby vested in the following offices and bodies within the village government:

- A. Village Council
- B. Planning Commission
- C. Board of Zoning Appeals
- D. Village Administrator
- E. Village Solicitor

§ 153.237 *VILLAGE ADMINISTRATOR.*

The Village Administrator shall administer and enforce this Zoning Code. He or she may be provided with the assistance of such other persons as needed.

§ 153.238 *RESPONSIBILITIES OF THE VILLAGE ADMINISTRATOR.*

For the purpose of this Zoning Code, the Village Administrator shall have the following duties:

- A. Enforce the provisions of this Zoning Code and interpret the meaning and application of its provisions.
- B. Respond to questions concerning applications for amendments to the official zoning district map.
- C. Issue building/zoning permits as provided by this Zoning Code, and keep a record of same with a notation of any special conditions involved.
- D. Act on all applications upon which the Village Administrator is authorized to act by the provisions of this Zoning Code within the specified time, or notify the applicant in writing of the Village Administrator's refusal or disapproval of such application and the reasons therefore. Failure to notify the applicant in case of such refusal or disapproval within the specified time shall entitle the applicant to submit the Village Administrator's request to the Board of Zoning Appeals.

- A. The Board of Zoning Appeals (BZA) shall be composed of five members appointed by the Mayor for terms of five years. The Mayor shall also appoint a Chairperson, Vice-Chairperson and Secretary from among the Board members.
- B. For the purpose of this Zoning Code, the BZA has the following specific responsibilities:
 - 1. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation or determination made by the Village Administrator.
 - 2. Authorize such variances from the terms of this Zoning Code.
 - 3. Hear and decide conditional uses as set forth in this section.
 - 4. Review all special uses and conditional uses as identified in the respective zoning districts according to provisions and criteria stated in this Zoning Code.

§ 153.241 VILLAGE COUNCIL.

The powers and duties of the Village Council pertaining to the Zoning Code are as follows:

- A. Approve the appointments of members to the Planning Commission by the Mayor.
- B. Approve the appointments of members to the Board of Zoning Appeals by the Mayor.
- C. Initiate or act upon recommended amendments to the Zoning Code or official zoning district map. Final action upon a recommended zoning amendment shall be undertaken at a public hearing.
- D. Override a recommendation of the Planning Commission; provided that such legislative action is passed by a vote of not less than three-fourths of the Village Council.

§ 153.242 SCHEDULE OF FEES.

- A. Accessory structures/buildings/uses -\$12
- B. Appeal of administrative design - \$150
- C. Commercial remodeling/additions - \$36
- D. Conditional use - \$150
- E. Fences (commercial/industrial) - \$12

BUILDING/ZONING PERMIT REQUIREMENTS AND ENFORCEMENT

§ 153.255 INTENT.

The intent of this subchapter is to stipulate the procedures to be followed in obtaining permits and other legal or administrative approvals under this Zoning Code.

§ 153.256 BUILDING/ZONING PERMITS REQUIRED.

No building or other structure shall be erected, moved, added to or structurally altered; nor shall any building, structure, or land be established or changed in use; nor shall any accessory structure, sign or swimming pool be installed without a permit issued by the Village Administrator. Building/zoning permits shall be issued only in conformity with the provisions of this Zoning Code unless the Village Administrator receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance. Accessory buildings 150 square feet and less are exempt from this requirement.

§ 153.257 RECOMMENDED CONTENTS OF APPLICATION FOR BUILDING/ZONING PERMITS.

The application for building/zoning permit shall be made in writing and be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Construction on the project shall begin within six months from the date that the permit was issued and shall be substantially completed within one year of the permit issue date. At a minimum, the application shall contain the following information, if applicable to a particular use, and be accompanied by all required fees:

- A. Name, address and phone number of owner.
- B. Legal description of property or lot number.
- C. Existing use.
- D. Proposed use.
- E. Zoning district.
- F. Plans drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration.
- G. Building heights.
- H. Number of off-street parking spaces or loading berths and their layout.
- I. Location and design of access drives.

existing service lines and existing and proposed easements. Such plans shall comply with the village design criteria and construction standards and drawings.

