



**West Milton Council Workshop
January 27th, 2026
6:30 p.m.**

1. Call to Order by Jeremy Soddors, Mayor
2. Roll Call
3. Wessler Presentation on proposed WWTP
4. Choice One Presentation on Intersection of SR 48 and Frederick Garland Safety Study
5. Stillwater Crossings update
6. Motion to go into a Regular Session
7. Motion to go into Executive Session
8. Motion to exit Executive Session and return to a Regular Session Workshop
9. Rezoning request for 957 S. Miami Street
10. Proposed Founder's Park project
11. Proposed Vacant Building Ordinance
12. Upfitting of new Police Vehicle
13. Proposed Community Beautification program
14. Post Office support Legislation
15. Proposed Planning Board/Board of Adjustments pay increase
16. Appointment to the Joint Ambulance District Board
17. Contract for Legal Services, Law Director contract extension
18. New Business
19. Old Business
20. Adjournment



LAND USE APPLICATION

CHECK ALL THAT APPLY:

☐ Variance	☐ Lot Split
☒ Zoning Change	☐ Minor Subdivision
☐ Non-Conforming Use	☐ Subdivision (over 5 homes)
☐ Conditional Use Permit	☐ I-2 Development Plan
Other: _____	

1. Property Location/Address: 957 S MIAMI ST
Present Use: _____ Present Zoning: _____
Proposed Use: _____ Proposed Zoning: _____
Lot Number(s): _____

2. Applicant Name: RON EICKMAN Telephone: 937-266-5989 (H)
Address: 957 S MIAMI ST (W)
WEST MILTON OH 45383 Fax: _____

3. Brief Description of Project/Request/Proposal: WOULD LIKE TO
GET PROPERTY ZONED RESIDENTIAL

I certify that the information completed and submitted is accurate.
[Signature] 12/6/25
Applicant Signature Date

***** OFFICIAL USE ONLY *****

Date Received: 12/8/25 Staff Initials: MD8 Receipt # 1472

Fees: Application \$ 25.00
Green Space \$ _____
Plat Prelim/Final \$ _____
Lot Spilt \$ _____
Commercial \$ _____
Inspections \$ _____
Fee Totals: \$ 25.00 Paid

Planning Bd. Date: 1/7/2026 Action: recommendet to council to approve change
Public Hearing Date: 1/7/2026 Action: no contest from neighbors
Board of Adjustment Date: _____ Action: _____
Zoning Changes to Council Date: 2/10/26 meeting legislation

Vacant Property and Building Registration

§ 98.20 PURPOSE.

The purpose of this chapter is to establish a program for identifying and registering vacant residential and commercial buildings; to determine the responsibilities of owners of vacant buildings and structures; and to speed the rehabilitation of the vacant buildings. Shifting the cost of burden from the general citizenry to the owners of the buildings will be the result of this chapter.

§ 98.21 DEFINITIONS.

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

(a) "Owner." Any and every person, entity, bank, or service company, who alone or severally with others:

(1) Has legal or equitable title to any dwelling, dwelling unit, building, structure, or parcel of land; or

(2) Has care, charge or control of any dwelling, dwelling unit, building, structure, or parcel of land, in any capacity, including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or

(3) Is a mortgagee in possession of any such property; or

(4) Is an agent, trustee, receiver, or other person appointed by the courts and vested with possession or control of any such property.

(b) "Secured by other than normal means." A building secured by means other than those used in the design of the building.

(c) "Unoccupied." A building which is not being used for the occupancy authorized by the owner and is not consistent with zoning classification.

(d) "Unsecured." A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

(e) "Vacant building." A building (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 Municipal Manager, or his/her designated agent; or

- (4) Unoccupied and having utilities disconnected; or*
 - (5) Unoccupied and has housing or building code violations; or*
 - (6) Illegally occupied, which shall include loitering and vagrancy; or*
 - (7) Unoccupied for a period of time over 90 days and having an existing code violation issued by a Property Maintenance Officer; or*
 - (8) Unoccupied with a mortgage status of abandonment (i.e. deceased or foreclosed); or*
 - (9) Unoccupied and abandoned by the property owner;*
 - (10) A commercial building that also contains an attached separate area for residential use, wherein either the commercial area and/or the residential area meet any of the criteria listed in Sections 1 through 9 above.*
- (f) "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, statement(s) by governmental employee(s) that the property is vacant.*

§ 98.22 VACANT PROPERTY/BUILDING REGISTRATION.

(a) The owner shall register with the Municipal Manager, or his/her designated agent, not later than 90 days after any building located in an area zoned for, or abutting an area zoned for, residential, commercial and/or industrial use in the Municipality becomes a vacant building or not later than 30 days of being notified by the Municipal Manager, or his/her designated agent, 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 Municipal Manager, or his/her designated agent, and shall include the following information supplied by the owner:

- (1) The name(s), address(es) and email address(es) of the owner or owners;*
- (2) If the owner does not reside in Miami County or an adjacent county, the name, address and email address(es) of any third party who the owner has entered into a contract or agreement for property management. By designating an authorized agent under the provisions of this section, the owner is consenting that the third party is authorized to receive any and all notices relating to the property and conformance of any and all ordinances;*

(3) The names and addresses of all known lien holders and all other parties with 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.

(5) A vacant building plan as described as follows:

(a) The owner shall submit a vacant building plan which must meet the approval of the Municipal Manager, or his/her designated agent. The plan, at a minimum, must contain information from one of the following three choices:

(i) If the building is to be demolished, a demolition plan indicating the proposed timeline for demolition, which includes starting within 30 days of acceptance of the proposed demolition plan and does not exceed one year; or

(ii) If the building is to remain vacant, a plan for ensuring the building is secured along with the plan or procedure that will be implemented 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

(iii) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the building and grounds. The rehabilitation plan timeline shall not exceed 12 months from the time the owner obtains permits, unless the Municipal Manager, or his/her designated agent, 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.

(b) All applicable laws and codes shall be complied with by the owner. The owner shall notify the Municipal Manager, or his/her designated agent, 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 Municipal Manager, or his/her designated agent.

(c) The owner and subsequent owners or banks/agents shall keep the building secured and safe and the building and grounds properly maintained in accordance with all applicable Property Maintenance Codes.

(d) A new owner(s) shall register or re-register the vacant building with the Municipal Manager, or his/her designated agent, within 60 days of any transfer of an ownership interest in the vacant building if the building continues to remain vacant after transfer. If fees were paid upon or prior to the transfer of an ownership interest, the new owner(s) will not be required to pay for re-registering the property until such time that the registration fee is due based on the original date of vacancy. This does not mean they do not have to register within 60 days as specified above.

(e) The failure of the owner of the vacant building to obtain a deed for the property or to file the deed with the County Recorder shall not excuse the property owner from registering the property.

(f) Failure of the owner or any subsequent owners to maintain the building and premises that result in remedial action taken by the Municipality shall be subject to any applicable penalties provided by the law.

(g) The Municipal Manager, or his/her designated agent, shall include in the file 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.

(h) The registration and all associated processes must be completed in its entirety annually for as long the property remains vacant.

§ 98.23 INSPECTIONS.

The Municipal Manager, or his/her designated agent, may inspect any premises in the Municipality for the purpose of enforcing and assuring compliance with the provisions of this chapter. Upon the request of the Municipal Manager, or his/her designated agent, an owner may provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Municipal Manager, or his/her designated agent, in order to enable such inspection. The Municipal Manager, or his/her designated agent, shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises. The following shall apply:

(a) Vacant properties will be externally inspected by the Municipal Manager, or his/her designated agent, a minimum of twice per year to ensure the compliance of property maintenance codes;

(b) A Notice of Violation will be completed for each inspection indicating any property maintenance code violations;

(c) Unless otherwise determined, by the discretion of the Code Official, a property owner shall be required to correct the code violations within the time frame specified in the Notice of Violation. Failure to correct the violations by the compliance date may result in prosecution.

§ 98.24 VACANT BUILDING FEES.

The fees shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs incurred by the Municipality in monitoring the vacant building site. The annually increased fee amounts shall be reasonably related to the costs incurred by the

Municipality 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 single-family residential building shall pay no annual fee, so long as the property remains in compliance with the West Milton Codified Ordinances. If the property is in violation of a section of the West Milton Codified Ordinances and the appropriate party fails to correct the violation within the time frame provided for in the Notice, the owner shall pay an annual fee of \$_____. The annual fee shall increase thereafter by the amount of \$_____ for each subsequent violation of the West Milton Codified Ordinances that is not corrected in the time frame provided by the Municipality.

(b) The owner of a vacant two-family and/or multi-family residential building shall pay an annual fee of \$_____, so long as the property remains in compliance with the West Milton Codified Ordinances. If the property is in violation of a section of the West Milton Codified Ordinances and the appropriate party fails to correct the violation within the time frame provided for in the Notice, the owner shall pay an annual fee of \$_____. The annual fee shall increase thereafter by the amount of \$_____ for each subsequent violation of the West Milton Codified Ordinances that is not corrected in the time frame provided by the Municipality.

(c) The owner of a vacant commercial building, which includes buildings that also contain connected, but separate areas for residential use, shall pay an annual fee of one thousand dollars (\$1,000.00), so long as the property remains in compliance with the West Milton Codified Ordinances. If the property is in violation of a section of the West Milton Codified Ordinances and the appropriate party fails to correct the violation within the time frame provided for in the Notice, the owner shall pay an annual fee of \$_____. The annual fee shall increase thereafter by the amount of \$_____ for each subsequent violation of the West Milton Codified Ordinances that is not corrected in the time frame provided by the Municipality.

(d) The owner of a vacant industrial building shall pay an annual fee of one thousand dollars (\$1,000.00), so long as the property remains in compliance with the West Milton Codified Ordinances. If the property is in violation of a section of the West Milton Codified Ordinances and the appropriate party fails to correct the violation within the time frame provided for in the Notice, the owner shall pay an annual fee of \$_____. The annual fee shall increase thereafter by the amount of \$_____ for each subsequent violation of the West Milton Codified Ordinances that is not corrected in the time frame provided by the Municipality.

(e) The first annual fee shall be paid at the time the building is registered. If the fee is not paid, the owner shall be subject to prosecution as prescribed in Section 98.27.

(f) The fee shall be paid in full prior to the issuance of any building permits unless the property is granted an exemption. The fee shall be prorated and a

refund may be issued if the building is no longer deemed vacant under the provisions of this chapter within 180 days of its registry.

(g) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in the vacant building. A hold may be placed on the transfer or activation of utilities (water and electric) until all delinquent fees have been paid.

(h) Late fees shall be paid in addition to the annual registration fee and will be equal to one-fourth of the annual fee. Fees incurred prior to the modification above will be assessed under the ordinance at the time they were reviewed.

§ 98.25 EXEMPTIONS.

(a) A building under active construction/renovation and having a valid building permit(s) 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 Municipal Manager, or his/her designated agent. 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.

(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 or owner's representative submits proof to the Municipal Manager, or his/her designated agent, of such listing and for sale status.

(d) A building that has been granted an exemption pursuant to the following. Any owner of a vacant building may request an exemption from the provisions of this chapter by filing a written application with the Municipal Manager, or his/her designated agent, who shall timely consider same. In determining whether a request for exemption should be granted, the Municipal Manager, or his/her designated agent, shall consider the following: the applicant's prior record as it pertains to Municipal Housing Code, Building Code, or Property Maintenance Code violations; the amount of vacant property the applicant currently has within the Municipality; and the length of time that the building for which the exception is sought has been vacant.

(e) Any commercial building, industrial building, or structure determined to be vital for the purpose of economic development by the Municipal Manager may be exempt from registration and any fees set forth in this Section.

(f) Any buildings located in a flood plain and/or deemed agricultural.

§ 98.26 APPEALS.

Any owner who is served a notice of vacant property registration may, within ten calendar days of receipt of such notice, apply for an exemption or appeal the findings of the Municipal Manager or his/her designated agent, to the West Milton Council.

§ 98.27 PENALTY.

Whoever violates or fails to comply with any of the provisions of Sections 98.20 through 98.25 is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both, for each offense. Unless otherwise provided, a separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.



