

ORDINANCE 17-01

AGREEMENT

THIS AGREEMENT (the "Agreement") is made and entered into by and between the Champaign County Board of County Commissioners (the "County") and the Village of Mechanicsburg (the "Village").

WHEREAS, the Village recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel to indigent persons charged with a violation of a village ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, and;

WHEREAS, the County has created an appointed counsel system for this municipality whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify, and;

WHEREAS, the County Commissioners, pursuant to Ohio Revised Code §120.33 and Ohio Administrative Code §120-1-09, may by resolution enter into a contract with a village to provide effective representation of indigent persons under which the village shall reimburse the county for counsel appointed to represent indigent persons charged with a violation of an ordinance of the village, and;

WHEREAS, the County has established a schedule of fees on an hourly basis to be paid to counsel for legal services provided hereunder, and;

WHEREAS, this Agreement has been authorized by Ordinance No. 17-01 of the Village Council of the Village of Mechanicsburg passed on the 2 day of January, 2017, and by Resolution of the Champaign County Board of County Commissioners passed on January 3, 2017.

NOW, THEREFORE, in consideration of the mutual promises contained herein, intending to be legally bound, the parties agree as follows:

1. The Village and County agree that the judge of the municipal court may assign, by journal entry, recorded on the Court Docket, appointed counsel to represent indigent persons in the Municipal Court on or after the commencement date and during the term of this Agreement in which the defendant is indigent and charged with the commission of a criminal offense or act which is a violation of a village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
2. Indigency shall be determined in accordance with the standards of indigency and other rules and guidelines established by the Ohio Public Defender Commission and the State Public Defender pursuant to Ohio Revised Code §120.03, §120.05 and Ohio Administrative Code §120-1-03.

3. A major purpose of this Agreement is to enable the Village to obtain partial reimbursement from the Ohio Public Defender Commission of attorney fees and expenses for counsel appointed in the Municipal Court for indigent persons charged with the commission of a criminal offense or act which is a violation of village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty. Any question regarding terms or performance of this Agreement shall be resolved in favor of obtaining this result.
4. The Village agrees to reimburse the County for that portion of the costs not reimbursed by the State of Ohio for providing counsel to indigent persons charged with the commission of an offense or act which is a violation of village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
5. Payment by the Village for representation of such indigent persons in the Municipal Court shall not exceed the fee schedule in effect and adopted by the Champaign County Board of County Commissioners.
6. The duration of this Agreement shall be for the term of one year commencing on January 1, 2017 and ending on December 31, 2017.
7. If either the County or the Village shall fail to fulfill, in a reasonable, timely and proper manner, its obligations under this Agreement or if either party shall substantially violate any of the covenants, Agreements, or stipulations of this Agreement, then the aggrieved party shall have the right to terminate this Agreement by giving thirty days written notice of such termination. Termination by either party shall not constitute a waiver of any other right or remedy it may have in law or in equity for breach of this Agreement by the other party.
8. This Agreement may only be amended by written agreement signed by the parties and made a part hereof.
9. There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against the application for such employment because of race, color, religion, sex, age, handicap or national origin. This provision shall apply to, but not be limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The County shall insert a similar provision in any subcontract for services covered by this Agreement.
10. No personnel of the parties or member of the governing body of any locality or other public official or employee of any such locality in which, or relating to which, the work under this Agreement is being carried out, and who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of and such work, shall, prior to the completion of

said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

IN WITNESS WHEREOF, the parties have hereunto set their hands this

January 3, 2017.

BOARD OF COUNTY COMMISSIONERS
OF CHAMPAIGN COUNTY

Witness

Andrea Millice
Andrea Millice

by David E. Faulkner

by Bob E. Corbett

by Sten R. Hass

VILLAGE OF MECHANICSBURG, OHIO

Attest

April Huggins Davis
Clerk

by Reginald W. Wagoner

APPROVED AS TO FORM:

[Signature]
Champaign County Prosecuting Attorney

Ohio Public Defender Commission

by [Signature]

Subject to:
No renewal for 2018.
Must have additional
clause in 2018 agreement
per OAC 120-1-09

ORDINANCE NO. 17- 02

Supplement to the Zoning Ordinance of the Village of Mechanicsburg:
Section 592 - Vacant Building Maintenance Enforcement Program

Whereas, certain properties within the Village of Mechanicsburg have fallen into obvious and substantial disrepair, and

Whereas the present Zoning Ordinance is silent about the upkeep of vacant structures, and

Whereas the Mechanicsburg Village Council desires to establish standards for maintenance and upkeep of vacant structures, and

Whereas the Mechanicsburg Village Council believes that such standards for maintenance and upkeep of vacant structures are for the public health, safety, and welfare of the citizens of Mechanicsburg:

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section 592 of the Zoning Ordinance as defined in the attached pages, be adopted and incorporated into the existing Mechanicsburg Village Zoning Ordinance, and shall go into effect thirty (30) days after passage.

This Ordinance was passed at a regular meeting held FEB 20, 2017 after three readings.

First Reading: 1-16-17

Second Reading: 2-6-17


Third Reading: 2-20-17

Vote: 6 yea 0 nay — abstain

Date: 2-20-17


Greg Kimball, Mayor


Jodi Compton, President of Council


April Huggins-Davis, Clerk of Council

**Section 592: Vacant Building Maintenance Enforcement Program-
Also known as "Ordinance Against Demolition by Neglect"**

592.01 Purpose	592.05 Fees
592.02 Definitions	592.06 Exemptions
592.03 Vacant Building Registration	592.07 Appeals
592.04 Inspections	592.08 Penalty

592.01 PURPOSE. The purpose of this chapter is to establish a program for identifying and registering vacant buildings; to define the responsibilities of owners of vacant buildings and structures; and to provide incentives to speed the rehabilitation and productive use of vacant buildings. Structures which are left vacant for extended periods of time have been shown to breed crime, pose public safety risks, and reduce property values and the economic viability of the community in which they are found. Shifting the cost or burden of the existence of vacant structures from the general citizenry to the owners of the buildings is an intended result of this chapter.

592.02 DEFINITIONS

Unless otherwise expressly stated, the following terms shall, for the purposes of this chapter, have the meanings indicated in this section.