- E. The location, size and type of fire hydrants; building plans; fire suppression system plans; Fire Department access areas; and fire lane signage. Such plans shall comply with state and local building and fire codes and shall be approved by the Fire Chief (or authorized representative).
- F. A grading and drainage plan to illustrate proposed grading of the site and methods used to comply with village storm water runoff, erosion, and sediment control specifications found in the village design criteria and construction standards and drawings.
- G. A landscaping plan showing the location and types of screen planting, buffer areas, human-made screening and other features, which shall enhance the site.
- H. An exterior lighting plan showing the location of lighting fixtures, their type and output, as well as the proposed radius of lighted area for each fixture.
- I. The proposed internal vehicular circulation of access roads shall be delineated and related to connections with public streets. Existing and proposed traffic patterns and volumes, and the anticipated effect on existing public streets serving the site shall be provided for the Village Engineer's review. Complexes shall provide curb or other types of internal access lane separations for parking spaces to assist in internal circulation and parking area delineation.
- J. The division of the development into sections shall be delineated if staged construction is contemplated, as well as which parking areas and other improvements shall be provided for each stage of development.
- K. Proposed complexes designed for condominium, cooperative, or other multiple ownership arrangements shall indicate proposed individual, joint, or common ownership areas to assure maintenance and operation of common features such as lighting and parking facilities. Any arrangements requiring subdivision approval shall also be subject to the subdivision regulations.

§ 153.259 APPROVAL OF BUILDING/ZONING PERMIT.

Within 30 days after the receipt of an application, the Village Administrator shall either approve or disapprove the application in accordance with the provisions of this Zoning Code. All building/zoning permits shall, however, be conditional upon the commencement of work within six months and completed within one year. One copy of the permit shall be returned to the applicant by the Village Administrator, after the Village Administrator has marked such copy either as approved or disapproved and attested to same by the Village Administrator's signature on such copy. One copy of plans, similarly marked, shall be retained by the Village Administrator. The Village

§ 153.266 NOTICE OF VIOLATION.

A. Whenever the Village Administrator or the officer's agent determines that there is a violation of any provision of this Zoning Code, a warning letter shall be issued and shall serve as a notice of violation. Such order shall:

1. Identify the violation.
2. Include a statement of the reason or reasons why it is being issued and refer to the sections of this Zoning Code being violated.
3. State the time by which the violation shall be corrected.

B. Service of notice of violation shall be as follows:

1. By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of suitable age and discretion; or
2. Certified mail deposited in the United States Post Office addressed to the person or persons responsible at a last known address. If a certified mail envelope is returned with endorsement showing that the envelope is refused or is unclaimed, then service shall be sent by ordinary mail, and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Village Administrator. Service shall be deemed complete when the fact of mailing is entered of record.

§ 153.267 ADDITIONAL REMEDIES.

Nothing in this Zoning Code shall be deemed to abolish, impair or prevent other additional remedies as provided by law. In the event of a violation of any provision or requirement of this Zoning Code, or in the case of an imminent threat of such a violation, the Village Administrator, the Village Solicitor, or the owner of any neighboring property who would be especially damaged by such violation, may, in addition to other recourses provided by law, institute mandamus, injunction, abatement, or other appropriate actions to prevent, remove, abate, enjoin, or terminate such violation.

§ 153.999 PENALTY.

A. It shall be unlawful to erect, establish, locate, construct, reconstruct, enlarge, change, move, repair, maintain, or structurally alter any building, structure, or land in violation of any provision of this Zoning Code, or any amendment thereto. Any person, firm or corporation who violates this Zoning Code or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be

WHEREAS, Council, having heard the recommendation of the Planning Commission and comments from the Public Hearing, accept, adopt, and approve this amendment and restatement.

NOW THEREFORE, be it ordained by the Council of the Village of Botkins, at least *two-thirds of the members elected thereto, concurring herein:*

SECTION 1

The Original Ordinance is hereby repealed and the Village zoning regulations are hereby amended and restated in accordance with the regulations set forth in Exhibit "A" ("Regulations"), which is attached to and made a part of this Ordinance.

SECTION 2

Should any section of the Regulations be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Regulations as a whole or any part thereof, other than the part so decided to be unconstitutional or invalid.

