



**West Milton Council Workshop
March 24th, 2026
6:30 p.m.**

1. Call to Order by Mayor Jeremy Sodders
2. Roll Call
3. CAC Isaiah's Place Presentation – Jennifer Knisley
4. Ohio Rural Health Hub Presentation – Brad Trostel
5. RFQ for Wastewater Treatment Plant Update
6. Retail Strategies
7. 2026 Paving Program and Private Parking Lot
8. Refuse Ordinance Changes/Additions
9. EV Charging Stations
10. Safety Grant
11. Vacant Buildings Ordinance
12. Dayton Dragon's Game Information
13. Old Business
14. New Business
15. Adjournment

2025

A Year in Review

Jennifer Knisley, MSW, LISW-S

Program Director

jknisley@isaiahsplace.com

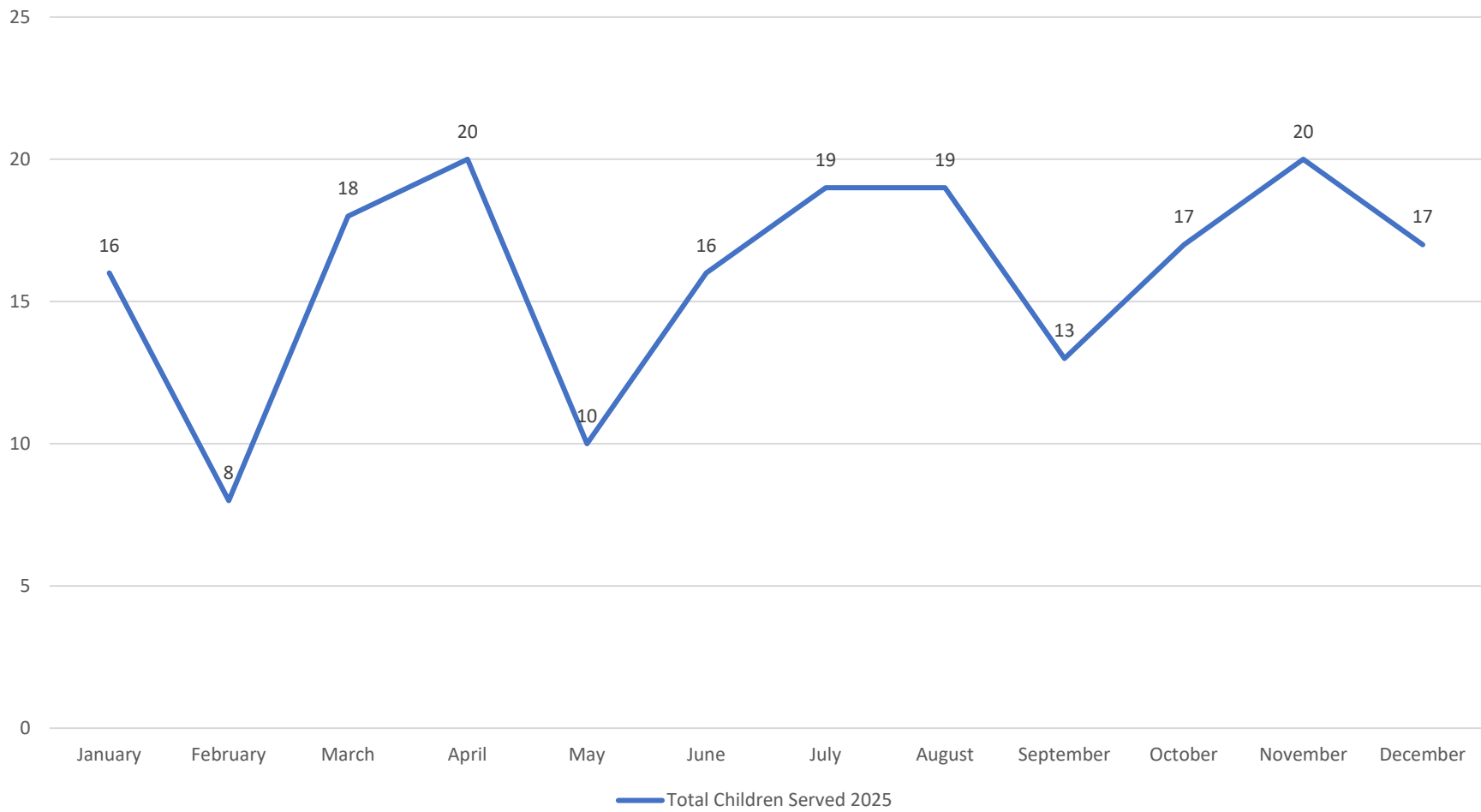
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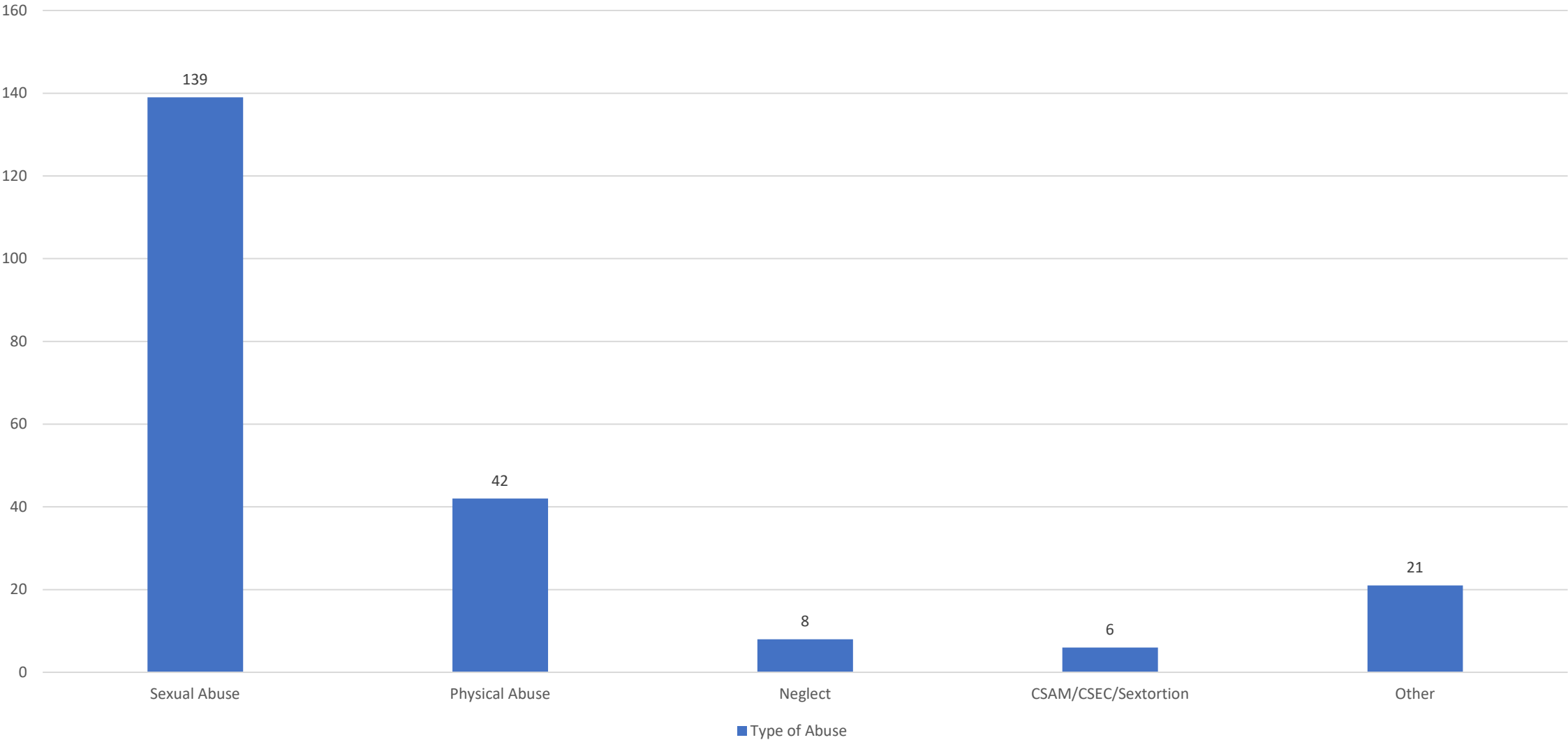
CHILD ADVOCACY CENTER