- a) "Secured by other than normal means." A building secured by means other than those used in the design of the building.
- b) "Unoccupied." A building which is not being used for occupancy authorized by the owner. The term "unoccupied" shall only be applicable to multi-unit structures when more than half (1/2) of the units and more than half (1/2) of the available space are not currently occupied by a tenant or tenants.
- c) "Unsecured." A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.
- d) "Vacant building." A structure (excluding government-owned buildings) which is:
 - 1) Unoccupied and unsecured; or
 - 2) Unoccupied and secured by other than normal means; or
 - 3) Unoccupied and an unsafe building as determined by the Zoning Inspector or his duly designated representative; or
 - 4) Unoccupied and having utilities disconnected; or
 - 5) Unoccupied and has housing or building code violations; or
 - 6) Illegally occupied, other than during a pending dispute between landlord and tenant, but including loitering and vagrancy; or
 - 7) Unoccupied for a period of time over 90 days and having an existing code violation issued by a Village or State housing, building, health or fire official; or
 - 8) Unoccupied with a mortgage status of abandonment (i.e. deceased or foreclosed); or
 - 9) Unoccupied and abandoned by the property owner.
- e) "Evidence of vacancy." Any condition that on its own or combined with other conditions present would lead a reasonable person to believe the property is vacant. Such conditions include, but are not limited to: significantly below-standard utility usage, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, accumulation of trash, junk, and/or debris, broken or boarded up windows, abandoned vehicles, auto parts or materials, the absence of window coverings such as curtains, blinds, and/or shutters, the absence of furnishings and/or personal items consistent with habitation or occupation, and statement(s) by governmental employee(s) that the property is vacant.

592.03 VACANT BUILDING REGISTRATION

- a) In all areas within the corporate limits of the Village of Mechanicsburg, an owner of a structure which meets the definition of a “vacant building” as set forth in this Chapter shall register such structure with the Office of the Village Administrator or his/her duly designated representative not later than 90 days after it becomes a vacant building as defined herein, or not later than 30 days of being notified by the Zoning Inspector or his duly designated representative of the requirement to register based on evidence of vacancy, whichever event first occurs.
- b) The registration shall be submitted on forms provided by the Village Administrator and shall include the following information supplied by the owner:
 - 1) The name(s) and address(es) of the owner or owners;
 - 2) If the owner does not reside in a location in the State of Ohio within 60 miles of the Mechanicsburg Village corporate limits, a property agent, manager or caretaker residing or doing business within the State and within said 60-mile-radius shall be designated and identified by name, address and telephone number. By designating an authorized agent under the provisions of this section, the owner is consenting to the service of any and all notices required or allowed under this Chapter upon said agent;
 - 3) The names and addresses of all known lien holders and all other parties known or believed upon information to have a claim of an ownership interest in the building;
 - 4) A telephone number where a responsible party can be reached at all times during business and non-business hours; and
 - 5) A vacant building plan as described in division (c) of this section.
 - 6) Proof of insurance.
- c) The owner shall submit a vacant building plan which must meet the approval of the Zoning Inspector or his duly designated representative. The plan, at a minimum, must contain one of the following:
 - 1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition which includes starting within 30 days of acceptance of the proposed demolition timeline and does not exceed one year in accordance with the Ohio Building Code; or
 - 2) If the building is to remain vacant, a plan for ensuring the building is secured in accordance with all applicable building and fire codes along with the procedure that will be used to maintain the property, and a statement of the reasons why the building will be left vacant (e.g., building is for sale, etc.); or
 - 3) If the building is to be returned to appropriate occupancy or use, rehabilitation plans for the building and grounds. The rehabilitation plan shall not exceed 12 months from the time they obtain permits, unless the Zoning Inspector or his duly designated representative grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation, or building codes, and the property must be secured during the rehabilitation.
- d) All applicable laws and codes shall be complied with by the owner. The owner shall notify the Zoning Inspector or his duly designated representative of any changes in information of their vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revision(s) must be in writing and must meet the approval of the Zoning Inspector or his duly designated representative.

- e) The owner and subsequent owners shall keep the building secured and safe and the building and grounds properly maintained in accordance with all applicable health codes, property maintenance codes and fire codes. A new owner(s) shall register or re-register a vacant building with the Office of the Village Administrator within 30 days of any transfer of an ownership interest in the vacant building, unless the building is to become occupied upon transfer. The new owner(s) shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Director.
- f) Failure of the owner or any subsequent owners to maintain the building and premises that result in remedial action taken by the Village shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by the law.
- g) The provisions of this Chapter apply to all owners of record and both the vendor and vendee under any actual or alleged land contract or lease-purchase agreement, whether recorded or unrecorded.
- h) The registration and all associated processes must be completed in its entirety annually for as long the property remains vacant.
- i) The Zoning Inspector or his duly designated representative shall maintain a record of any property-specific written statements from community organizations, other interested parties, or citizens regarding the history, problems, status, or blighting influence of a vacant building. Such written statements shall become part of the permanent record pertaining to such property.

592.04 INSPECTIONS

Vacant buildings will be subject to an exterior inspection at least twice per year at the Village Zoning Inspector's discretion to ensure the compliance with property maintenance codes.

The Village Zoning Inspector shall inspect any premises in the Village for the purposes of enforcing and assuring compliance with the provisions of this Chapter. Upon the request of the Zoning Inspector, an owner may provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained in this Chapter shall, however, diminish the owner's right to insist upon the procurement of a search warrant for a court of competent jurisdiction by the Village Zoning Inspector or his designee, in order to enable such an inspection. The Village Zoning Inspector is required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises.

592.05 VACANT BUILDING FEES

The fees described in this Section are established in order to defray the cost to the Village government and community as a whole related to the health, safety and economic impacts of structures which remain vacant for long periods of time, including but not limited to administrative costs for registering and processing the vacant building owner registration form and for the costs incurred by the Village in monitoring the vacant building site. The fees are also structured in order to provide appropriate incentives for owners of vacant buildings to care for them properly, seek to fill them, and in appropriate cases demolish them. The annually increased fee amounts are intended to absorb the costs incurred by the Village for demolition and hazard abatement of or repairs to vacant buildings, as well as the continued normal administrative costs stated above.

- a) The owner of a vacant building shall pay a fee of two hundred dollars (\$200.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant, an annual fee will be assessed at double the previous year's fee amount for a maximum annual fee equaling the five-year fee of three thousand two hundred dollars (\$3,200) to be used for the fifth and for all consecutive, subsequent years of vacancy.
- b) The first annual fee shall be paid at the time the building is registered. If the owner successfully restores the building to occupancy or demolishes it in accordance with applicable law during the first year following registration, the fee shall be refunded, less an administrative charge equal to 5% of the amount refunded. In each subsequent year, if the registration is renewed in timely fashion, there have been no violations associated with the property in the previous year, and re-

inspection reveals no significant housing, building or fire code violations, one-half of the previous year's registration fee shall be refunded to the owner, less an administrative charge equal to 5% of the amount refunded.

- c) The fee shall be paid in full prior to the issuance of any building permits unless the property is granted an exemption.
- d) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in the vacant building. A lien may be placed on the property to collect delinquent fees.
- e) Absent a showing of good cause, if a building is not registered within the time frame required in Section 592.03(a), or the registration is not renewed within 30 days after the expiration of one year from the date of the previous registration, a penalty shall be paid in addition to the annual registration fee. The penalty shall be equal to one-half of the current annual fee or one thousand dollars (\$1,000), whichever is less.