Registration # _____

209 S. Main Street * Marysville, Ohio 43040
Phone: (937) 645-7350 * Fax: (937) 645-731 * www.marysvilleohio.org

VACANT BUILDING REGISTRATION

All vacant buildings must register with the City of Marysville Engineering Department in accordance with the Vacant Building Registration Ordinance – Chapter 1320 of the Marysville Codified Ordinances. Please complete this form for each vacant building. Temporary exemptions for disaster-affected properties, structures actively under construction, properties listed with a licensed realtor in the State of Ohio, or a vacant building that is being marketed for rent may be approved upon written request.

**All of the requested information below is required to be completed.*

☐ New Registration ☐ Renewal Registration

Section I: Property Information

Property Address for registration: _____

(Check One) ☐ Single Family ☐ Multi-family ☐ Apartment Bldg. ☐ Commercial

☐ Multi-unit Commercial Available space/units _____ Space/ units occupied _____ %

Section II: Property Owner Information

If Individual Owner or Designated Agent, please complete the following:

Property Owner's Name: _____

Owner's Address: _____

City: _____ State: _____ Zip Code: _____

Designated Agent or Contact Person: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Fax Number: _____

E-mail Address: _____

If Partnership, Corporation, Trust or Other, please complete the following:

(Please use the supplemental form to list each additional partner, officer, or trustee.)

Tax ID Number of Partnership or Corporation: _____

Name of Partnership or Corporation: _____

Contact Person: _____ Title: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Fax Number: _____

E-mail Address: _____



Registration # _____

Section III: Property Preservation Company Information (If owner resides outside local area)

Name: _____

Address: _____

Contact Person: _____

Telephone Number(s): _____

E-mail Address: _____

Section IV: Vacant Building Plan

I hereby submit a plan of (*circle all that apply*): Secure Vacancy | Rehabilitation | Re-occupancy | Sale | Demolition

Union County Permit # _____ Certificate of Appropriateness Permit # _____

Section V: Inspections

A required exterior property inspection will be conducted by a City Code Enforcement Officer within ten (10) business days from the receipt of registration. A status report will be supplied that will include the exterior condition of the property and premises, along with any found violations. (*City Ordinance 1320.04*)

Section VI: Fees

Please make checks payable to **City of Marysville**. The vacant building registration payment included with this form pertains the current year of vacancy and is (*circle one*):

\$200 – 1st year | \$400 – 2nd year | \$600 – 3rd year | \$800 – 4th year | \$1000 – 5th and all subsequent, consecutive years

I, _____, hereby request to register the vacant building listed above and acknowledge that the information above is complete and accurate. I have read and understand Chapter 1320 of the City of Marysville Codified Ordinances and agree to comply with these requirements. In accordance with this Chapter, I agree to notify any future owner of this vacant building registration.

Applicant's Signature

/ _____
Date



Registration # _____

FOR OFFICE USE ONLY

Received (stamp):

TOTAL FEES PAID: _____

Section VI: Vacant Building Plan Approval

☐ **Approved** ☐ **Denied**

Reason for denial:

_____/_____
City Engineer or Designee (printed) Job Title

_____/_____
Signature Date



Vacant Property Registration

The **City of Springfield Vacant Property Registration Program**, established in 2020, is a proactive initiative designed to protect the health and safety of our community. This program regulates the maintenance of properties that are in foreclosure, abandoned, or vacant. By requiring registration, the program aims to reduce and prevent neighborhood blight, avoid the creation and persistence of public nuisances, and address conditions that threaten public health, safety, and welfare. It also promotes neighborhood stability and occupancy by preserving the condition and appearance of residential areas and supporting the vitality of commercial and industrial zones. Ultimately, the program helps safeguard property values and ensure a higher quality of life for all Springfield residents.

The City of Springfield has partnered with HERA Property Registry to administer the Vacant Property Registry Program. In order to comply, all owners, mortgagees, trustees and/or any other person, firm or corporation that is directly or indirectly in control of the property must register online via HERA Property Registry at the link below.

Registration fees are as follows:

Residential - \$125 annually

Commercial - \$300 semi-annually



HERA
PROPERTY REGISTRY

[Register Here](#)

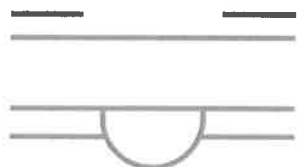
If you have any questions regarding registration, please contact HERA at 321-234-5303.

For additional information regarding S.C.O. Chapter 1380, you may contact:

Code Compliance Division at 937-324-7385

Select the link below to view additional information regarding this Ordinance

[More Information](#)



[community](#)

[business](#)

[government](#)

[quick links](#)

[pay your bill](#)

[frequently asked
questions](#)

[city of springfield events](#)

[news & announcements](#)

**Forward
Together**

Welcome to the
City of
Springfield,
Ohio

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Out Design



TITLE SEVEN - Vacant Property Registration Program
Chap. 1380. Administration of Vacant Property Registration Program.

CHAPTER 1380

Administration of Vacant Property Registration Program

- 1380.01 Adoption; Purpose.**
 - 1380.02 Applicability.**
 - 1380.03 Definitions.**
 - 1380.04 Owner Required to Act; Enforcement Authority.**
 - 1380.05 Maintenance and Security Requirements for Commercial Structures.**
 - 1380.06 Registration Required and Penalty.**
 - 1380.07 Notice to City of Foreclosure, Filing, Fee.**
 - 1380.08 Liability.**
 - 1380.09 Appeals.**
 - 1380.10 Assignment of Registration Fees, Penalties, and Fines.**
 - 1380.11 Exemptions.**
 - 1380.12 Removal from Registry.**
 - 1380.13 Noncompliance; Additional Remedies.**
 - 1380.14 Savings Clause.**
 - 1380.15 Severability.**
 - 1380.16 Effective Date.**
- (Ord. 25-79. Passed 03-11-2025)**

CROSS REFERENCES

Appeals - see Board of Building Appeals Section 1323.07

Penalties - see Class B Civil Offenses Section 1324.03

Fines - see Civil Fines Section 1324.99

County Land Reutilization Corporations - see Ohio Revised Code Chapter 1724.

Liens - see Ohio Revised Code Chapter 715.261

1380.01 ADOPTION; PURPOSE.

(a) The purpose of this chapter is to establish a vacant property registration program and to regulate the maintenance of properties which are in the foreclosure process, abandoned or vacant. This chapter is intended to reduce and prevent neighborhood blight, to avoid the creation and maintenance of public nuisances, to ameliorate conditions that threaten the public health, safety and welfare, to promote neighborhood stability and occupancy by preserving the condition and appearance of residential properties and the worth and activity of commercial and industrial properties, and to maintain property values and assessments.

(b) Furthermore, the City recognizes and acknowledges the research of the Clark County Combined Health District (the "Health District"). Specifically, the Health District's research documents the deleterious effects of vacant properties in our neighborhoods including chronic illness, environmental stressors, lead poisoning, poor air quality, physical hazards to children and adult residents and increase in fire fighter injuries. Additional deleterious effects, includes but are not limited to, increased violence and crimes such as: narcotics use, sale, and manufacture, juvenile delinquency, stolen property, juvenile runaways, sex offenders, trespassing, vandalism, dumping, burglary and prostitution. The blight caused by vacancies also has a chilling economic affect in lowering home values and slowing economic growth which has an indirect but measurable effect on the overall health of the residents in the neighborhoods.

(c) There is hereby adopted, then, for the aforementioned purposes and for the purpose of providing a means of identifying the owner and/or responsible entities of vacant and/or abandoned properties within the corporate limits of the City, having complete contact information on record for these properties and responsible parties, a registration and maintenance requirement for vacant and/or abandoned properties.

(d) Nothing in this chapter shall be construed to waive, relieve or otherwise excuse an owner of property from compliance with all applicable codes, ordinances, statutes or laws and the owner shall at all times remain responsible and liable therefore. Nothing in this chapter shall be construed to prevent the enforcement of other provisions of the Codified Ordinances of the City of Springfield; Springfield Property Maintenance, Building, or Fire Code; or the Ohio Revised Code, and nothing in this chapter shall be construed to relieve an owner or interested party from duties imposed pursuant to any regulatory code, ordinance, statute, or law of the City or State of Ohio.

(e) This chapter also applies to the maintenance and regulation of commercial properties and residential properties, aiming to prevent blight and ensure neighborhood stability for all property types.

(Ord. 25-79. Passed 03-11-2025)

1380.02 APPLICABILITY.

This chapter, in addition to applying to residential structures, now also extends to all commercial structures within the City. This expansion aims to address the significant impact that vacant commercial structures have on community aesthetics, safety, and economic vitality.

(Ord. 25-79. Passed 03-11-2025)

1380.03 DEFINITIONS.

As used throughout this chapter:

"Abandoned" means a structure that is unoccupied as the result of the relinquishment of possession or control by an owner or other person with the right of possession or control of the structure, a mortgagor or the mortgagor's assigns whether or not the mortgagor or mortgagor's assigns have relinquished equity and title. A structure may be deemed abandoned when there is evidence of conditions, taken separately or as a whole, that would lead a reasonable person to conclude that the property was abandoned, including, but not limited to, evidence of overgrown or dead vegetation, accumulation of newspapers, circulars, flyers, mail, past due utility notices, or other means of notice by publication, the accumulation of junk, litter, trash, or debris, absence of windows or window treatments, absence of furnishings and personal items, statements of neighbors, delivery agents or similarly situated persons that the property is abandoned.

"Codes" means the Codified Ordinances of the City of Springfield or those adopted by said Codified Ordinances.

"Director" means the Director of Community Development of the City of Springfield or such person as the Director may designate to act on behalf of the Director.

"Owner" means the registered owner of a property, any person who holds legal or equitable title to the property, is a mortgagee, a vendee-in-possession, assignee of rents, executor, trustee, lessee, agent or any other person, firm or corporation that is directly or indirectly in control of a property. The owner of a property in default or for which a foreclosure action is pending or for which a judgment in foreclosure has been issued shall include the mortgagee, the successor in interest to the mortgagee, the lender or servicing company and any agent acting for the mortgagee, its successors, or a lender or servicing company. Under this definition, there may be more than one "owner" of a property for purposes of this chapter.

"Vacant" applies to any residential or commercial structure that is not lawfully occupied, used for its ordinary purpose, or that otherwise qualifies as "abandoned" under this section. A residential structure shall be considered vacant when it has been unoccupied for ninety (90) days. Multi-family residential structures shall be considered vacant when all of the dwelling units are not lawfully occupied for sixty (60) days or that otherwise qualifies as "abandoned" under this chapter. A commercial structure shall be considered vacant when it is not lawfully occupied or used for its ordinary purpose for thirty (30) days.

(Ord. 25-79. Passed 03-11-2025)

1380.04 OWNER REQUIRED TO ACT; ENFORCEMENT AUTHORITY.

(a) The owner of any residential structure that has become vacant as defined in Section 1380.03 "Definitions" within thirty days after the residential structure first becomes vacant, within thirty days of receiving notice that a residential structure is vacant, or within thirty days after the effective date of this chapter, whichever is later, shall file a "Vacant Property Registration Form", as prescribed by the City Manager. The "Vacant Property Registration Form" shall be filed with the applicable fee for each such residential structure with the Director or his or her designee.

(b) The owner of any commercial structure that has become vacant as defined in Section 1380.03 "Definitions" within sixty days after the commercial structure first becomes vacant, within sixty days of receiving notice that a commercial structure is vacant, or within sixty days after the effective date of this chapter, whichever is later, shall file a "Vacant Property Registration Form", as prescribed by the City Manager. The "Vacant Property Registration Form" shall be filed with the applicable fee for each commercial structure with the Director or his or her designee. Registration must include detailed contact information for property management and must be updated annually or upon change of ownership or property status.