AT ISAIAH'S PLACE

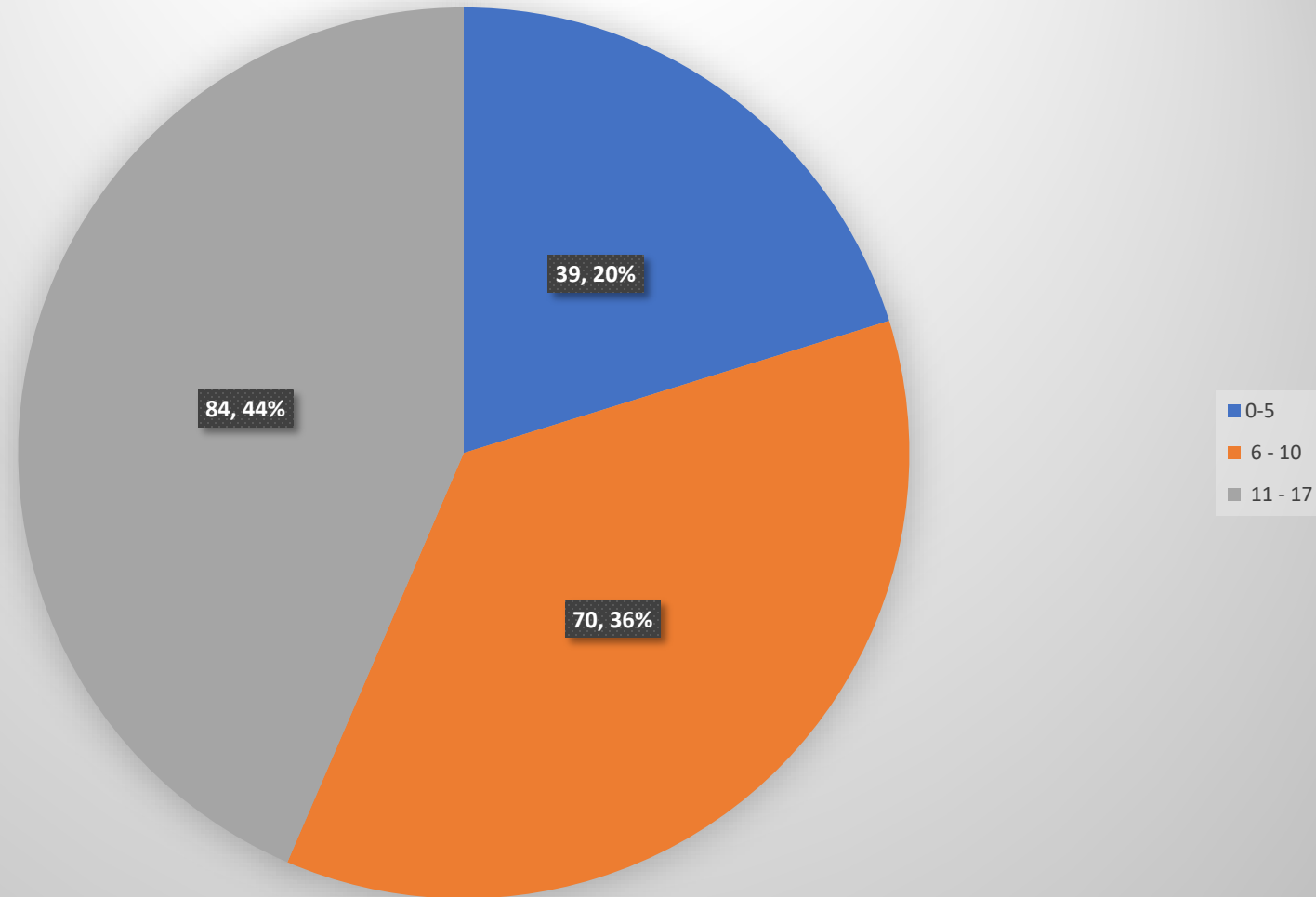
Total Children Served 2025: 193



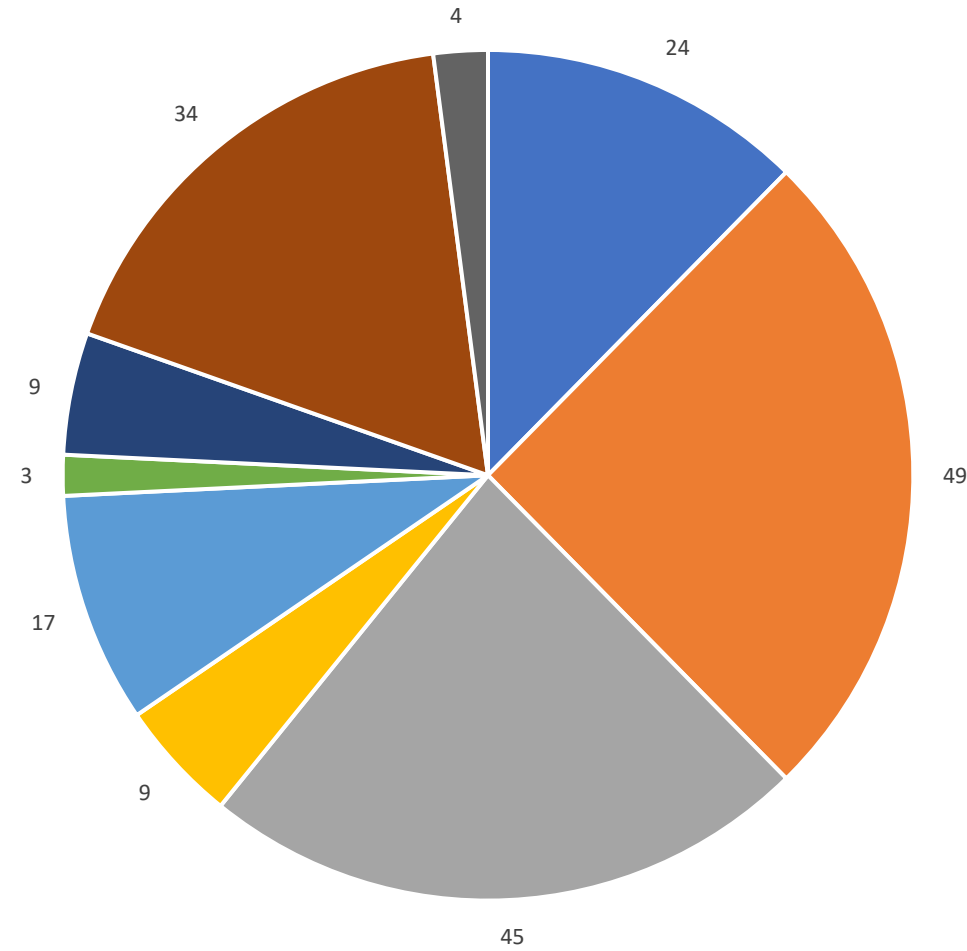