592.06 EXEMPTIONS

- a) A building under active construction, reconstruction or renovation and having a valid building permit(s) at the time of initial inspection shall be exempt from registration until the expiration of the longest running, currently active building permit.
- b) A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Zoning Inspector or his duly designated representative. This request shall include the names and addresses of the owner or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building. One extension of not more than 90 days' duration may be granted for good cause shown.
- c) A building that is for sale and listed with a licensed State of Ohio Realtor shall be exempted for a period of 12 months from the start of vacancy, provided that the owner submits proof to the Zoning Inspector or his duly designated representative of such listing and for sale status, and the building and premises in maintained free of any Property Maintenance Violations
- d) A building that has been granted an exemption pursuant to the following: Any owner of a vacant building may voluntarily register the same and request an exemption from the remaining provisions of this chapter by filing a written application with the Zoning Inspector or his duly designated representative, who shall timely consider same. In determining whether a request for exemption should be granted, the Director shall consider the following: the applicant's prior record as it pertains to Village Zoning Code violations; the amount of vacant property the applicant currently has within the Village; the length of time that the building for which the exception is sought has been vacant; the reason or reasons for the vacancy; and the difficulty or expense involved in any necessary remediation or demolition. No exemption from registration shall be granted unless the owner or representative first completes a vacant building plan under Section 592.03(c) and addresses any and all existing code violations. An owner who believes he or she is being denied an exemption for arbitrary or capricious reasons may file an appeal of such denial within ten days with the Board of Zoning Appeals, which may sustain, overturn or modify the action of the Zoning Inspector or his duly designated representative.

592.07 APPEALS

Any owner who is served a notice of vacant property registration, may, within ten (10) calendar days of receipt of such notice, apply for an exemption or appeal the decision to the Board of Zoning Appeals as set forth in Sections 1030 and 1022 of the Zoning Ordinance 06-08 of the Village of Mechanicsburg.

592.08 PENALTY

Any person, firm, corporation, or organization who violates any provision of the Vacant Building Registry is guilty of a fourth-degree misdemeanor upon the first offense, a third-degree misdemeanor upon a second offense, and a second-degree misdemeanor upon a third offense. Each day's violation shall constitute a separate offense.

ORDINANCE NO. 17-03

ORDINANCE DETERMINING THE PAY RATES FOR ALL EMPLOYEES OF THE VILLAGE OF MECHANICSBURG

WHEREAS, the Village of Mechanicsburg employs salaried, full-time and part-time hourly employees as well as volunteers;

WHEREAS, the pay ranges for the various employees for the employees are located in several different ordinances, passed during a period of several years, and all are in need of updating and revision, and said ordinances should therefore be repealed;

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE OF MECHANICSBURG, OHIO,
THAT:

SECTION 1: Maintenance Department Employees

1. The rate of pay for **Utility Maintenance employees** shall be from minimum wage to \$18.00 per hour. This position shall be either part-time or full-time.
2. The rate of pay for a **Licensed Water Operator** shall be \$17.00-\$20.00 per hour. This position shall be either part-time or full-time.
3. The rate of pay for a **Licensed Wastewater Operator** shall be \$17.00-\$20.00 per hour. This position shall be either part-time or full-time

SECTION 2: Police Department Employees

1. The rate of pay for a **Captain** shall range from \$14.00 to \$18.00 per hour or \$29,120 to \$37,440.
2. The rate of pay for a **Lieutenant** shall range from \$12.00 to \$16.00 per hour or \$24,960 to \$33,280 annually.
3. The rate of pay for a **Sergeant** shall range from \$12.00 to \$16.00 per hour or \$24,960 to \$33,280 annually.
4. The rate of pay for a **Part-time Sergeant** shall range from \$10.00 to \$14.00 per hour or \$10,400 to \$14,560 annually.
5. The rate of pay for a **Patrolman** shall range from \$9.00 to \$14.00 per hour or \$18,720 to \$29,120 annually.
6. The rate of pay for a **Part-time Patrolman** shall range from \$9.00 to \$12.00 per hour or \$9,360 to \$12,480 annually.
7. The rate of pay for an **auxiliary Patrolman** shall be \$1.00 annually, payable December 31 of each year.
8. **Raise at close of probationary period:** Newly hired patrolmen shall be required to complete a six (6) month probationary period. Upon successful completion of the probationary period, a patrolman shall receive a \$.50 per hour increase in hourly rate of pay.

9. SECTION 3: Fire and Emergency Medical Services Department Employees

1. Fire and EMS Officers.

- a. The rate of pay for a **Volunteer Fire Chief** shall be \$3,000-\$5000.00 per year.
- b. The rate of pay for a **Volunteer Assistant Fire Chief/EMS Chief** shall be \$2,000-\$4000.00 per year.
- c. The rate of pay for a **Captain** shall be \$350 annually, in addition to run pay.
- d. The rate of pay for a **Lieutenant** shall be \$200 annually, in addition to run pay.

2. Volunteer Fire Personnel.

- a. The rate of pay for **volunteer fire personnel** shall be \$11.00 per fire run and for each training session or meeting initiated by the fire chief. Payment for attending training sessions and meeting shall not exceed \$22.00 per month for each volunteer. Payments of \$11.00 for each fire run are subject to limitation.

3. Part-Time EMS Employees.

- a. Part-time EMS employees may be paid in one of two arrangements:
 - i. On-call from home: EMS employees may be on-call from their home if they: reside in the Village, remain in the Village for the entire length of their shift, and can provide a maximum 5 minute response time, On-call pay shall be \$50 per shift, plus the employee's normal hourly rate (from item (3) (b) below) for time actually spent on EMS runs.
 - ii. On-call at the station: EMS employees who remain on-call at the Village Fire/EMS station will be paid the employee's normal hourly rate (from item (b) below), subject to the hours limitations provided in (3) (b) below.
- b. **Hourly rates for part-time EMS:**
 - i. **Certified Emergency Medical Technician Basic (EMT-B)** rate of pay shall range from \$9.00 to \$14.00 per hour, not to exceed 24 hours per week or 1,500 hours per year.
 - ii. **Certified Emergency Medical Technician Intermediate (EMT-I)** rate of pay shall range from \$9.00 to \$14.00 per hour, not to exceed 24 hours per week or 1,500 hours per year.
 - iii. **Certified Emergency Technician Paramedics (EMT-P)** rate of pay shall range from \$9.00 to \$14.00 per hour, not to exceed 24 hours per week or 1,500 hours per year.

Tiered structure – Hourly pay rates for Part-Time EMS employees will be based on a tiered rate system, with at least a \$0.50 differential between each EMT level.

4. Volunteer EMS Employees.

- a. The rate of pay for a **Lieutenant** shall be \$200 annually.
- b. The rate of pay for **volunteer EMS personnel** shall be \$11.00 per EMS run and for each training session or meeting initiated by the fire chief. Payment for attending training sessions and meeting shall not exceed \$22.00 per month for each volunteer. Payments of \$11.00 for each EMS run are subject to limitation.