(c) The registration statement shall remain valid for one year from the date of registration. The registering party shall be required to annually renew the registration as long as the residential structure remains vacant and shall pay an annual registration fee of one hundred twenty-five dollars (\$125.00) for each residential structure. The registration fee for commercial properties is set at three hundred dollars (\$300.00) semi-annually. The registration fees are intended to cover the costs of registration enforcement, code enforcement, and mitigating the negative impacts of vacant residential and commercial structures on the community. The registering party shall not be entitled to a refund of all or any part of the registration fee should the structure no longer be deemed vacant during the annual or semi-annual registration periods.

(d) The owner shall notify the Director or his or her designee within twenty days of any change in the registration information by filing an "Amended Vacant Property Registration Form", also prescribed by the City Manager. There shall be no fee for filing an "Amended Vacant Property Registration Form". The "Vacant" or "Amended Property Registration Form" shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner of the structure. An owner shall be liable under this section for failing to register a vacant structure, paying an appropriate annual registration fee, or timely updating any change in registration.

(e) In addition to other information required by the Director, the City Manager shall prescribe a "Vacant Property Registration Form". The form will request the disclosure of the following information, if known:

- (1) The street address of the property,
 - (2) Permanent parcel number assigned by the County Auditor,
 - (3) The trash hauling service provided (if provided) by the owner;
 - (4) The date upon which the property became vacant (if known to the owner),
 - (5) The case name and case number of any foreclosure proceeding with respect to the property,
 - (6) The case name and case number of any bankruptcy proceeding with respect to the property,
 - (7) Name and telephone number of a person twenty-one years of age or older, designated by the owner as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner in connection with the enforcement of this chapter. This person must maintain an office in Ohio or must reside within 250 miles of 76 East High Street, Springfield, Ohio 45502. An owner who meets the requirements of this subsection as to location of residence or office may designate him- or herself as agent. By designating an authorized agent under the provisions of this subsection the owner is consenting to receive any and all notices of code violations concerning the registered building and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered structure by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this subsection shall be deemed to consent to the continuation of the agent's designation for the purposes of this subsection until the owner notifies the Director or his or her designee in writing of a change of authorized agent or until the owner files a new annual registration statement and/or amendment. An owner shall be liable under this section for failing to register an authorized agent.
 - (8) Such other information as the Director may reasonably require.
- (Ord. 25-79. Passed 03-11-2025)

(f) The owner of any vacant structure shall cause an initial physical inspection of the structure to be made and secure the structure in accordance with this chapter. An owner shall be liable under this section for failing to inspect the property or structure or for failing to maintain the inspection reports as required by this section.

(g) Any owner who fails to register a vacant structure under the provisions of this section shall further be deemed to consent to receive, by posting at the structure, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the structure and premises.

(h) The Director may issue rules and regulations for the administration of this section. These rules may designate board-up materials and methods which must be used when securing a structure beyond the standard provided so that the boarding is reasonably incapable of being removed by trespassers or others acting without the owner's consent.

(i) Owners of commercial properties must adhere to the same registration and inspection intervals, with semi-annual updates.

1380.05 MAINTENANCE AND SECURITY REQUIREMENTS FOR COMMERCIAL STRUCTURES.

Commercial Structures must adhere to rigorous maintenance standards to prevent blight and hazards. This includes the upkeep of exterior appearances, landscaping, and structural integrity. Security measures must be robust to prevent unauthorized access, with requirements for adequate locking systems, secure windows, doors, and other potential entry points. A designated property manager must inspect the property monthly, ensuring compliance with all city codes and regulations concerning commercial structures.

(Ord. 25-79. Passed 03-11-2025)

1380.06 REGISTRATION REQUIRED AND PENALTY.

(a) The owner of any vacant structure shall file a "Vacant Property Registration Form" for each such structure with the Director or his or her designee on the form provided for such purpose. Any such registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner or owners of the structure.

(b) The owner of any vacant structure who fails to file a registration statement for each such structure within the timeframes established by this chapter or who fails to update a change in registration information within the timeframes established by this chapter shall be subject to a \$25 per day administrative penalty with a maximum penalty of \$750. Continued non-compliance may lead to more severe legal actions, including potential foreclosure by the city to remedy severe neglect or abandonment.

(c) Registration fees, penalties, and fines associated with and collected on behalf of the Vacant Property Registration Program shall be deposited in a specific Finance Department account in the annual budget of the City of Springfield and shall only be expended for the specific purposes set forth in this chapter.

(d) If a property is scheduled or placed on the voluntary demolition list, the City may waive in writing the registration fee for that specific property.

(Ord. 25-79. Passed 03-11-2025)

1380.07 NOTICE TO CITY OF FORECLOSURE, FILING, FEE.

Any person who files a complaint in any court of competent jurisdiction for foreclosure involving real property located within the City of Springfield on which there is a building or structure shall notify the City of the filing of the foreclosure complaint and shall file a complete copy of the foreclosure complaint with the Department of Community Development within ten (10) calendar days after filing the complaint with the relevant court. The notice to the City shall be on a form as prescribed by the Director.

(Ord. 25-79. Passed 03-11-2025)

1380.08 LIABILITY.

(a) Unless otherwise specifically provided, the owner, the owner's agent for the purpose of managing, controlling or collecting rents, and any other person managing or controlling a structure or premises in any part of which there is a violation of the provisions of this chapter, shall be liable for any violation therein, existing or occurring, or which may have existed or occurred, at or during any time when such person is or was the person owning or managing, controlling, or acting as agent in regard to said structure or premises and is subject to injunctions, abatement orders or other remedial orders.

(b) The liabilities and obligations imposed on an owner shall attach to any financial institution, mortgage company, or any other person or entity with or without an interest in the structure or premises who knowingly takes any action in any judicial or administrative proceeding that is intended to delay issuance or enforcement of any remedy for any violation of the Codes, provided that with respect to fines such person shall be liable only for fines which accrue on or after the date of such action and further provided that no liability shall be imposed under this section for any action taken in any proceeding, including a proceeding to foreclose on a lien, that does not delay or prevent the prosecution of any action brought by the City to enforce the adopted Codes.

(c) In the event the City, due to lack of response of an owner or agent, is required to take action, through its own efforts or via a contract for such services, to abate a nuisance at a vacant property the owner will be billed

for the cost of the abatement to include all labor and materials needed to correct the violation. Nuisance abatements shall include, but are not be limited to, elimination of hazardous conditions, cutting of weeds and overgrowth, securing and/or boarding of a structure, trash cleanup and disposal and demolition.

1380.09 APPEALS.

Any person aggrieved by any order of the Director may appeal such order directly to the Office of the City Manager within five (5) days of receiving the Director's initial decision. If the aggrieved person is still aggrieved, they may then appeal such order to the Board of Building Appeals in accordance with the procedure set out in Section 1323.07 of these Codified Ordinances

1380.10 ASSIGNMENT OF REGISTRATION FEES, PENALTIES, AND FINES.

(a) Failure to register a vacant residential property as required by this chapter is guilty of a Class B Civil Offense further detailed in Section 1324.03 and Section 1324.99.

(b) Failure to file a Notice of Foreclosure pursuant to Section 1380.06 is guilty of a Class B Civil Offense further detailed in Section 1324.02 and Section 1324.99.

1380.11 EXEMPTIONS.

(a) Any property with foreclosure proceedings with a mortgage held through the Federal Housing Finance Agency ("FHFA"), who acts as a conservator (i.e. Fannie Mae and Freddie Mac) is exempt from the fee requirements of this registry, but are requested to notify the City of properties that may be subject to this list sans FHFA involvement.

(b) This exemption is specifically in accordance with the doctrine of preemption through Article VI, paragraph two (2) of the United State Constitution.

(c) This chapter does not apply to County Land Reutilization Corporations organized under Ohio Revised Code Chapter 1724.

1380.12 REMOVAL FROM REGISTRY.

(a) Any owner or mortgagee of a vacant residential property may apply to the Director to remove a vacant property from the City registry at such time as the property no longer constitutes a vacant property.

(b) Any application for removal allowed under subsection (a) of this section shall be granted or denied by the Director within thirty (30) days, and if no such determination is made within thirty (30) days then the application for removal from the registry shall be deemed granted.

(c) If the property was sold, a copy of the HUD-1 statement and Security Deed must be provided as proof. If the property is rented by a tenant, a copy of the a fully executed lease, duly signed by both the landlord and the tenant(s) must be provided as proof.

1380.13 NONCOMPLIANCE; ADDITIONAL REMEDIES.

(a) Whenever a property is deemed abandoned or vacant pursuant to the terms of this chapter and is not maintained pursuant to the terms of this chapter and the City of Springfield Codified Ordinances, the Director or designee, may order the abatement of the violation or any other action that may be required including, but not limited to, demolition. Any abatement action shall be conducted in accordance with the City of Springfield Codified Ordinances. The cost of any action taken by the City shall be charged against the real estate upon which the structure or violation is located and shall be a lien upon such real estate in accordance with Ohio Revised Code 715.261.

(b) In addition to the penalties set forth in in this chapter, the City may pursue such other remedies it deems necessary to carry out the purpose and intent of this chapter. Those additional remedies may include issuing appropriate administrative orders under this and other chapters of the City of Springfield Codified Ordinances, injunctions, mandatory relief, restraining orders, and damages, appointment of a receiver, issuing assessments, and such other relief as may be allowed in law or equity.

(c) Commercial properties must maintain yards, landscaping, and building exteriors in accordance with the same standards set for residential properties, including debris removal and upkeep of structural integrity.
(Ord. 25-79. Passed 03-11-2025)

1380.14 SAVINGS CLAUSE.

The repeal or amendment herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending litigation or prosecution of any right established or occurring prior to the effective date of this chapter, as amended.

1380.15 SEVERABILITY.

If any section, subsection, clauses, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

1380.16 EFFECTIVE DATE.

The provisions of Title Seven entitled the "Vacant Property Registration Program" shall become and be effective on or after January 1, 2020.
(Ord. 24-80. Passed 3-26-2024)

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VACANT BUILDING REGISTRATION PROGRAM

PURPOSE

Structures which are left vacant for extended periods of time have proven to breed crime, pose public safety risks, reduce property values, and reduce the economic viability of the community. The City of Urbana established the Vacant Building Registration Program as a means to identify and register vacant building located within the corporation limits, to govern the responsibilities of vacant building owners, and to provide appropriate incentives for vacant buildings to be returned to productive use. As a result of the program, the cost or burden of the existence of vacant buildings will be redirected from the general citizenry to the owners of vacant buildings.

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REGISTRATION FORM

An owner of a structure which meets the definition of a vacant building as explained in Chapter 1341.02 shall register such structure with the Department of Zoning & Compliance within 90 days of it becoming vacant or within 30 days of being notified.

- [VACANT BUILDING REGISTRATION FORM](#)

APPEALS

Any owner who is served a notice of a vacant structure has the right to appeal the decision of the Zoning & Compliance Officer. A written notice of appeal must be submitted to the Department of Zoning & Compliance within 10 business days of the receipt of the notice. If the issue is not resolved by the appellant and Zoning & Compliance Officer, the appeal will be forwarded to the [Board of Nuisance Appeals \(BNA\)](#) for a ruling.

FEE STRUCTURE

A fee schedule was established as a part of this program 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 increase pressure on the vacant building owner, absorb costs for possible demolition, hazard abatement of or repairs to vacant structures.

Registration (Years 0-1): \$200

1st Renewal (Years 1-2): \$400

2nd Renewal (Years 2-3): \$800

3rd Renewal (Years 3-4): \$1,600

Every Subsequent Renewal: \$3,200

FREQUENTLY ASKED QUESTIONS (FAQ)

What is the goal of this program?

The goal of the Vacant Building Enforcement (VBR) Program is to establish a process for identifying and registering vacant structures within the City of Urbana. Additionally, the program shall govern the responsibilities of the owners of vacant structures, and provide incentives for structures to be returned

[HOME](#) [GOVERNMENT](#) [SERVICES](#) [COMMUNITY](#) [BUSINESS](#)[CONTACT US](#) [EMPLOYEES](#)**Why is the City requiring that vacant buildings be registered?**

Structures left vacant for extended periods of time have been proven to breed crime, pose public safety risks, reduce property values, and decrease the economic viability of the community. With the registration, the City will have access to current owner contact information or the person responsible for the property, a plan for the property to be returned to productive use, and access to the property to conduct semi-regular interior and exterior inspections.