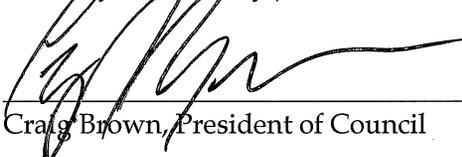
SECTION 3

This Ordinance shall go into effect from and after the earliest period provided by law.

Adopted this 10 day of December, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

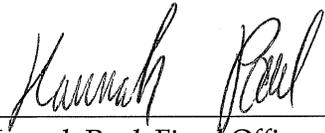
Attest:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-24 passed by the Council of the Village of Botkins on the 10 day of December, 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Fiscal Officer

**Village of Botkins, Ohio
Resolution No. 25-25**

**A RESOLUTION ACCEPTING THE LOWEST AND BEST BID FOR THE
SOUTH STREET PHASE I PROJECT, AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Botkins ("Village") seeks to make improvements to road, water infrastructure, and walking surfaces on South Street in the Village of Botkins in Shelby County; and

WHEREAS, the Village advertised for bids for not less than two weeks and not more than four weeks in a paper of local circulation; and

WHEREAS, the Village, on November 20, 2025, at 1:00 p.m., opened the bids in the presence of a secretary and witnesses, and

WHEREAS, the Village received the low bid from PAB Construction, Co.

NOW, THEREFORE, be it resolved by the Council of the Village of Botkins, Ohio with at least two-thirds majority of the members elected thereto concurring herein:

SECTION 1:

The bid received from PAB Construction, Co. is as follows:

Base Bid - \$638,624.00
Alternate 3 - \$10,500.00
Alternate 4 - \$5,992.00
Alternate 5 - \$7,000.00
Alternate 6 - \$5,200.00
Alternate 7 - \$4,000.00
Alternate 8 - \$9,226.50
Alternate 9 - \$16,182.00

Total - \$696,724.50

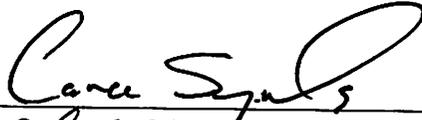
SECTION 2:

The Engineer, Mr. Jerry McClannan, recommends PAB Construction, Co. as the lowest and best bidder after reviewing the bid tabulations.

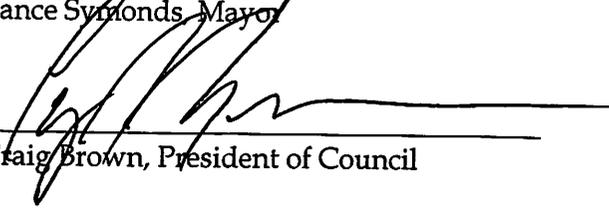
SECTION 3:

This Resolution is necessary as an emergency measure for the preservation of the health, safety, and welfare of the residents of the Village. This Resolution shall go into immediate effect upon its passage.

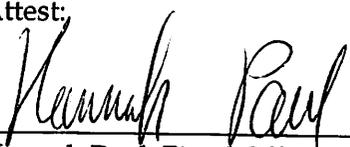
Adopted this 24th day of November, 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

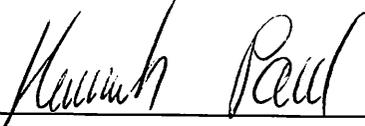
Attest:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-25 passed by the Council of the Village of Botkins on the 24th day of November, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.



Hannah Paul, Fiscal Officer

VILLAGE OF BOTKINS, OHIO
Ordinance No. 25-26

**AN ORDINANCE DETERMINING THAT PARTICULAR LAND LOCATED
IN THE VILLAGE BOTKINS IS NO LONGER NEEDED AND
AUTHORIZING THE BCIC TO ENTER INTO AGREEMENT WITH TRED
PROPERTIES, LLC, REPEALING ALL OTHER ORDINANCES PERTAINING
TO SAID LAND, AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Botkins Council ("Council") passed Ordinance 16-19 which authorized the purchase of 60 acres ("Residential Development Area") for future public purposes; and

WHEREAS, the Council passed Ordinance 90-05 which established the Botkins Community Improvement Corporation ("BCIC") to act as the agent for economic development responsible for advancing, encouraging and promoting the industrial, economic, commercial, and research development in the Village of Botkins; and

WHEREAS, TRED Properties, LLC, has approached the BCIC with a business plan; and

WHEREAS, the Council no longer needs municipal land located in the area purchased in 2016 designated Residential Development Area, which may become associated with future plans negotiated by the BCIC concerning the previously mentioned investor business plans.