SECTION 4: Fiscal/Billing/Clerical/Mayor's Court Employees

1. **Clerical Staff** members shall be paid at a rate from minimum wage to \$18.00 per hour. This shall be either a part-time or full-time position.

SECTION 5: Exempt Employees

1. The rate of pay for the **Village Administrator** shall be \$30,000 to \$60,000 annually. This is a full-time position.
2. The rate of pay for the **Police Chief** shall be \$35,000 to \$60,000 annually. This is a full-time position.
3. The rate of pay for the **Fiscal Officer** shall be \$10,000 to \$30,000 annually. This is a part-time or full-time position.
4. The rate of pay for a **Licensed Water/Wastewater Operator Superintendent** shall be \$40,000 to \$65,000 annually. This is a full-time position.

SECTION 6: Restriction on Volunteer Duties: No full-time or part-time Village employees may volunteer for the Village in any capacity.

SECTION 7: Prior/Payroll Ordinances and Resolutions

This ordinance shall supersede and therefore repeal all prior payroll ordinances or resolutions for all departments whose rates have been established herein, including, but not limited to: 00-13, 01-03, 01-07, 05-06, 08-08, 08-09, 11-05, 13-05 (Attached hereto as **EXHIBIT A**, as if fully rewritten herein). Any future changes in employees' hourly pay ranges shall be approved by Council before implementation.

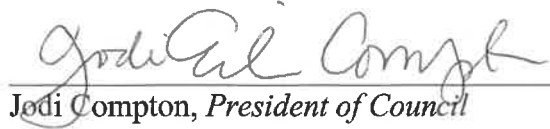
SECTION 8: This Ordinance shall take effect and be in full force from and upon its passage by council and approval by the mayor.

EFFECTIVE DATE: This Ordinance shall take effect the earliest period allowed by law.

Adopted March 20, 2017



Gregory P. Kimball, *Mayor*



Jodi Compton, *President of Council*



Fiscal Office, Dan Eck

Published in title only: March 20, 2017

ORDINANCE 17-04

AN ORDINANCE RELATING TO RATES, CHARGES AND FEES FOR THE USE AND SERVICE OF THE MUNICIPAL WATER/SEWER SERVICE OF THE VILLAGE OF MECHANICSBURG, CHAMPAIGN COUNTY, OHIO

WHEREAS, the Village of Mechanicsburg is a municipality formed under the laws of the State of Ohio which, as provided in Chapter 743 of the Ohio Revised Code, operates water and wastewater treatment facilities for the purpose of providing such services to citizens and customers; and

WHEREAS, the cost to run the Water Treatment and Wastewater Treatment plants has steadily increased, and the water and sewer systems are to be self-supporting; and

WHEREAS, the rates and charges for the water and sewer utility are located in several different ordinances, passed during a period of several years, and all are in need of updating and revision, and said ordinances should therefore be repealed and replaced with the ordinance contained herein;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, CHAMPAIGN COUNTY, STATE OF OHIO:

RATES

There shall be and is hereby established, for services rendered by the water and sewer system of the Village, the following rates and charges based upon the metered use of water supplied through the system:

METERED RATES:

There shall be and is hereby established, for services rendered by the water and sewer system of the Village the following rates based upon the metered use of water supplied through the system:

	Current Rates		Rates beginning February 7, 2018	
	In*	Out^	In*	Out^
Water Monthly:				
First 3,000 gallons	\$31.57	\$47.36	3% annual increase	
Over 3,000 gallons (Per each additional 1,000 Gal or part thereof)	\$4.00	\$6.00	3% annual increase	
Vacant Dwellings	\$7.50	\$7.50	\$7.50	\$7.50
Monthly Surcharge #	\$5	\$5	\$5	\$5
Sewer Monthly:				
	In*	Out^		
First 3,000 gallons	\$41.24	\$61.86	3% annual increase	
Over 3,000 gallons (Per each additional 1,000 Gal or part thereof)	\$5.21	\$7.82	3% annual increase	
Vacant Dwellings	\$7.50	\$7.50	\$7.50	\$7.50
Monthly Surcharge #	\$5	\$5	\$5	\$5

* In Town Rates

^ Outside Corporation Rates (Surcharge 1.5 times in town rate)

Monthly surcharge for Sewer is \$5.00 per month and remains in place through December 31, 2032

Monthly surcharge for Water is \$5.00 per month and remains in place through December 31, December 31, 2032

MULTIPLE HOUSING RATES: All multiple housing units, including apartments, businesses and trailer courts serviced by one meter will be billed as follows:

Each individual unit will be billed the rate of 3,000 gallon minimum charge. Any units consuming gallons over the total of minimum gallons billed shall be charged the rates per each additional 1000 gallons or part thereof.

CONTRACTUAL RATES: Service to commercial establishments may be made by contract if the Village deems that to be in its best interest.

CUSTOMERS OUTSIDE CORPORATION LIMIT: Customers located outside Village corporation limits shall be billed at the rate 1.5 times the rate charged to customers located within the corporation limits.

TEMPORARY USERS: Water furnished to temporary users such as construction contractors shall be charged for the estimated quantity used, multiplied by the applicable rate, plus a 10% (ten percent) service fee, with a minimum charge of \$100.00. Temporary use arrangements shall be made at the Utility Collection office.

RECONNECTION CHARGE: Any customer whose service has been disconnected for non-payment of charges or for obstruction of service, shall be required to pay a reconnect fee to have service restored (in addition to bringing the outstanding bill current in its entirety). See fees listed on fee schedule.

RETURNED CHECKS: Any customer whose check was issued to the Village Utility Office for payment is returned from a bank for any reason, shall have a returned check fee at the current rate charged by the depository of the Village. A returned check will result in the immediate termination of service without prior notice to customer. All rates, deposits and fees must be paid in full with cash or money order for service to be reconnected. Customer may be placed on cash only basis. All returned checks are turned over immediately to the Mechanicsburg Police Department for prosecution.

SERVICE CALLS AND EMERGENCY CALLS: A charge for labor and materials will be made for any service call.

SURCHARGE: A monthly surcharge of \$5.00 for Water and \$5.00 for Sewer will be charged for each residential unit and each commercial or business unit for upgrades and improvements to the Wastewater System and Water System, continuing through December 2032.