Can I report a vacant building?

Yes! You can report a vacant building by filling out our [Report a Vacant Building Form](#).

What are the boundaries of the Vacant Building Registration Program?

Any and all vacant structures located within the corporation limits of the City of Urbana are required to register with the City.

Does this program apply to vacant lots?

No. The program only applies to vacant structures.

Does this program apply to vacant units within an otherwise occupied building?

This program will only be applicable to multi-unit structures when more than half (1/2) the units are not currently occupied.

What is the definition of a vacant building?

The definition of a vacant building is outlined in [Chapter 1341.02](#)

Are there any exemptions to the Vacant Building Registration Program?

Yes. The following are examples of structures that are exempt from the VBR Program:

- Buildings under active construction
- Buildings that were damaged by fire or some other extreme weather event
- Buildings that are listed for sale with a State of Ohio licensed Realtor
- Other special circumstances granted at the discretion of the Director of Administration and/or the Zoning & Compliance Officer.



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ownership interest in the vacant building unless the building is to become occupied immediately upon transfer.

What if I received a notice, but my building is not vacant?

Contact the Department of Zoning & Compliance to explain your specific situation and provide documentation proving that the building is not vacant (i.e. current lease agreements).

How often must I renew my registration?

The owner of a vacant structure must renew their registration every 12 months.

Is there a fee to register?

Yes – a fee schedule was established in order to provide appropriate incentives for owners of vacant buildings to care for them properly, seek to fill them, and in some cases demolish them. The annually increased fee amounts are intended to absorb the costs for possible demolition, hazard abatement, or repairs to vacant buildings. If an owner successfully restores the building to occupancy or demolishes the structure within the first 12 months, then the fee will be refunded, less an administrative fee of 5%. In each subsequent year, if the registration is renewed in a timely fashion, there have been no 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.

How long do I have to register my vacant building?

An owner of a structure which meets the definition of a vacant building shall register with the Department of Zoning Compliance within 90 days of it becoming vacant or within 30 days of being notified.

What happens if I do not register my building?

Any person violating any provision of the VBR Program, including not timely registering his/her vacant structure shall be subject to the penalties provided by Section 1339.99 of the Codified Ordinances of the City of Urbana.



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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. (Note: Demo permit from the Champaign County Building Department is required)

- **Vacant & Secure** – 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. One example of an appropriate Vacant & Secure Plan is a building that is listed for sale. (Note: This does not exempt the structure from any applicable nuisance or zoning codes)
- **Rehabilitation** – If the building is to be returned to appropriate occupancy or use, rehabilitation plans for the building and grounds are required. The rehabilitation plan shall not exceed 12 months from the time they obtain permits unless an extension is granted from the Department of Zoning & Compliance. 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 properly secured during the rehabilitation.

How is the City choosing which vacant buildings to target first?

The VBR Program is applicable to all vacant structures and all vacant structures will eventually be addressed by this program. However, due to limited resources, the Department will subjectively grade each property against five different factors and weights. The final grade will be used to prioritize the order in which we address/enforce vacant structures in the City of Urbana.

Will the City inspect my property?

Yes. The Director of Administration and/or the Department of Zoning & Compliance reserves the right to inspect any premises in the City for the purpose of enforcing the VBR Program. An owner of a vacant structure shall provide access to all interior and exterior portions of a vacant building in order to complete inspections. All structures will be subject to the following inspections:

- Exterior inspections – Twice a year
- Interior inspections – At the beginning of each registration period
- Interior & exterior inspections – Upon property transfer



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When did the Vacant Building Registration Program begin?

The VBR Program will begin enforcement of the regulations in March 2019. However, as mentioned above, the program will be systematically phased into existence.



City of Urbana
205 S Main St
Urbana, OH
43078
937-652-4300

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CHAPTER 1341

Vacant Building Enforcement Program

- 1341.01 Purpose.**
- 1341.02 Definitions.**
- 1341.03 Vacant building registration.**
- 1341.04 Inspections.**
- 1341.05 Fees.**
- 1341.06 Exemptions.**
- 1341.07 Appeals.**
- 1341.99 Penalty.**

1341.01 PURPOSE.

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. The purpose of this chapter is to establish a program for identifying and registering vacant buildings; to determine the responsibilities of owners of vacant buildings and structures; and to provide incentives for the rehabilitation and productive use of vacant buildings. 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.

(Ord. 4484-17. Passed 10-17-17.)

1341.02 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 Director of Administration 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 City 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, statement(s) by governmental employee(s) that the property is vacant.

(Ord. 4484-17. Passed 10-17-17.)

1341.03 VACANT BUILDING REGISTRATION.

(a) In all areas within the corporate limits of the City of Urbana, 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 Director of Administration or his 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 Director of Administration 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 Office of the Director of Administration 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 Urbana City 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 Director of Administration 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 Director of Administration 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 Director of Administration 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 Director of Administration 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 Director of Administration 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 City 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 Director of Administration 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. (Ord. 4484-17. Passed 10-17-17.)

1341.04 INSPECTIONS.

The Director of Administration or his duly designated representative reserves the right to inspect any premises in the City for the purpose of enforcing and assuring compliance with the provisions of this chapter. Upon the request of the Director of Administration or his duly designated representative, an owner shall provide access to all interior and exterior portions of a vacant building in order to permit a complete inspection of the premises. If the owner does not provide access, the City may pursue Court action seeking admission. Any civil penalties under this Section which remain unpaid for more than 10 days may be collected in an action at law by any method permitted for collection of an unpaid account. Nothing in this Section shall limit the right of the Director of Administration or his duly designated representative to seek a search warrant for the vacant building from a court of competent jurisdiction.

- (a) Vacant buildings will be subject to an exterior inspection at least twice per year at the Zoning/Code Enforcement Officer's discretion to ensure the compliance with property maintenance codes;
 - (b) Vacant buildings will be subject to both an interior and an exterior inspection at the start of each registration period (new and renewal) and when a registration under this Chapter is terminated by the property owner;
 - (c) Vacant buildings will be subject to both an interior and an exterior inspection upon acquisition of the property by a new owner.
 - (d) Any inspection that is to take place within 30 days of a previous inspection may or may not be conducted at the discretion of the Director of Administration or his duly designated representative.
- (Ord. 4484-17. Passed 10-17-17.)

1341.05 FEES.

The fees described in this Section are established in order to defray the cost to the City 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 City 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 City 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 1341.03, 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. (Ord. 4484-17. Passed 10-17-17.)

1341.06 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 Director of Administration 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 Director of Administration or his duly designated representative of such listing and for sale status, and the building and premises is maintained free of any property maintenance violations. 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 Director of Administration 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 City Zoning Code, City Nuisance Code, and/or Building Code violations; the amount of vacant property the applicant currently has within the City; 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 1341.03(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 Nuisance Appeals, which may sustain, overturn or modify the action of the Director of Administration or his duly designated representative. (Ord. 4484-17. Passed 10-17-17.)

1341.07 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 as set forth in Section 1339.05 of the Codified Ordinances of the City of Urbana.

(Ord. 4484-17. Passed 10-17-17.)

1341.99 PENALTY.

Any person violating any provision of the Vacant Building Registry shall be subject to the penalties provided by Section 1339.99 of the Codified Ordinances of the City of Urbana.

(Ord. 4484-17. Passed 10-17-17.)



The City of Urbana | Department of Zoning and Compliance

205 South Main Street, Urbana, Ohio 43078 | ZoningandCompliance@ci.urbana.oh.us | (937) 652-4322 | www.urbanaohio.com

Vacant Building Registration Form

An owner of a structure which meets the definition of a vacant building as explained in Chapter 1341.02 shall register such structure with the Department of Zoning and Compliance within 90 days of it becoming vacant or within 30 days of being notified.

FOR OFFICE USE		
Case Number	Date	Fee Paid

VACANT PROPERTY ADDRESS: _____

PROPERTY OWNER INFORMATION	
Owner #1	

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

Owner #2

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

Owner #3

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

**If there are more owners, please attach their information to the back of this application.*

LOCAL AGENT OR DESIGNEE INFORMATION (if owner does not reside within 60 miles of City of Urbana)	
Agent, Manager, Caretaker, or Designee	

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

☐ Check if none

**If there are more local agents or designees, please attach their information to the back of this application.*

LIEN HOLDERS
(or other parties known or believed upon to have a claim of ownership in the building)

Lien Holder #1

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

Lien Holder #2

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

Lien Holder #3

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

☐ Check if none

**If there are more lien holders, please attach their information to the back of this application.*

VACANT BUILDING PLAN
(please select one and attach to the back of this application)

☐ **Demolition**

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. *(Note: Demo permit from Champaign County Building Dept. is required.)*

☐ **Vacant & Secure**

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 for sale, etc.). *(Note: This does not exempt the structure from any applicable nuisance or zoning codes.)*

☐ **Rehabilitation**

If the building is to be returned to appropriate occupancy or use, rehabilitation plans for the building and grounds are required. The rehabilitation plan shall not exceed 12 months from the time they obtain permits, unless an extension is granted from the Department of Zoning & Compliance. 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 properly secured during the rehabilitation.

EXEMPTIONS

(if applicable, please select one and attach the required documents to the back of this application)

Acceptable Exemptions	Documentation Required
☐ Building is under active construction	Copies of all active building permits
☐ Building was damaged by fire or extreme weather	Written request (See Chapter 1341.06(b))
☐ Building is listed for sale with licensed Ohio Realtor	Proof of listing and "for sale" status
☐ Other	Written request (See Chapter 1341.06(c))

FEE SCHEDULE

The fees described in this section are structured 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 for possible demolition, hazard abatement, or repairs to vacant buildings.

Registration (Years 0-1)	\$200
1 st Renewal (Years 1-2)	\$400
2 nd Renewal (Years 2-3)	\$800
3 rd Renewal (Years 3-4)	\$1600
Every Subsequent Renewal	\$3200

**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 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.*

APPLICANT SIGNATURE & AFFIDAVIT

I certify that I have the authority to file this application, have read the application in its entirety, and that all information and attachments are true and correct to the best of my knowledge. I have read and understand Chapter 1341 of the Codified Ordinances for owning vacant property in the City of Urbana and agree to comply with these requirements. In accordance with this ordinance, I agree to notify any future owner of this vacant building registration.

Applicant Signature: _____ Date: _____

As referred by the Streets and Sidewalk Committee on September 30, 2019.

ORDINANCE NO. 2019-27

**AN ORDINANCE ENACTING CHAPTER 1343 OF THE CODIFIED ORDINANCES
PROVIDING FOR THE REGISTRATION OF VACANT BUILDINGS**

WHEREAS, vacant and abandoned structures are unsightly, attract criminal activity, and are a threat to the public safety and the National Fire Protection Association (NFPA) statistics indicate that more than ten civilians die and 6,000 firefighters are injured each year operating in nearly 31,000 fires in vacant and abandoned buildings; and

WHEREAS, the purpose of this new Chapter is to establish a program to identify, register, and inspect vacant buildings within the City of St. Marys that may present a fire hazard, that may provide temporary occupancy for transients, that may detract from private or public efforts to rehabilitate or maintain surrounding buildings, and that may present a hazard to the health, safety, and welfare of the public; and

WHEREAS, through an effective registration, inspection, identification, and monitoring program, buildings can be kept secure from trespassers and provide safe entry of police and firefighters in the event of an emergency; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. MARYS, OHIO, THAT:

Section 1. That new Chapter 1343 of the Codified Ordinances (Registration of Vacant Buildings) of the City be enacted as follows:

**CHAPTER 1343
REGISTRATION OF VACANT BUILDINGS**

1343.01	Purpose.
1343.02	Definitions.
1343.03	Obligation of Owners and Persons in Control.
1343.03	Designation as a Vacant Building
1343.04	Obligations of Owners of Dangerous Buildings
1343.05	Registration
1343.06	Registration Fees
1343.07	Inspection.
1343.08	Vacant Building Plan-- Commercial and Industrial Vacant Building
1343.09	Vacant Building Maintenance Standards.
1343.10	Notice of Violation.
1343.11	Effecting Compliance.
1343.12	Appeals.
1343.13	Notice
1343.14	Interpretation of Chapter.
1343.15	Penalty.