NOW, THEREFORE BE IT ORDAINED by the Village of Botkins Council, State of Ohio with at least two-thirds affirmative vote:

SECTION ONE:

The Village of Botkins owns 60 acres located in the northeaster quadrant of the Village, which is known as Residential Development Area. The land was purchased with the intent of allowing the Botkins Community Improvement Corporation, a non-profit organization, to develop and sell it for the Village's economic well-being.

SECTION TWO

TRED Properties, LLC, recently proposed a business plan to the BCIC. They desire to create a residential subdivision in the Village of Botkins. They would like to purchase the 10.508-acre property labeled "Lot 652" as shown in EXHIBIT A.

SECTION THREE

The Council would like the BCIC to pursue this future business opportunity. To do so, the Village resolves it no longer has need for municipal land in the Residential Development Area, which may be necessary to sell for the completion of the business

plan proposed above. The BCIC may proceed to negotiate this economic development plan according to its charter and original mission.

SECTION FOUR

This Ordinance replaces any and all Ordinances and/or Resolutions, in which the Council resolved to no longer need a specific parcel of land in the Residential Development Area..

SECTION FIVE

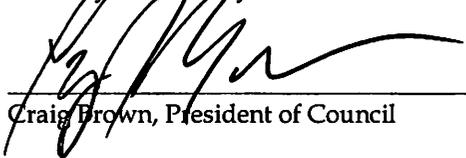
This Ordinance is necessary as an emergency measure for the preservation of the health, safety, and welfare of the residents of the Village. This Ordinance shall go into immediate effect upon its passage.

This Ordinance shall take effect at the earliest time permitted by law.

Passed this 10th day of December 2025.



Lance Symonds, Mayor



Craig Brown, President of Council

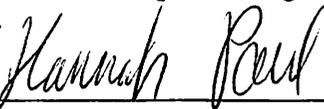
ATTEST:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Clerk of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-26 passed by the Council of the Village of Botkins on the 10th day of December 2025; that publication of such Ordinance has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Ordinance have been taken.



Hannah Paul, Clerk of Council

VILLAGE OF BOTKINS, OHIO
Resolution No. 25-27

**A RESOLUTION INCREASING APPROPRIATION OF THE 2025 BUDGET \$22,600
AND TO DECLARE AN EMERGENCY**

\$1,500.00 is to be appropriated to the Capital Improvement Fund in account 4905-801-5599 – Capital Projects

\$7,600.00 is to be appropriated to the Sewer Fund in account 5201-540-5190 – Sewer Wages

\$5,000.00 is to be appropriated to the Sewer Fund in account 5201-540-5200 – Sewer Fringes

\$3,000.00 is to be appropriated to the Sewer Fund in account 5201-540-5310 – Sewer Utilities

\$200.00 is to be appropriated to the Sewer Fund in account 5201-540-5433 – Sewer Equipment Maintenance

\$5,000.00 is to be appropriated to the Sewer Fund in account 5201-540-5690 – Sewer General Expenses

\$300.00 is to be appropriated to the Refuse Fund in account 5911-560-5300 – Refuse Contract

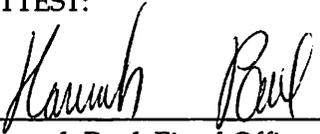
This Resolution is necessary as an emergency measure for the preservation of the health, safety, and welfare of the residents of the Village. This Resolution shall go into immediate effect upon its passage.

Passed this 10th day of December 2025.


Lance Symonds, Mayor


Craig Brown, President of Council

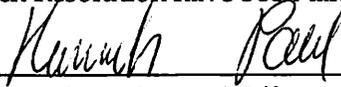
ATTEST:


Hannah Paul, Fiscal Officer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-27 passed by the Council of the Village of Botkins on the 10th day of December, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.


Hannah Paul, Fiscal Officer