FEES:

Returned Check Fee	\$40.00
Water Disconnect /Reconnect Fee	\$30.00
(During Regular Business Hours Mon-Fri 8:00am-4:00pm)	
Water Disconnect/Reconnect Fee	\$60.00
(Mon-Fri- after Business Hours)	
Water Disconnect/Reconnect Fee	\$100.00
(Holiday and Weekend)	
Service Call	\$25.00
Shutoff Notice (after first offense)	\$10.00
Deposit Fee	\$100.00
Water Meter Test (at Owner's Request)	\$50.00
(Additional change-out fee if accurate within +2%)	\$300.00

New Meter Rental/Installation/Reinstallation Fee (one time charge for new service) (new builds, reinstallation, or replacement of intentionally damaged meters).\$300.00

ANNUAL COST OF OPERATION INCREASE: The rates established for the use and services of the Municipal water and sanitary sewer services as established herein shall automatically increase at the rate of three percent (3%) per year.

If, by resolution of the Village Council, the yearly increase is determined to be unnecessary, the increase may be postponed or rescinded by legislative action.

EFFECTIVE DATE: This Ordinance shall take effect the earliest period allowed by law. Council hereby deems this Ordinance to be of necessity for the proper running and management of the Water and Sewer Systems.

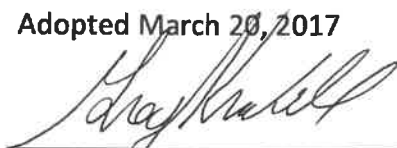
First Reading: February 20, 2017

Second Reading: March 6, 2017

Third Reading: March 20, 2017

Public hearing March 20, 2017

Adopted March 20, 2017

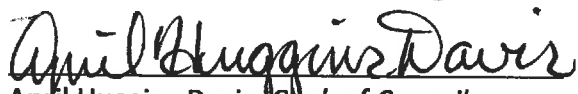


Gregory P. Kimball, Mayor



Jodi Compton, President of Council

Approved as to Form by
Solicitor Village of Mechanicsburg



April Huggins Davis, Clerk of Council

Published in title only: March 29, 2017 and April 5, 2017

ORDINANCE NO. 17-05

AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE 2017 EDITION OF THE MODEL OHIO MUNICIPAL CODE – ADMINISTRATION CODE, AS REVISED THROUGH NOVEMBER 1, 2016, PUBLISHED BY AMERICAN LEGAL PUBLISHING FOR THE VILLAGE OF MECHANICSBURG, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code – Administration Code, as revised through November 1, 2016, which components are based upon and consistent with State law through November 1, 2016; and

WHEREAS, the Village is in need of a codification of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements; and

WHEREAS, Article XVIII, Section 3, of the Ohio Constitution requires that Village law be in conformity with State law in those areas specified therein;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF MECHANICSBURG, OHIO:

SECTION 1. The 2017 Edition of the Model Ohio Municipal Code – Administration Code, as published by American Legal Publishing Corporation, is hereby approved, adopted and enacted by and for the Village.

SECTION 2. One book-form copy of the 2017 Edition of this Model Ohio Municipal Code – Administration Code shall be attached to this ordinance as a part hereof and filed with the permanent ordinance records of the Village.

SECTION 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2017 Edition of the Model Ohio Municipal Code – Administration Code, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- A. The enactment of the 2017 Edition of the Model Ohio Municipal Code – Administration Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- B. The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.

SECTION 4. Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matters covered by it, which summary is attached hereto and marked "Exhibit A."

SECTION 5. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Model Ohio Municipal Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

SECTION 6. This ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety, such emergency existing by reason of the necessity of providing a Municipal Code that is consistent with the latest State law, as required by the Ohio Constitution, and this ordinance, including the 2017 Edition of the Model Ohio Municipal Code – Administration Code adopted hereby, shall take effect and be in force immediately upon its passage by at least two-thirds of all members elected to Council, otherwise from and after the earliest period allowed by law.

Date Passed: April 3, 2017

Attest:



Mayor



Clerk of Council

ORDINANCE NO. 17-06

AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE 2017 EDITION OF THE MODEL OHIO MUNICIPAL CODE – TRAFFIC CODE, AS REVISED THROUGH NOVEMBER 1, 2016, PUBLISHED BY AMERICAN LEGAL PUBLISHING FOR THE VILLAGE OF _____, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code – Traffic Code, as revised through November 1, 2016, which components are based upon and consistent with State law through November 1, 2016; and

WHEREAS, the Village is in need of a codification of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements; and

WHEREAS, Article XVIII, Section 3, of the Ohio Constitution requires that Village law be in conformity with State law in those areas specified therein;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF Mechanicsburg, OHIO:

SECTION 1. The 2017 Edition of the Model Ohio Municipal Code – Traffic Code, as published by American Legal Publishing Corporation, is hereby approved, adopted and enacted by and for the Village.

SECTION 2. One book-form copy of the 2017 Edition of this Model Ohio Municipal Code – Traffic Code shall be attached to this ordinance as a part hereof and filed with the permanent ordinance records of the Village.

SECTION 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2017 Edition of the Model Ohio Municipal Code – Traffic Code, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- A. The enactment of the 2017 Edition of the Model Ohio Municipal Code – Traffic Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- B. The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.

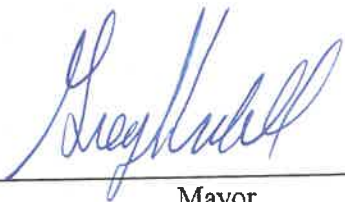
SECTION 4. Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matters covered by it, which summary is attached hereto and marked "Exhibit A."

SECTION 5. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Model Ohio Municipal Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

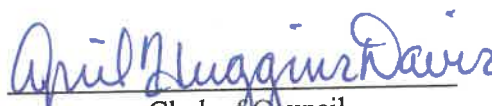
SECTION 6. This ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety, such emergency existing by reason of the necessity of providing a Municipal Code that is consistent with the latest State law, as required by the Ohio Constitution, and this ordinance, including the 2017 Edition of the Model Ohio Municipal Code – Traffic Code adopted hereby, shall take effect and be in force immediately upon its passage by at least two-thirds of all members elected to Council, otherwise from and after the earliest period allowed by law.

Date Passed: APRIL 3, 2017

Attest:



Mayor



Clerk of Council

ORDINANCE NO. 17-07

AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE 2017 EDITION OF THE MODEL OHIO MUNICIPAL CODE – GENERAL OFFENSES CODE, AS REVISED THROUGH NOVEMBER 1, 2016, PUBLISHED BY AMERICAN LEGAL PUBLISHING FOR THE VILLAGE OF _____, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code – General Offenses Code, as revised through November 1, 2016, which components are based upon and consistent with State law through November 1, 2016; and

WHEREAS, the Village is in need of a codification of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution requires that Village law be in conformity with State law in those areas specified therein;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF MECHANICSBURG OHIO:

SECTION 1. The 2017 Edition of the Model Ohio Municipal Code – General Offenses Code, as published by American Legal Publishing Corporation, is hereby approved, adopted and enacted by and for the Village.

SECTION 2. One book-form copy of the 2017 Edition of this Model Ohio Municipal Code – General Offenses Code shall be attached to this ordinance as a part hereof and filed with the permanent ordinance records of the Village.