CROSS REFERENCES

Ohio Fire Code - see Ohio Administrative Code Section 1301:7-7

Power to enact further and additional regulations - see Ohio R.C. 3781.01

Removal of unsafe buildings - see Ohio R.C. 715.26(B), 715.261; Dangerous Buildings; Chapter 1339 of the Codified Ordinances

1343.01 PURPOSE.

This Chapter is adopted to establish a program for identifying and registering vacant buildings within the City that may present a fire hazard, that may provide temporary occupancy by transients, that may detract from private and/or public efforts to rehabilitate or maintain surrounding buildings, and that may present a hazard to the health, safety and welfare of the public. Through a registration, inspection, and monitoring process that vacant buildings will be kept weather tight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding buildings, and will not otherwise present a public hazard so that the health, safety, and welfare of the public is served by these regulations.

1343.02 DEFINITIONS.

Unless otherwise expressly stated, the following terms shall for the purpose of this chapter, have the following meanings:

(a) "Authorized agent" means a person that resides within Auglaize County, Ohio, who shall be authorized in writing by the owner or person in control of a vacant building to be responsible for the security and maintenance of the building and property, who shall have access to the building and property and who shall be available at all times during business and non-business hours in the case that an emergency occurs requiring immediate response and/or to make immediate repairs.

(b) "Commercial or Industrial Building" means any structure, or part thereof, that is used, or designed to be used for any private or public manufacturing, industrial, or commercial business purposes whether or not legally zoned for such use. It shall also mean an residential structure containing more than three (3) units.

(c) "Residential" shall mean any building not deemed a Commercial or Industrial Building.

(d) "Evidence of Vacancy" means any condition that on its own or combined with other conditions present would lead a reasonable person to believe the building is vacant. Such conditions and indicators include, but are not limited to the following:

1. In the case of a Commercial or Industrial Building for a time period over ninety (90) days, no evidence of occupation by an owner, lessees, or other person in lawful possession and evidence that substantially all lawful manufacturing, industrial, or commercial business operations has ceased and the building is devoid of content.
2. In the situation of a Residential Building, absence of occupation for period of time over ninety (90) days as substantiated by reports from governmental employee(s) and/or statements by neighboring property

owners, delivery persons, U.S. Postal Service employees, and/or governmental employee(s) that the building is vacant. Occupation shall not include illegal occupation including trespassing or vagrancy.

3. No or significantly below standard utility usage (water, electric or gas);
4. Delinquent real estate taxes;
5. Accumulation of newspapers, circulars, flyers and/or mail, accumulation of trash, junk, and/or debris, abandoned vehicles, automobile parts or materials.
6. More than one notice of a violation of Section 561.01 of the Codified Ordinances of St. Marys relating to overgrown weeds and grass.
7. Evidence of infestation by rodents.
8. Broken or boarded up windows or the absence of window coverings, such as curtains, blinds, and/or shutters.
9. Absence of furnishings, and/or personal items consistent with habitation or occupation.
10. Defective roofs as evidenced by loss of shingles, holes in the roof or use of temporary coverings covering such defects resulting in leakage on the interior.
11. Signage that is significantly outdated.
12. Evidence that the interior is not heated during winter months.
13. Evidence that the structure is not secured from trespassers;
14. Visible graffiti.

(e) "Fire Chief" means the Fire Chief of the City of St. Marys or his or her designee.

(f) "Fire Code" means Part Fifteen of the City of St. Marys's Codified Ordinances.

(g) "Fire Department" means the Fire Department of the City of St. Marys.

(h) "Code Enforcement Officer" means that person appointed by the Chief of Police of the City to enforce violations of the Code relating to property offenses.

(i) "Key box" means a secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.

(j) "Owner" means any person who, alone, or jointly or severally with others, shall have the legal or equitable title to a property, and shall include executors, administrators, trustees or guardians of the estate of the owner, and any purchaser or assignee under a certificate of sale pursuant to a mortgage foreclosure

as evidenced by the signature of the judge upon the confirmation of sale, whether or not the deed has been filed with the Auglaize County Recorder's Office. The term "owner" shall also include partnerships, corporations, and other unincorporated associations. Any individual owner, regardless of whether he or she shares ownership responsibility with any other person, any general partner of a partnership, and any officer of a corporation or unincorporated association, shall have direct and personal responsibility and liability for compliance with the provisions of this Chapter.

(k) "Person" means an individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, department, bureau, agency, or any entity recognized by law.

(l) "Person in control" means the owner of the property; a mortgagee or vendee in possession; a receiver; an executor; a trustee; and any person, public or private entity, lessee or holder of a lesser estate in the property, and/or its duly authorized agent(s), with the authority to bring a building or property into compliance with the provisions of this Chapter, including but not limited to any mortgagee that has filed an action in foreclosure on the particular property at issue, based on breach or default of a mortgage agreement, until title to the property is transferred to a third party.

(m) "Property" means not only the vacant residential, commercial or industrial building and any other structures of any kind or nature located on the lot, but also the entire parcel of land surrounding the vacant commercial or industrial building, including, but not limited to, fences, walkways, walls, and appurtenances.

(n) "Vacant Building" in this chapter means both a Commercial or Industrial Building and Residential Building which has been designated a Vacant Building by the Director of Public Service and Safety pursuant to Section 1343.03.

1343.03 DESIGNATION AS A VACANT BUILDING

(a) Upon information supplied by the Fire Chief, the Code Enforcement Officer, or other information received from City officials, the Director of Public Service and Safety may designate a Commercial or Industrial Building as a Vacant Building provided that such building has three (3) of the conditions and indicators of evidence of vacancy as set forth in Section 1343.02 (d), one of which must satisfy Section 1343.02 (d) (1).

(b) Upon information supplied by the Chief of Police, the Code Enforcement Officer, or other information received from City officials, the Director of Public Service and Safety may designate a Residential Building as a Vacant Building provided that such building has five (5) of the indications or conditions of evidence of vacancy as set forth in Section 1343.02 (d) (2).

(c) Once a building has been designated as a Vacant Building as set forth above, the Director of Public Service and Safety shall give notice of such designation in a manner as set forth in Section 1343.10 below.

1343.04 OBLIGATIONS OF OWNERS AND PERSONS IN CONTROL.

(a) Upon designation by the Service Safety Director, no owner or person in control of a Vacant Building shall fail to do any of the following:

- (1) Register the building with the Fire Department in accordance

with the requirements of this Chapter as provided in Section 1343.05.

- (2) Designate an authorized agent if the owner of personal in control of the Vacant Building does not reside within Auglaize County, Ohio, or a contiguous county.
- (3) Submit a Vacant Building Plan which shall be approved by the Fire Chief in accordance with Section 1343.07 of this Chapter.
- (4) At all times maintain the property in accordance with the Vacant Building Maintenance Standards set forth in Section 1343.09 of this Chapter.
- (5) In the case of a Vacant Building which is a Commercial or Industrial Building, the owner shall acquire or otherwise maintain general liability insurance covering such building in an amount of not less than one million dollars (\$1,000,000). The insurance policy shall provide for written notice to the Fire Chief within thirty (30) days of any lapse, cancellation, or change in coverage.
- (6) In the case of a Residential Building, the owner must acquire or maintain general liability insurance covering such building in an amount of not less than two hundred fifty thousand dollars (\$250,000.00). The insurance policy shall provide for written notice to the Fire Chief within thirty (30) days of any lapse.

1343.05 REGISTRATION.

(a) All Vacant Buildings located within the City that have been designated by the Safety Service Director as a vacant building shall be registered by the owner or person in control thereof with the Fire Department within thirty (30) days of such designation. Registration must be renewed on an annual basis as of the date of the initial designation.

(b) Registration shall be made on forms provided by the Fire Chief and verified by the owner or person in control of the vacant building and shall contain all of the following:

- (1) The name, address, and telephone number of the owner or person in control;
- (2) The name, address, and telephone number of the authorized agent, if required;
- (3) The names, addresses, and telephone numbers of all known lien holders and all other parties with any legal interest in the vacant commercial or industrial building and property;
- (4) If the Vacant Building is for sale, the name, address, and telephone number of the company and the realtor or agent responsible for marketing the property;
- (5) The address of the Vacant Building and the permanent parcel tax identification number of the land on which the vacant

commercial or industrial building is located;

- (6) The reason for the vacancy and the estimated length of time the building is expected to remain vacant;
- (7) A certificate of general liability insurance in the amount required by Section 1343.04; and
- (8) If the Vacant Building is a Commercial or Industrial Vacant Building, a Vacant Building Plan in accordance with Section 1343.08.

(c) No person shall furnish false information to the Fire Department in the Registration Form.

(d) Registration shall be valid for one (1) year from the same of the initial designation.

(e) No person, including but not limited to, an owner, person in control, purchaser, real estate agent, or realtor, shall participate in a transfer of title to, or disburse proceeds from a transfer of title to, a vacant building without complying with a transfer of the vacant building registration to the person taking title. Subsequent to the closing, there shall be no proration of the annual registration or refund thereof. The registration period shall commence for the new owner as of the time of the new owner takes title unless the building is no longer deemed a vacant building. A new fee and registration form shall be required at that time.

(f) No owner or person in control of a Vacant Building shall fail to notify the Fire Department and file an amended registration form within seven (7) days of any change in the registration information required by this section.

1343.06 REGISTRATION FEES.

(a) The annual registration fee for a Residential Vacant building shall be Two Hundred fifty Dollars (\$250.00).

(b). The annual registration fee for a Vacant Commercial and Industrial Building registration shall be a minimum of Four Hundred Dollars (\$400.00) and may be increased above that amount. The amount of the increase shall be reasonably related to the administrative costs of the Vacant Commercial and Industrial Building registration process and for the costs incurred by the City in monitoring the Vacant Commercial or Industrial Building site. The amount in excess of the minimum annual registration fee amounts shall be reasonably related to the costs incurred by the City for hazard abatement, repair and/or demolition of vacant commercial and industrial buildings in addition to the continued administrative costs. Money collected under this section shall be used exclusively for the administration and enforcement of this Chapter.

(c) The annual registration fee for a Vacant Commercial or Industrial Building shall be based on the duration of time the building has been vacant regardless of a change in ownership. The owner of a vacant commercial or industrial building shall pay an annual registration fee of four hundred dollars (\$400) for the first year the building remains vacant. For every consecutive year that the building remains vacant, the annual registration fee shall be assessed at double the previous year's registration fee amount for a maximum annual registration fee equaling the five (5) year registration fee of six thousand four hundred dollars (\$6,400) which shall

be the registration fee for the fifth and all consecutive, subsequent years of vacancy.

(d) The registration fee shall be paid in full prior to the issuance of any building permits. The Fire Chief shall refund the vacant commercial or industrial building registration fee paid if the subject building is brought into compliance with standards of the Ohio Building Code and re-occupied within one year of payment of the annual registration fee. The refund shall be for the amount of the registration fee paid during the year in which the building was approved for re-occupancy. Registration fees paid in previous years shall not be refunded.

(e) If a registration form is filed late, an additional late fee shall be paid in addition to the annual registration fee and shall be equal to the annual registration fee or one thousand dollars (\$1,000), whichever is less.

(f) All delinquent registration fees shall be paid by the owner prior to any transfer of an ownership interest in the Vacant Commercial or Industrial building.

(g) If an owner or person in control of a Vacant Commercial or Industrial Building or a purchaser fails, neglects, or refuses to pay a registration fee within the time ordered pursuant to this section, then the Fire Chief shall so notify the City Auditor. The City Auditor shall certify the registration fee to the County Auditor. In addition to the registration fee, an interest rate equal to the current rate of interest charged by the City on special assessments shall be imposed by the City for the life of the registration fee, added to the registration fee, and collected as provided in this section. The City Auditor shall then certify the amount of the registration fee, including interest, to the County Auditor. The County Auditor shall enter the amount on the tax duplicate of the County as a special assessment against the person's real estate that is subject to the registration fee.

1343.07 INSPECTION.

(a) If the Fire Chief deems it necessary, at the time of registration, the owner or person in control shall arrange for an inspection of the property by the Fire Chief in the presence of the owner, person in control, or authorized agent of the owner having responsibility for security and maintenance of the property for the purpose of determining the structural integrity of the building, that it will be safe for entry by fire fighters and police officers in times of emergency, and that it complies with the requirements of this Chapter.

(b) If the owner or person in control fails or refuses to consent to and arrange for an inspection, the Fire Chief shall obtain a search warrant from a court of competent jurisdiction to authorize inspection of the property.

1343.08 VACANT BUILDING PLAN- COMMERCIAL OR INDUSTRIAL VACANT BUILDINGS

(a) The owner or person in control of a Vacant Commercial or Industrial building shall submit a Vacant Building Plan that shall be approved by the Fire Chief. The Vacant Building Plan shall be selected from and include the minimum requirements from one (1) of the three (3) following categories:

- (1) Demolition. If the Vacant Commercial or Industrial Building is to be demolished, the Vacant Building Plan shall include a proposed time frame for demolition which shall include a commencement date within thirty (30) days of approval of the proposed

demolition time frame and shall not exceed one (1) year in duration.

- (2) Secured Structure. If the Vacant Commercial or Industrial Building is to remain vacant, the Vacant Building Plan shall be submitted within thirty (30) days of the designation of a Vacant Building and completed within sixty (60) days of said submission or a time as extended by the Fire Chief, and shall contain the following:
 - A. A plan for fire alarm and fire protection as required by the Fire Chief.
 - B. A plan of action to remedy any public nuisance existing in the building or on the property.
 - C. A lighting plan for the exterior of the building and property, walkways adjacent thereto, parking or loading areas and night-time illumination of areas and walkways of the building and property which may be vulnerable to vandalism and vagrancy as determined by the Chief of Police.
 - D. A regular maintenance plan for all exterior lighting and illumination fixtures.
 - E. A plan for the maintenance of all structural openings, such as windows, doors, areaways and other openings to avoid the necessity of boarding up. Windows, doors, areaways, and other openings that are located on the first floor and facing the street shall not be papered, soaped, blacked out, or boarded up, and to avoid the appearance of vacancy, a form of display shall be set up that shall be approved by the Fire Chief or designee.
 - F. A plan of action to maintain the vacant commercial or industrial building and property in compliance with the Vacant Building Maintenance Standards set forth in Section 1343.08 of this Chapter and applicable State Building Codes.
- (3) Rehabilitation. If the vacant commercial or industrial building is to be returned to lawful occupancy or use, the Vacant Building Plan shall include a rehabilitation time frame for the building and property. The rehabilitation time frame shall not exceed twelve (12) months. The Fire Chief may grant an extension of time upon receipt of a written statement from the owner detailing the reasons for the extension. All applicable laws shall be complied with and all required permits shall be obtained. The building shall be kept secured and in compliance with the Vacant Building Maintenance Standards as provided in Section 1343.09 of this Chapter at all times during rehabilitation.

1343.09 VACANT BUILDING MAINTENANCE STANDARDS.

All Vacant Buildings and property within the City shall be maintained in accordance with the following Vacant Building Maintenance Standards:

- (a) Exterior openings, except those prohibited by Section 1343.08(a) (2) (E) which cannot be secured by locking an existing door or window shall be boarded, secured, and protected from intrusion by birds, vermin, and trespassers in accordance with the United States Fire Administration's National Arson Prevention Initiative Board Up Procedures, hereby incorporated by reference as if fully set forth herein. A copy of the United States Fire Administrations' National Arson Prevention Initiative Board Up Procedures shall be kept on file with the Fire Department.
- (b) A Vacant Building shall be protected from further deterioration by not allowing the Evidences of Vacancy to increase.
- (c) A Vacant Building and the property on which it is located shall be kept clean, safe, sanitary, and free from public nuisance in accordance with Chapter 1321 of the Codified Ordinances of the City of St. Marys.
- (d) A Vacant Building shall display a hazardous identification placard that is readily visible from normal access points of the building pursuant to the St. Marys Fire Department and Task Force Vacant and Abandoned Building Project in accordance with the International Association of Arson Investigators (IAAI) Vacant/Abandoned Building marking System.
- (e) A key box shall be installed on each Vacant Building in the City in case immediate access to the interior of the building by fire department personnel is necessary for life-saving or firefighting purposes. Each key box shall be of a type that is approved by the Fire Chief. The key box shall be installed in accordance with manufacturer's recommendations and shall be installed in a location approved by the Fire Chief. The cost of purchase and installation of each key box shall be paid by the owner. Each key box shall contain keys to gain access to all areas of the building including the roof and basement. The person in control of the building shall immediately notify the Fire Chief and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

1343.10 NOTICE OF VIOLATION.

(a) Content. Whenever the Fire Chief determines that there is a violation of the provisions of this Chapter, he shall give notice of such violation to the person or persons responsible therefore and order compliance, as herein provided. Such notice and order shall:

- (1) Be in writing;
- (2) Include a description of the real estate sufficient for identification;
- (3) Include a statement of the violation or violations, refer to the sections and divisions violated and order remedial action which will effect compliance with the provisions of this Chapter;
- (4) Include a correction order allowing a reasonable time to bring the property into compliance with the provisions of this Chapter;
- (5) State the right of the violator to file an appeal of the notice and

order in the manner as provided in Section 1343.12 of this Chapter; and

- (6) Include a statement that any action taken by the City on such property shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(b) Service. A notice of violation shall be deemed to be properly served if one (1) or more of the following methods are used:

- (1) By personal delivery to the person in control or the authorized agent of said person; or
- (2) By certified mail, return receipt requested, to the person in control or designated authorized agent at the last known address of such person. If the certified mail is returned unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing. If the certified mail is returned undeliverable, a copy shall be posted in a conspicuous place in or on the property found in violation.

1343.11 EFFECTING COMPLIANCE.

Upon failure of the owner or person in control of the property in violation to comply with the notice within the period of time stipulated, the Fire Chief shall give notice to the Director of Public Service and Safety if the building or structure is open and unsecure, to proceed to correct any deficiencies with City forces. Upon the completion of such labor, the Director Public Service and Safety shall determine all costs associated thereof, including registration fees, with labor charges incurred at one hundred and fifty dollars (\$150.00) per hour, provided, however, there shall be a minimum fee of not less than one hundred dollars (\$100.00). In the event the City is required to employ outside services for the abatement work, the fee shall be the actual costs of the contract plus fifteen percent (15%) for administration charges. The total labor costs and registration fee shall be forwarded by the Fire Chief to the City Auditor who shall make a return in writing to the Auglaize County Auditor of such total charge which shall be entered upon the tax duplicate of the County and be allocated onto the taxes in accordance with Ohio R.C. 731.54. Further, any delinquent fees associated with this Chapter may also be assessed to the Auglaize County Auditor in accordance with O.R.C. 731.54.

1343.12 APPEALS.

Upon designation of a building as a Vacant Building by the Director of Public Service and Safety, the owner may appeal such designation in the same manner and in the same time limits as an appeal under Chapter 1339 of the Codified Ordinances where there has been the designation of a structure as a Dangerous Building.

1343.13 NOTICE.

Notice shall be in the same manner as provided by the filing of a complaint under the Rules of Civil Procedure of the State of Ohio with initial notice by certified mail, return receipt requested, upon the holder of the current title as recognized by the Auditor of Auglaize County and the tax mailing address accompanying said designation.

1343.14 INTERPRETATION OF CHAPTER.

This Chapter shall not, in any manner, abrogate any of the other provisions of the Codified Ordinances of the City of St. Marys pertaining to the abatement of public nuisances or unsafe buildings.

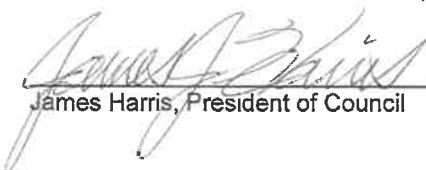
1343.15 PENALTY.

Whoever violates any of the provisions of this Chapter shall be guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

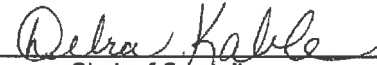
Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. That this Ordinance shall take effect at the earliest date provided by law. for the reasons set forth in the preamble hereto, this Ordinance shall take effect at the earliest time allowed by Law.

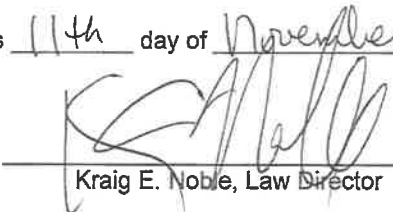
Section 4. That this Ordinance shall take effect at the earliest date provided by law.


James Harris, President of Council

ATTEST:


Clerk of Council

Approved by the Law Director this 11th day of November, 2019.


Kraig E. Noble, Law Director

Approved this 11th day of November, 2019.


Patrick McGowan, Mayor

This Ordinance prepared by Kraig E. Noble, Director of Law, 146 East Spring Street,
St. Marys, OH 45885

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ORDINANCE NO. 2021-22

AN ORDINANCE AMENDING SECTION 1343.06 OF THE CODIFIED ORDINANCES

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF ST. MARYS, OHIO:

SECTION 1. That Section 1343.06 of the Codified Ordinances of the City be amended to read as follows:

1343.06 REGISTRATION FEES.

(a) The annual registration fee for a Residential Vacant building shall be two hundred fifty dollars (\$250.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant, the annual registration fee shall be assessed at double the previous year's registration fee amount for a maximum annual registration fee equaling the five (5) year registration fee of four thousand dollars (\$4,000.00) which shall be the registration fee for the fifth and all consecutive, subsequent years of vacancy. The annual registration fee for a Residential Vacant building shall be based on the duration of time the building has been vacant regardless of a change in ownership.

(b) The annual registration fee for a Vacant Commercial and Industrial Building registration shall be a minimum of four hundred dollars (\$400.00) and may be increased above that amount. The amount of the increase shall be reasonably related to the administrative costs of the Vacant Commercial and Industrial Building registration process and for the costs incurred by the City in monitoring the Vacant Commercial or Industrial Building site. The amount in excess of the minimum annual registration fee amounts shall be reasonably related to the costs incurred by the City for hazard abatement, repair and/or demolition of vacant commercial and industrial buildings in addition to the continued administrative costs. Money collected under this section shall be used exclusively for the administration and enforcement of this Chapter.

(c) The annual registration fee for a Vacant Commercial or Industrial Building shall be based on the duration of time the building has been vacant regardless of a change in ownership. The owner of a vacant commercial or industrial building shall pay an annual registration fee of four hundred dollars (\$400.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant, the annual registration fee shall be assessed at double the previous year's registration fee amount for a maximum annual registration fee equaling the five (5) year registration fee of six thousand four hundred dollars (\$6,400.00) which shall be the registration fee for the fifth and all consecutive, subsequent years of vacancy.

(d) The registration fee shall be paid in full prior to the issuance of any building permits. The Fire Chief shall refund the vacant commercial or industrial building registration fee paid if the subject building is brought into compliance with standards of the Ohio Building Code and re-occupied within one year of payment of the annual registration fee. The refund shall be for the amount of the registration fee paid during the year in which the building was approved for re-occupancy. Registration fees paid in previous years shall not be refunded.

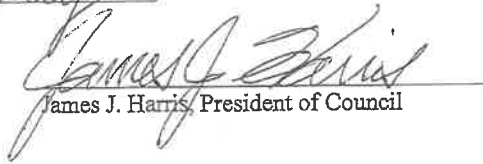
(e) If a registration form is filed late, an additional late fee shall be paid in addition to the annual registration fee and shall be equal to the annual registration fee or one thousand dollars (\$1,000.00), whichever is less.

(f) All delinquent registration fees shall be paid by the owner prior to any transfer of an ownership interest in the Vacant Commercial or Industrial building.