SECTION 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2017 Edition of the Model Ohio Municipal Code – General Offenses Code, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- A. The enactment of the 2017 Edition of the Model Ohio Municipal Code – General Offenses Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- B. The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.

SECTION 4. Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matters covered by it, which summary is attached hereto and marked "Exhibit A."

SECTION 5. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Model Ohio Municipal Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

SECTION 6. This ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety, such emergency existing by reason of the necessity of providing a Municipal Code that is consistent with the latest State law, as required by the Ohio Constitution, and this ordinance, including the 2017 Edition of the Model Ohio Municipal Code—General Offenses Code adopted hereby, shall take effect and be in force immediately upon its passage by at least two-thirds of all members elected to Council, otherwise from and after the earliest period allowed by law.

Date Passed: April 3, 2017

Attest:



Mayor



Clerk of Council

ORDINANCE NO. 17- 08

Replacement of Mechanicsburg General Offense Code
Section 660.07 - Storage of Junk Vehicles
with
Section 660.071 – Storage of Unlicensed or Inoperable Vehicles

Whereas, Village Council desires to facilitate enforcement of Junk Vehicle criminal Ordinance and to allow enforcement by police officers, and

Whereas, a copy of the Section 660.071 – Storage of Unlicensed or Inoperable Vehicles is attached;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section 1. Section 660.07 of the Mechanicsburg General Offense Code, titled “Storage of Junk Vehicles” shall be superceded by Section 660.071 , titled “Storage of Unlicensed or Inoperable Vehicles.

Section 2. The Village Council declares the enactment of this legislation to be an emergency, in that it provides for the public peace, health, and safety of the residents of the Village of Mechanicsburg, Ohio. As an Emergency measure, this resolution shall take effect immediately upon passage.

Vote Designating Emergency :

Vote: 6 yea ____ nay ____ abstain



Vote Regarding Resolution:

Vote: 6 yea ____ nay ____ abstain

Passed this 6 day of March 2017.

Date: 3-6-17


April Huggins-Davis, Clerk of Council


Greg Kimball, Mayor

Jodi Compton, President of Council

§ 660.071 Storage of Unlicensed or Disabled Vehicles:

(Supersedes and Replaces § 660.07 Storage of Junk Vehicles)

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

- (1) "Disabled" means any vehicle that is apparently inoperable, or extensively damaged, such damage including, but not limited to, any of the following:
 - A. Missing wheels, tires, motor or transmission, battery, alternator, radiator, or differential; or
 - B. Is in such condition as to make it a violation to operate on public streets or highways within the State of Ohio.
- (2) "Enclosed Structure" means any garage, shed, or other permanent structure that completely surrounds its contents and prevents their viewing from the street.
- (3) "Unlicensed Vehicle" means any vehicle that does not currently hold a valid license under the laws of the State of Ohio.
- (4) "Vehicle" shall have the same definition as Ohio R.C. 4501(A) and shall include, but is not limited to, any motor vehicle, semi-tractor, trailer, semi trailer, recreational vehicle, camping trailer, motor home, or farm machinery.
- (5) "Vehicle parts" means any automotive parts or farm machinery parts that have been removed, or can be used in the repair or maintenance of a vehicle or a piece of farm machinery, including, but not limited to, engines, transmissions, axles, radiators, wheels, tires, doors, seats, hoods, fenders, bumpers, frames or bodies.

No person shall store or permit to be stored, for a period longer than 72 hours from receipt of notice of a violation on any lot of land situated within the boundaries of any residential district, or any district where such use is not specifically permitted by the Zoning Code of the Village, any unlicensed or disabled vehicle or vehicle parts outside of an enclosed structure.

(B) Notice shall be delivered by the Police Chief, or his or her agents, by any of the following:

- (1) an authenticated in person delivery,
- (2) a written notification posted on the Unlicensed or Disabled vehicle or,
- (3) receipt of written notice sent by certified mail with a return receipt requested, to the person having right to the possession of the property on which an unlicensed or disabled vehicle or vehicle parts are stored.

- (C) The writing shall contain instructions for the individual:
 - (1) to either place the Unlicensed or Disabled vehicle in an enclosed building or garage, or remove it from the property,
 - (2) regarding the running of the 72 hour period, and
 - (3) on the penalties

- (D) Each subsequent period of ten days that an Unlicensed or Disabled vehicle continues to be left in the open constitutes a separate offense.

- (E) Violation of this statute shall constitute:
 - (1) a minor misdemeanor for the first offense,
 - (2) a misdemeanor of the fourth degree for a second violation within one (1) year, and
 - (3) a misdemeanor of the third degree for more than two (2) violations within one (1) year.

(Reference ORC §4513.65)

ORDINANCE NO. 17-09

AN ORDINANCE ADOPTED TO REGULATE HAWKERS, PEDDLERS, AND ITINERANT VENDORS.

To protect the safety, health, and welfare of the general public

Definitions:

Hawkers and Peddlers - The terms "Hawkers" and "Peddlers" shall mean and include any person, either principal or agent, who:

- I. Travels from town to town or from place to place in the same town selling or bartering, or carrying for sale or barter or exposing therefore, any goods, wares, or merchandise, either on foot or vehicle.
- II. Travels from town to town, or place to place in the same town, offering to perform personal services for household repairs or improvements, or solicits or induces any person to sign any contracts relating to household repairs and improvements, including contracts for the replacement or installation of siding on any residence or building.
- III. Keeps a regular place of business, open during regular business hours at the same location, but who offers for sale or sells and delivers, personally or through his agents, at a place other than his regular place of business, goods, wares, or merchandise. Clause III specifically shall not apply to pizza-delivery operations, nor to package-delivery services where the recipient is not charged a fee at the time of delivery, nor to frozen-food delivery operations which have followed a previously-established route of deliveries on at least a monthly basis and have done so for at least two months prior to enactment of this ordinance.

Itinerant Vendors - The term "itinerant vendor" means all persons, principals and agents, including those persons whose principal place of business is not in this state, who engage in a temporary or transient business in this state, either in one locality or traveling from place to place, selling goods, wares and merchandise, from stock or by sample for future delivery, and who, for the purpose of carrying on such business, hire or occupy a temporary place of business. A "temporary place of business" means any public or quasi-public place including, but not limited to, a hotel, motel, storeroom, building, part of a building, tent, vacant lot, or trailer temporarily occupied for the purpose of making retail sales of goods to the public.

Policy:

- I. Every **Hawker and/or Peddler, and Itinerant Vendor**, before making any sale of goods, wares, merchandise, or services in the Village of Mechanicsburg, shall apply to the Village Administrator for a Hawkers, Peddlers, and Itinerant Vendor Permits (15) fifteen days prior to the event. Failure to file an application at least (15) fifteen days prior to the event may result in the denial of the application.

Furthermore, the mere acceptance of an application for processing does not guarantee the issuance of a permit. Each application must be processed and must comply with the minimum standards set forth in Paragraph II of this ordinance.