(g) If an owner or person in control of a Residential Vacant, Vacant Commercial or Industrial Building or a purchaser fails, neglects, or refuses to pay a registration fee within the time ordered pursuant to this section, then the Fire Chief shall so notify the City Auditor. The City Auditor shall certify the registration fee to the County Auditor. In addition to the registration fee, an interest rate equal to the current rate of interest charged by the City on special assessments shall be imposed by the City for the life of the registration fee, added to the registration fee, and collected as provided in this section. The City Auditor shall then certify the amount of the registration fee, including interest, to the County Auditor. The County Auditor shall enter the amount on the tax duplicate of the County as a special assessment against the person's real estate that is subject to the registration fee. (Ord. 2019-27. Passed 11-11-19.)

SECTION 2. That Section 1343.06 of the Codified Ordinances of the City as it existed prior to the adoption of this ordinance is hereby repealed.

Passed this 26th day of July, 2021.


James J. Harris, President of Council

ATTEST:


Debra Kable, Clerk of Council

Approved by the Law Director this 26th day of July, 2021.


Zach G Ferrall, Law Director

Approved this 26th day of July, 2021.


Patrick J. McGowan, Mayor

This Ordinance prepared by
Zach G Ferrall, Director of Law
146 East Spring Street
St. Marys, OH 45885

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Grass and Weed Cutting.wpd

City of St. Marys Fire Department

222 Indiana Avenue, St. Marys, OH 45885 (419) 394-2361 Email: dayers@cityofstmarys.net



VACANT BUILDING REGISTRATION

FOR OFFICE USE	
Registration Number	Date
Vacant Property Address	Parcel Identification Number

PROPERTY OWNER INFORMATION	
Owner #1	

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

Owner #2	
----------	--

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

Owner #3	
----------	--

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

****If there are more owners, please attach their information to the back of this application.***

LOCAL AGENT OR DESIGNEE INFORMATION	
Agent, Manager, Caretaker, or Designee	

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

[] Check if none

****If there are more local agents or designees, please attach their information to the back of this application***

LIEN HOLDERS
(or other parties known or believed upon to have a claim of ownership in the building)

Lien Holder #1

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

Lien Holder #2

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

Lien Holder #3

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

☐ Check if none

****If there are more owners, please attach their information to the back of this application.***

VACANT BUILDING PLAN
(please select one and attach to the back of this application)

☐ **Demolition**

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. *(Note: Demo permit from Miami County Building Dept. is required.)*

☐ **Secured Structure**

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 for sale, etc.). A Knox Entry System and a vacant property hazard sign will be installed at a location to be determined by the Fire Chief or designee. *(Note: This does not exempt the structure from any applicable nuisance or zoning codes.)*

☐ **Rehabilitation**

If the building is to be returned to appropriate occupancy or use, rehabilitation plans for the building and grounds are required. The rehabilitation plan shall not exceed 12 months from the time permits are obtained, unless an extension is granted from the Zoning Board. Any repairs, improvements or alterations to the property must comply with any applicable codes and the property must remain properly secured with a Knox Entry System.

FEE SCHEDULE

The fees described in this section are structured 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 for possible demolition, hazard abatement, or repairs to vacant buildings.

Commercial / Industrial	
Registration (Years 0-1)	\$400
1 st Renewal (Years 1-2)	\$800
2 nd Renewal (Years 2-3)	\$1600
3 rd Renewal (Years 3-4)	\$3200
Every Subsequent Renewal	\$6400

Residential	
Registration (Years 0-1)	\$250
1 st Renewal (Years 1-2)	\$500
2 nd Renewal (Years 2-3)	\$1000
3 rd Renewal (Years 3-4)	\$2000
Every Subsequent Renewal	\$4000

FOR OFFICE USE	
Registration Fee Total:	\$

Registration fees shall be paid at the Municipal Building and a copy of the receipt attached to the registration form.

**If the owner successfully restores the building to compliance with standards of the Ohio Building Code and re-occupied within one year of payment of the annual registration fee, the Fire Chief shall refund the registration fee for the year in which the building was approved for re-occupancy.*

APPLICANT SIGNATURE & AFFIDAVIT

I certify that I have the authority to file this application, have read the application in its entirety, and that all information and attachments are true and correct to the best of my knowledge. I have read and understand Chapter 1343 of the Codified Ordinances for owning vacant property in the City of St. Marys and agree to comply with these requirements. In accordance with this ordinance, I agree to notify any future owner of this vacant building registration.

Applicant Signature: _____ Date: _____

City of St. Marys Fire Department

Vacant Property Registration

The Vacant Property Registration program serves several important purposes:

- **Identification and Registration:** The program aims to identify and register vacant residential, commercial, and industrial buildings within the community. By maintaining an accurate inventory of these properties, the program enables the City to have a comprehensive understanding of the extent of vacancy and abandonment issues.
- **Owner Responsibilities:** The program helps determine the specific responsibilities that owners have in relation to vacant buildings and structures. This includes obligations such as property maintenance, security, and adherence to local regulations. By clearly outlining these responsibilities, the program encourages owners to take appropriate actions to prevent their properties from falling into disrepair or becoming hazards to the surrounding neighborhoods.
- **Neighborhood Preservation:** One of the primary objectives of the program is to protect neighborhoods from blight caused by the presence of vacant or abandoned properties. When properties are left unattended without adequate maintenance and security measures, they can become eyesores, attract vandalism, and potentially decrease the overall property values in the surrounding area. By addressing these concerns, the program helps safeguard the quality of life and aesthetic appeal of the community.

Through the Vacant Property Registration program, we can proactively address the challenges posed by vacant properties. By identifying, registering, and establishing clear responsibilities for owners, the program aims to prevent neighborhood blight, promote responsible property management, and maintain the overall vitality of the community.

Report a Vacant Home

If you believe a house in your neighborhood has been vacant for at least 90 days, or is open to entry you can report it to the Community Development Department.

Contact Us

Petra Sloan

Community Development Specialist

[Email Petra Sloan](#)

Phone: [937-498-8101](#)

Community Development

Physical Address

[View Map](#)

201 W Poplar Street
Sidney, OH 45365

[Directions](#)

Phone: [937-498-8130](#)

[Directory](#)



Ohio Postal Workers Union – AFL-CIO

7337 Oakmeadows Dr. Columbus, OH 43085

December 15, 2025

Michael Schmid
President

(937) 562-1808
Schmidmike22@gmail.com

State Executive Board

Michael Schmid
President

Nigel Saleem
Executive Vice President

Vance Zimmerman
Administrative Vice President

Jim Sizemore
Secretary-Treasurer

Dominic Corso
Clerk Craft Director

Thomas Vlasick
Maintenance Craft Director

Kenneth Sevier
MVS Director

Ingrid Rivera
Industrial Relations Director

Dear Esteemed Council Members,

My name is Michael Schmid. I am the President of the Ohio Postal Workers Union representing the many thousands of proud and dedicated postal workers in the State of Ohio. I am writing to ask the council for their support in recognizing the 250th anniversary of the U.S. Post Office and its invaluable service to the public.

We are asking that your council pass a proclamation recognizing this anniversary milestone and the significance of the U.S. Postal Service to the people in your community.

The Post Office was created one year before the founding of our country, with its first postmaster being Benjamin Franklin. The Post Office has its founding principles enshrined in the U.S. Constitution. The postal network connects the country's rural, suburban and urban communities at reasonable rates, regardless of where you are located.

The Postal Service is consistently the highest-rated agency of the federal government (88% favorability rating). By law, it is self-funded, operating through sales of its services and products. The USPS delivers to every address in the country – 169 million address!

This holiday season, like those of seasons past, postal workers are working very long and strenuous hours to ensure every piece of mail gets delivered. We would like to post your proclamation on our websites, opwu.org and apwu.org, so that our postal employees can see the support and appreciation their communities have for them and the mission of the Postal Service. We would also like to publish it in our Ohio Postal Workers newspaper that is sent to all of our members.

Please let me know if there is a specific process we must follow to pass a proclamation. My phone number is (937) 562-1808. My address is 7337 Oakmeadows Dr. Columbus, Ohio, 43085.

Michael Schmid
President
Ohio Postal Workers Union

WHEREAS, 2025 marks the 250th Anniversary of the creation of the United States Post Office, the predecessor of the modern Postal Service, one year earlier than the founding of the country itself, and

WHEREAS, the U.S. Postal Service is operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the U.S. Constitution, and created by Act of Congress to bind the nation together, and

WHEREAS, the Universal Service Obligation (USO) in current law enables the population to receive equal and affordable services as a right of all people, and

WHEREAS, the Postal Service runs on its own revenue created by postage and postal products and does not receive taxpayer money to run its operations, and

WHEREAS, due to its public mission, the Postal Service is the low-cost anchor of the \$1.3 trillion dollar mailing and package industry which supports 7 million jobs across the country, and

WHEREAS, the postal service is an important source of good, living-wage jobs with fair hiring practices and equal pay for equal work and is one of the largest employers of Veterans, and

WHEREAS, while communication habits are always changing, the USPS remains a vital source of communications, the exchange of ideas, financial transactions, private and secure correspondents, mail-order medications, mail-in voting and e-commerce packages, and

WHEREAS, the United States Postal Service is owned by the people and is a wonderful national treasure encapsulating the best of government "of, by, and for the people," now therefore

BE IT RESOLVED that the City/Village of _____ goes on record in support and appreciation of the role of the U.S. Postal Service to the American public on its 250th Anniversary, and salutes the hard-working postal workers from all walks of life who serve the people and business community, and we support a robust and thriving public Postal Service for generations to come!

BE IT RESOLVED that this body recognizes that the local presence of postal workers and postal facilities has been an essential part of our civic infrastructure, supporting small businesses, facilitating government services, and contributing to the quality of life and economic vitality of our community,

BE IT RESOLVED we wish to honor the men and women, past and present, who have served in the USPS with dedication, in fair weather and foul, ensuring that every address in our region, state, and nation remains reachable and our national communications network remains resilient.

RESOLUTION CM-26-

A RESOLUTION TO RECOGNIZE THE 250TH ANNIVERSARY OF THE UNITED STATES POST OFFICE

WHEREAS, 2025 marked the 250th Anniversary of the creation of the United States Post Office, the predecessor of the modern Postal Service, one year earlier than the founding of the country itself, and

WHEREAS, the U.S. Postal Service is operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the U.S. Constitution, and created by Act of Congress to bind the nation together, and

WHEREAS, the Universal Service Obligation (USO) in current law enables the population to receive equal and affordable services as a right of all people, and

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WHEREAS, while communication habits are always changing, the USPS remains a vital source of communications, the exchange of ideas, financial transactions, private and secure correspondents, mail-order medications, mail-in voting and e-commerce packages, and

WHEREAS, the United States Postal Service is owned by the people and is a wonderful national treasure encapsulating the best of government" of, by, and for the people," now therefore

NOW, THEREFORE, Be it Resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I: that the Village of West Milton Ohio goes on record in support and appreciation of the role of the U.S. Postal Service to the American public on its 250th Anniversary and salutes the hard-working postal workers from all walks of life who serve the people and business community, and we support a robust and thriving public Postal Service for generations to come!

SECTION II: that this body recognizes that the local presence of postal workers and postal facilities has been an essential part of our civic infrastructure, supporting small businesses, facilitating government services, and contributing to the quality of life and economic vitality of our community,

SECTION III: we wish to honor the men and women, past and present, who have served in the USPS with dedication, in fair weather and foul, ensuring that every address in our region, state, and nation remains reachable and our national communications network remains resilient.

Passed this _____ day of _____ 2026

Jeremy Sodders, Mayor

ATTEST:

Laura Wright
Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh
Law Director

ORDINANCE CM-26-04

**AN ORDINANCE AMENDING SECTION 33.66 COMPENSATION FOR
PLANNING BOARD MEMBERS AND SECTION 150.301(B) COMPENSATION
FOR BOARD OF ADJUSTMENT MEMBERS**

WHEREAS, pursuant to Section 33.66 and Section 150.301(B), each planning board member and board of adjustment member is compensated at a rate of \$25.00 per meeting, not to exceed \$50 per month per member; and

WHEREAS, the current pay for these board members has not been adjusted since March 9, 1999, with the passage of Ordinance CM-99-09; and

WHEREAS, Council desires to adjust the rate of pay to all planning board members and board of adjustment members as these individuals provide a necessary service to the Municipality of West Milton.