- II. In granting any permit authorized pursuant to this ordinance, the Village Administrator shall be governed by the following minimum standards and the applicant for a permit shall be governed by the following general restrictions, however, the provisions of this section shall not be construed to limit any other standards that may be established for specific activities pursuant to the provisions hereinafter imposed.
- a. No person meeting the definition of “Hawker”, “Peddler”, or Itinerant Vendor” shall conduct any solicitations or sales within the Village of Mechanicsburg without having first been issued a permit by the Mechanicsburg Village Administrator and also being authorized by the Police Department.
 - b. All permits shall be issued for specific times, dates and locations, which shall be set forth in writing by the Village Administrator on each permit issued.
 - c. The Village of Mechanicsburg Hawkers, Peddlers, and Itinerant Vendor Permits shall bear the date on which they are issued and unless sooner revoked, shall expire 30 days from the date of approval unless an earlier expiration date was established.
 - d. It is hereby declared to be unlawful and shall constitute a nuisance for any Hawker”, “Peddler”, or Itinerant Vendor to go upon any premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting, prior to 9:00 a.m. or after 6:00 p.m.
 - e. Operation on Weekends and Holidays shall follow the designated hours in II(d).
 - f. Permit applications shall be made to the Village Administrator on a form provided by the Village Administrator. For public safety purposes, the Village Administrator is permitted to obtain certain personal information regarding, but not limited to, age, social security number, date of birth, driver’s license and motor vehicle registration information. (However, social security numbers shall be redacted prior to any public distribution of any public records.) An applicant must submit the following with the application:
 - 1. A completed copy of the Application for Hawkers, Peddlers, and Itinerant Vendors Permit.
 - 2. An application fee of (\$50.00) must be submitted at the time of application unless exempt. If the application is submitted less than (15) fifteen days prior to the event, the application fee is (\$75.00). Payment must be made by bank, cash or certified check made payable to the Village of Mechanicsburg.

3. Authorization for the Mechanicsburg police department to conduct a criminal search.
 4. A copy of the principal's and any agent's driver's license or other State issued picture identification card.
 5. An applicant must identify agents who would be working under applicants permit and each agent must provide their name, social security number, date of birth and current driver's license or valid state identification card. Social security numbers shall not be considered a public record
- g. The application shall be approved unless such investigation discloses tangible evidence that the conduct of the applicant's business would pose a substantial threat to the public health, safety, or general welfare. In particular, the following tangible evidence will constitute valid reasons for disapproval of an application:
1. The applicant has been convicted of any felony, or convicted of any misdemeanor involving a sex offense, a drug trafficking offense, any offense of violence against persons or property, or any crimes related to theft, burglary, receiving stolen property, or criminal trespassing;
 2. The applicant has made willful misrepresentations in the application;
 3. The applicant has been convicted of prior violations of ordinances pertaining to itinerant merchants, peddlers, solicitors, and the like;
 4. The applicant has been convicted of prior fraudulent acts; or
 5. The applicant has been the subject of at least two complaints of breach of contract.
- h. No applicant who is issued a permit shall allow any employee to work as an agent of the applicant who has been convicted of any felony, or convicted of any of the acts listed in section II (g) above.
- III. The permit fee provisions of this section shall not apply to any non-profit corporation, churches, charitable organizations or Village approved farmers market, where such group has at least 3 non-related Village residents belonging to such organization, so long as said organization supplies the Village Administrator with official proof of the organization status and such local membership. In addition, the permit fee provisions of this ordinance shall not apply to youth groups officially sanctioned by the Village of Mechanicsburg nor to "lemonade stands" or other similar enterprises operated solely by children aged 16 years or less.

- IV. Any itinerant vendor, hawker or peddler who sells, offers or exposes for sale, any goods, wares, merchandise or services in such a manner in the opinion of the Police Department, so as to impede the flow of vehicular or pedestrian traffic, or to create a health or safety hazard or a public nuisance, shall be prohibited from operating within the Village of Mechanicsburg until the situation warranting suspension of the permit is appropriately abated in the opinion of the Police Department and the permit has been reinstated by the Village Administrator.
- V. Any Village of Mechanicsburg Hawkers, Peddlers, and Itinerant Vendors Permit granted by the Village Administrator may be revoked at any time for cause sufficient in law. Any person whose permit has been revoked under this section shall be ineligible to receive a similar permit from the Village of Mechanicsburg, for a period of three years from the date of revocation.
- VI. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor of the third degree and subject to a fine of up to \$500 and possible incarceration of up to (60) sixty days in the county jail. A separate incident shall be deemed to have occurred for each day a person violates this ordinance
- VII. Every Hawkers, Peddlers, and Itinerant Vendor permit issued by Village of Mechanicsburg shall be exhibited by the permit-holder on his/her person in full public view.
- VIII. Any person whose permit is denied or revoked under this chapter shall have the right of appeal to the Village Council of the Village of Mechanicsburg by appearing at the next scheduled meeting.

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

First reading July 17, 2017

Second reading: August 7, 2017

Third Reading: AUGUST 21, 2017

Passed this 21 day of Aug, 2017.

THEREFORE, be it ordained by the Village Council of the Village of Mechanicsburg, County of Champaign and State of Ohio upon affirmative vote of the necessary majority of all elected members of said Council, that the Village Council of the Village of Mechanicsburg County of Champaign, State of Ohio adopts the foregoing Ordinance.

This ordinance passed and adopted by the Village Council of the Village of Mechanicsburg OH, Champaign County, this, 21 th day of Aug 2017.

ATTEST:



Greg Kimball, Mayor



Jodi Compton, Council President

CERTIFICATE

I, April Huggins-Davis, Council Clerk of the Village of Mechanicsburg, OH 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 is a correct copy of said Ordinance now on file with said Village; that the foregoing is true and correct copy thereof.

WITNESS MY SIGNATURE, THIS DATE: 21 th day of Aug 2017.



April Huggins-Davis, Council Clerk

**APPLICATION FOR
HAWKERS, PEDDLERS, AND ITINERANT VENDORS PERMIT**

Printed Name of Applicant: _____

Vehicle Model/YEAR: _____

VEHICLE LICENCE #. _____

NAME OF CITIES IN WHICH APPLICANT HAS A VENDOR'S
PERMIT: _____

VILLAGE INCOME TAX FORM COMPLETED AND
ATTACHED YES NO

EXPIRES THIRTY DAYS AFTER DATE OF APPROVAL

I understand that there is a 10 day waiting period for the application to be processed and that if I am issued a permit, then it is to be carried on my person and or agents at all times while doing business in the Village of Mechanicsburg.

I do hereby authorize a search of criminal records concerning myself and any agents in my employ, by any duly authorized agent of the Mechanicsburg Police Department, whether the said records are public, private or confidential in nature.