NOW THEREFORE, be it Ordained by the Council of the Municipality of West Milton, Ohio that:

- SECTION I:**

Section 33.66 of the West Milton Codified Ordinances shall be modified to read as follows:

§ 33.66 COMPENSATION.

All Planning Board members shall be compensated at the rate of ~~\$25~~ ***\$75.00*** per member per meeting attended, but in no event shall such compensation exceed ~~\$50~~ ***\$150.00*** per member per month.
- SECTION II:**

Section 150.301(B) of the West Milton Codified Ordinances shall be modified to read as follows:

§ 150.301 MEMBERSHIP AND APPOINTMENT.

(B) Board of Adjustment members shall be compensated at the rate of ~~\$25~~ ***\$75.00*** per member per meeting attended, but in no event shall such compensation exceed ~~\$50~~ ***\$150.00*** per member per month.
- SECTION III:**

The provisions of this Ordinance shall become effective from and after the earliest date allowed by law and all parts of Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.

Passed this _____ day of _____ 2026

Jeremy Soddors, Mayor

ATTEST:

Laura J. Wright
Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh
Law Director

RESOLUTION CM-26-03

**A RESOLUTION TO APPOINT A MEMBER TO THE MIAMI
SOUTHWEST JOINT AMBULANCE DISTRICT, MIAMI COUNTY**

WHEREAS, the Miami Southwest Joint Ambulance District, Miami County, Ohio is a five (5) member Board of Trustees, with one member appointed by each political subdivision from Union Township, Village of Ludlow Falls, Village of Potsdam, Village of Laura and the Village of West Milton; and

WHEREAS, Council for the Village of West Milton passed Resolution CM-25-19 on March 11, 2025, making it mandatory that the person appointed by Council to service on said board be a sitting council member who may serve on said board during that person's term in office; and

WHEREAS, the Village of West Milton's representative on said board ended his term; and, therefore, it is necessary to appoint a board member to serve in this capacity; and

WHEREAS, the Council for the Village of West Milton believes it is beneficial to the community to appoint a sitting council member to serve on said board.

NOW, THEREFORE, Be it Resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I: The Council hereby appoints Scott Fogle to the Miami Southwest Joint Ambulance District Board to serve in said capacity during his current term on Council.

SECTION II: This Resolution shall take effect and be in force from and after its passage.

Passed this _____ day of _____ 2026

Jeremy Sodders, Mayor

ATTEST:

Laura Wright
Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh
Law Director

RESOLUTION CM 26-____

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT FOR SERVICES TO BE PROVIDED BY THE DIRECTOR OF LAW

WHEREAS, the Council for the Municipality of West Milton, Ohio approved the Municipal Manager's appointment of Leneé M. Brosh, of the law firm of Shipman, Dixon & Livingston, Co. L.P.A., as Director of Law for the Municipality beginning February 1, 2014, with reviews and the adoption of additional legislation occurring every two years thereafter regarding the terms and conditions of the Agreement for Legal Services; and

WHEREAS, the Municipal Manager desires to enter into an agreement on behalf of the Municipality of West Milton for Leneé M. Brosh to continue to provide legal services as the Director of Law as described in the attached Agreement, marked as (Exhibit A); and

WHEREAS, the Agreement requires approval of Council.

NOW, THEREFORE Be it resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I: The Municipal Manager is hereby authorized to enter into the attached Agreement (Exhibit A) providing for legal services to be rendered by the Director of Law, Leneé M. Brosh.

SECTION II: This Resolution shall be in effect from and after the earliest date allowed by law.

Passed this ____ day of _____, 2026.

Jeremy Soddors, Mayor

ATTEST

Laura Wright
Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh
Director of Law

AGREEMENT FOR LEGAL SERVICES

This **AGREEMENT** by and between the Municipality of West Milton, Ohio, a municipal corporation hereinafter called "the Municipality," and Shipman, Dixon & Livingston Co., L.P.A., hereinafter called "the law firm" is entered into this ____ day of February, 2026 with the rates and payments established herein being effective February 1st, 2026 as authorized by Ordinance duly approved by the Council of West Milton, Ohio on the ____ day of February, 2026.

By the terms of this Agreement the parties hereto agree as follows:

SECTION I: LAW DIRECTOR

The firm shall provide to the Municipality all customary legal services as may be requested and as outlined herein, including providing a member of the firm to be designated as the Municipality's Director of Law in accordance with Section 6.02 of the Municipal Charter. It is hereby agreed that said person shall be Leneé M. Brosh, a partner of the firm. It is further understood and agreed that Ms. Brosh will serve as the Municipality's Director of Law, unless another suitable member of the firm is so designated and expressly approved by the Municipality. Should Ms. Brosh for any reason leave the firm, the Municipality shall have sixty (60) days to abrogate this Agreement or to accept another member to serve in the capacity of Director of Law. The firm shall further be responsible pursuant to this Agreement to designate a member, subject to the approval of the Municipal Manager, of a person to perform the duties of Municipal Prosecutor under the direction of Ms. Brosh.

Notwithstanding the above, it is further recognized that if Ms. Brosh is absent and otherwise not available for some brief period of time or has a conflict of schedule or interest in a specific matter of law that another member of the firm may temporarily represent the Municipality in the capacity of Director of Law.

It is further recognized and agreed that should the Municipality find itself involved in an action of law or request an opinion of law that requires some degree of specialization, that it may utilize the services of another firm or lawyer subject to Ms. Brosh's consent. The law firm further agrees to inform the Municipality of all cases or actions, in which any reasonable

appearance of conflict of interest may arise requiring the law firm to remove itself from representation of the Municipality.

SECTION II: SCOPE OF SERVICES

The firm shall provide to the Municipality all legal services customarily performed by a Municipal Law Director to include; attendance at scheduled Council meetings, meetings of other municipal bodies as requested, regular advisory meetings with the Municipal Manager, process and defend all claims the Municipality may find itself involved with, review documents and legislation, provide prosecutorial services on all criminal matters referred to include consultation with police officers as necessary, render opinion letters as requested by the Municipal Manager and advise the administration and Council on matters of law. All such services are to be performed in a timely manner.

SECTION III: TERM, PAYMENT AND WAIVER OF ADDITIONAL BENEFITS

The Director of Law shall upon appointment serve an indefinite term providing that the terms and conditions of this Agreement shall be reviewed every two years. The next review, unless otherwise altered by the parties, shall be January 31, 2028. The law firm shall provide the Municipality a monthly statement in adequate detail to show the nature and duration of all services performed.

For the period of February 1, 2026 to January 31, 2028, the Law Director shall be compensated at a fixed annual salary of \$66,000.00, which shall be paid directly to Ms. Brosh as a payroll employee in the approximate monthly amount of \$5,500.00 paid on the first payroll of each month.

The Municipality shall be responsible for all mandated withholdings to specifically being PERS or FICA, Medicare and Worker's Compensation. Ms. Brosh and the law firm agree to hereby expressly waive all rights and benefits customarily awarded other positions with the Municipality to include health care, insurance and leave benefits.

SECTION IV: LAW DIRECTOR EXPENSES

The Municipality agrees to pay the law firm for actual expenses incurred, a sum not to exceed One Thousand Dollars (\$1,000.00) per year and One Thousand Two Hundred Dollars (\$1,200.00) per year for out of pocket expenses incurred relating to training, trial or other office expenses that in the opinion of the parties hereto assist in the professional development of the Law Director or prosecuting designee in the performance of their duties for the Municipality.

SECTION V: TERMINATION

This Agreement may be terminated with or without cause by either party serving a sixty (60) day written notice on the other party. It is understood and agreed should the Agreement be so terminated the parties will agree among themselves whether any or all existing cases shall be continued by the firm and, if so, at what rate of compensation.

BY: Municipality of West Milton, Ohio

D. Jeffrey Sheridan,
Municipal Manager

Date: _____

BY: Shipman, Dixon & Livingston Co., L.P.A.

Leneé M. Brosh, Partner

Date: _____



Village of West Milton Hometown Heroes

The Village of West Milton would like to honor the men and women that have proudly served their country. The village is looking for **individuals or groups to sponsor** a Hometown Hero pole banner. These banners will become property of the Village of West Milton and will be displayed, cared for, and stored by the village. The banners will be displayed on Miami St. from Memorial Day through Veteran's Day for approximately three years then returned to the purchaser(s).

We are looking for Union Township men and women to honor with this display.

Who can be pictured on a pole banner?

Any person that has been/is a resident of Union Township and served in any branch of the U.S. Armed Forces can be honored. The honoree can be active duty, Reserve, National Guard, honorably discharged, retired, or killed in action. The manufacturer now has a **one picture per banner** limit.

Who can purchase a pole banner?

An individual, family, group, or business can purchase a banner.

How much does it cost?

Each honoree banner picture will be in black and white or color (depending on picture provided) and printed on both sides.

30" x 60" banner displays on the light poles on Miami St. \$150.00

16" x 45" banner displays on the light poles in Downtown Area \$115.00

****Personalize your banner by adding a special message or a sponsor name**

(your name/family, company, or organization) **

What form of payment is accepted and whom do I pay?

Checks should be made payable to Municipality of West Milton with a **special notation for Hometown Heroes**. Cash is also accepted in person.

Is this tax deductible?

No.

What do I need to submit?

- 1 - Application - containing at minimum, the veteran's first and last name and branch of service.
- 2 - Photograph of veteran - military dress preferred. This picture can be an actual photograph or digital image. **Digital images need to be high resolution and at least 400DPI.**
- 3 - Payment (cash or check payable to Municipality of West Milton).

How do I submit my photograph?

Actual photographs - Actual photographs will be scanned and transferred to a high-resolution digital image. Photographs submitted will be available for pickup up at the city building when proofs are accepted and approved by the printing company, approximately mid-April.

Digital photographs - Can be brought to the municipal building on CD or zip drive. These need to be large high resolution, at least 400DPI images. Acceptable formats for these photos are Corel Draw (.cdr) version 11 or earlier, Encapsulated PostScript (.eps), Adobe Illustrator (.ail) version 10 or earlier, In Design, PDF, Photoshop (.psd) and .jpg files.

Email images - Images submitted via email need to specify Hometown Heroes Image in the subject line and can be emailed directly to:

carpenterk@milton-union.k12.oh.us

Who do I contact for more information?

Megan Shaw - shaw@westmiltonohio.gov (937) 698-1500 ext. 108

Ben Herron - herron@westmiltonohio.gov (937) 698-1500 ext. 116

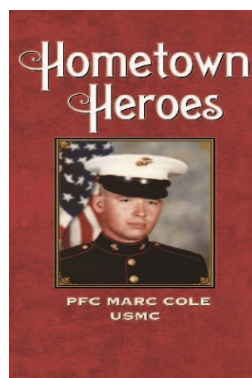
Krista Carpenter - carpenterk@muschools.com

When do I need to have my information/payment turned in?

All payments and information need to be received by our office on or before:

Monday, March 16th, 2026

Photos will be available for pick-up at the municipal building after all proofs are approved for production.



Application For Hometown Hero Banner

Rank (please print) _____

Name of Veteran _____

Branch of service _____ Era of service _____

Currently active duty? Yes / No

Veteran's hometown (West Milton, Laura, etc.) _____

_____ 30" x 60" banner - \$150.00

_____ 16" x 45" banner - \$115 .00

_____ Sponsorship

Name of sponsor _____

_____ Actual photograph

_____ Digital photograph

_____ Photo emailed to carpenterk@muschools.com

Contact person _____

Contact address _____

Phone number (____) _____ Cell phone (____) _____

Email address _____

All applications, payments and images must be received by:

Monday, March 16th, 2026

Applications can be mailed or dropped off to:

Municipality of West Milton

Hometown Heroes

701 S. Miami St.

West Milton, OH 45383

I agree to release the above veteran information to the Milton-Union Public Library for their military display.

_____ Yes, I agree

_____ No, I do not agree