I further authorize full disclosure of all such records

Signature of applicant

Date

Signature of Village Administrator

Date

Signature of Police Department

Date

APPLICATION FEE (\$50)

AMT PAID _ _ _ _

PERMIT ISSUED YES NO

Identify all agents that will be working under the applicant's permit.

***Driver's License, State Identification and Vehicle Registration may be photo copied.**

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

NAME _____
D.O.B. _____

DRIVERS LICENSE NO. _____ S.S.N. _____

ORDINANCE NO. 17- 10

**ORDINANCE TO DEFINE DUTIES AND RESPONSIBILITIES OF
PERSONS PETITIONING FOR CLOSURE OF ALLEYS OR STREETS**

WHEREAS ORC 723.04 establishes that a petition may be filed, by a person owning a lot within in the boundaries of the Village of Mechanicsburg, seeking to vacate a street or alley; and

WHEREAS registration of such vacated alleys or streets with the Champaign County Auditor has resulted in substantial financial and administrative burden upon the Village;

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF
MECHANICSBURG, STATE OF OHIO:**

SECTION 1: Prior to Village Council's passage of any Ordinance vacating the requested alley, Petitioners seeking to vacate street or alleys within the municipal boundaries of the Village of Mechanicsburg in accordance with ORC 723.04 shall provide the following items to the Village Administrator:

- a). A certified plat map of the alley property showing the proposed property allocation, created by a certified engineer or surveyor; or in the alternative, Petitioners may provide written statements from County Recorder and County Engineer stating that plat map is not required.
- b). A legal description of the property
- c). Pre-payment given to Village of Mechanicsburg covering Champaign County Auditor's fees
- d). Pre-payment to Village of Mechanicsburg covering Champaign County Recorder's fees


SECTION 2: This Ordinance shall take effect at the earliest time allowed by law, and shall apply to all applications filed after this ordinance goes into effect.

First reading July 17, 2017


Second reading: NOV 20, 2017

Third Reading: DEC 4, 2017

Passed this 4th day of Dec, 2017.



Gregory P. Kimball
Mayor



Charles Foss
Council President Pro Tempore

ATTESTATION:



April Huggins-Davis, Council Clerk

Publication Date #1 (Title only) _____

Publication Date #2 ((Title only)) _____

FILED

MAY 02 2018

KAREN T. BAILEY, Auditor
CHAMPAIGN COUNTY, OHIO

Instrument Book Page
201800001840 OR 557 3324

201800001840
Filed for Record in
CHAMPAIGN COUNTY, OHIO
GLENDA L. BAYMAN, RECORDER
05-02-2018 At 12:09 pm.
ANNEXATION 156.00
OR Book 557 Page 3324 - 3341

ORDINANCE NO. 17- 11

**Approval of Annexation Agreement Between
the Council of the Village of Mechanicsburg and the Board of Trustees of Goshen Township
Relating to Land Belonging to Advanced Technology Products**

Whereas, Advanced Technology Products, Inc. owns the property identified on the Official Records of the Champaign County Recorder in Volume 532, Page 1160, and also described in Attachment 1, Exhibits A and B, and

Whereas approximately 0.999 acres of this property lies within the municipal boundaries of the Village of Mechanicsburg and approximately 2.021 acres of said property lie outside of the municipal boundaries of the Village of Mechanicsburg, within Goshen Township, and

Whereas the owners of said property desire to annex their entire parcel in order to avail the entire property of the services offered by the Village of Mechanicsburg, including police and fire services, favorable water and sewer rates, and other benefits of being within the municipal boundaries of the Village of Mechanicsburg, and

Whereas the Village of Mechanicsburg desires to annex the property into the municipal boundaries of the Village of Mechanicsburg, and

Whereas the Board of Trustees of Goshen Township and the Village of Mechanicsburg have determined that it is in the best interest of both Goshen Township and the Village of Mechanicsburg, as well as for the community as a whole, for said property to be annexed into the Village of Mechanicsburg, and

Whereas the Board of Trustees of Goshen Township and the Village of Mechanicsburg have defined the terms of an Annexation Agreement as specified in ORC 709.192, as shown in Attachment 1, and

Whereas an approved and certified Annexation Agreement is a necessary component to be provided to the Champaign County Board of Commissioners as part of the Annexation process as set forth in ORC 709.022;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT**

Section 1. The Annexation Agreement marked as Attachment 1 shall be approved and adopted, and shall go into effect at the earliest time allowable by law.

Section 2: Village Council specifically authorizes the Mayor to sign said Annexation Agreement on behalf of the Village of Mechanicsburg.

Section 3: A certified copy of this Annexation Agreement shall be provided by the Clerk of the Mechanicsburg Village Council to the clerk of the Champaign County Board of Commissioners as soon as this Ordinance is approved and signed.

This Ordinance was passed at a regular meeting held 10-16-17, 2017 after three readings.

First Reading: SEPT 18, 2017


Second Reading: OCT 2, 2017

Third Reading: OCT 16, 2017

Vote: 6 yea 1 nay 1 abstain

Date:


Greg Kimball, Mayor


Jodi Compton, President of Council


April Huggins-Davis, Clerk of Council

Certification:

I certify that this is a true and accurate copy of the document approved by the Council of the Village Mechanicsburg on October 16, 2017.

 10-16-17
April Huggins-Davis, Clerk of Council Date

ORDINANCE 17-12

**ORDINANCE TO VACATE PORTION OF UNIMPROVED ALLEY
EXTENDING FROM SPRING STREET TO PROSPECT STREET
BETWEEN LOT 270 AND LOT 293**

Whereas, it appears beneficial to vacate a portion of the unimproved alley extending from Spring Street to Prospect Street, between Lots 270 and Lot 293, and

WHEREAS publication notice of such action is not required because all abutting owners have consented, per ORC 723.06, and

Whereas, there is no current or foreseen need for said portion of alley; and

Whereas, Council is satisfied that there is good cause for such vacation, that such vacation will not be detrimental to the general interest, and such vacation ought to be made;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
MECHANICSBURG, STATE OF OHIO:**

Section 1. That the portion of the unimproved alley extending from Spring Street to Prospect Street, between Lots 270 and Lot 293, is hereby vacated.

Section 2. That the Village Clerk is hereby directed to cause this vacation ordinance with attached plat to be recorded in the office of the Recorder of Campaign County, Ohio.

Section 3. That this Ordinance be and remain in force from and after the earliest period allowed by law.

This Ordinance was passed at a regular meeting held JAN 15, 2018 after three readings.


First Reading: DEC 4, 2017

Second Reading: DEC 18, 2017


Third Reading: JAN 15, 2018

Vote: 4 yea nay abstain

Date: _____


Greg Kimball, Mayor


Charles E. Foss, Council President


April Huggins-Davis, Clerk of Council

Publication Date #1 (Title only) 2-6-18

Publication Date #2 ((Title only) 2-13-18