Type of Abuse 2025



Age

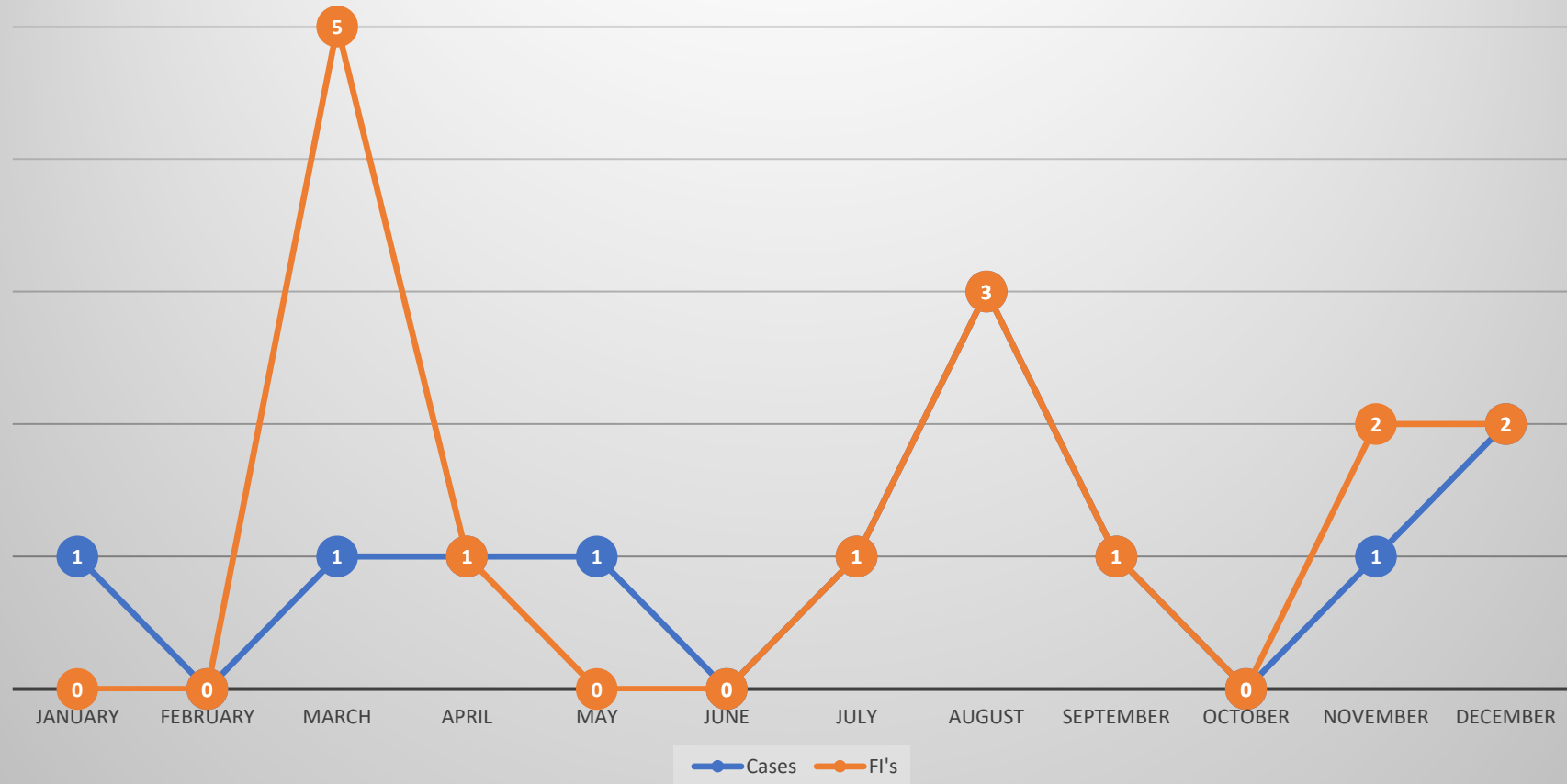


Jurisdiction 2025



■ Troy ■ Piqua ■ MCSO ■ Tipp City ■ West Milton ■ Covington ■ Champaign County ■ Other ■ None

West Milton 2025 Data



Highlights

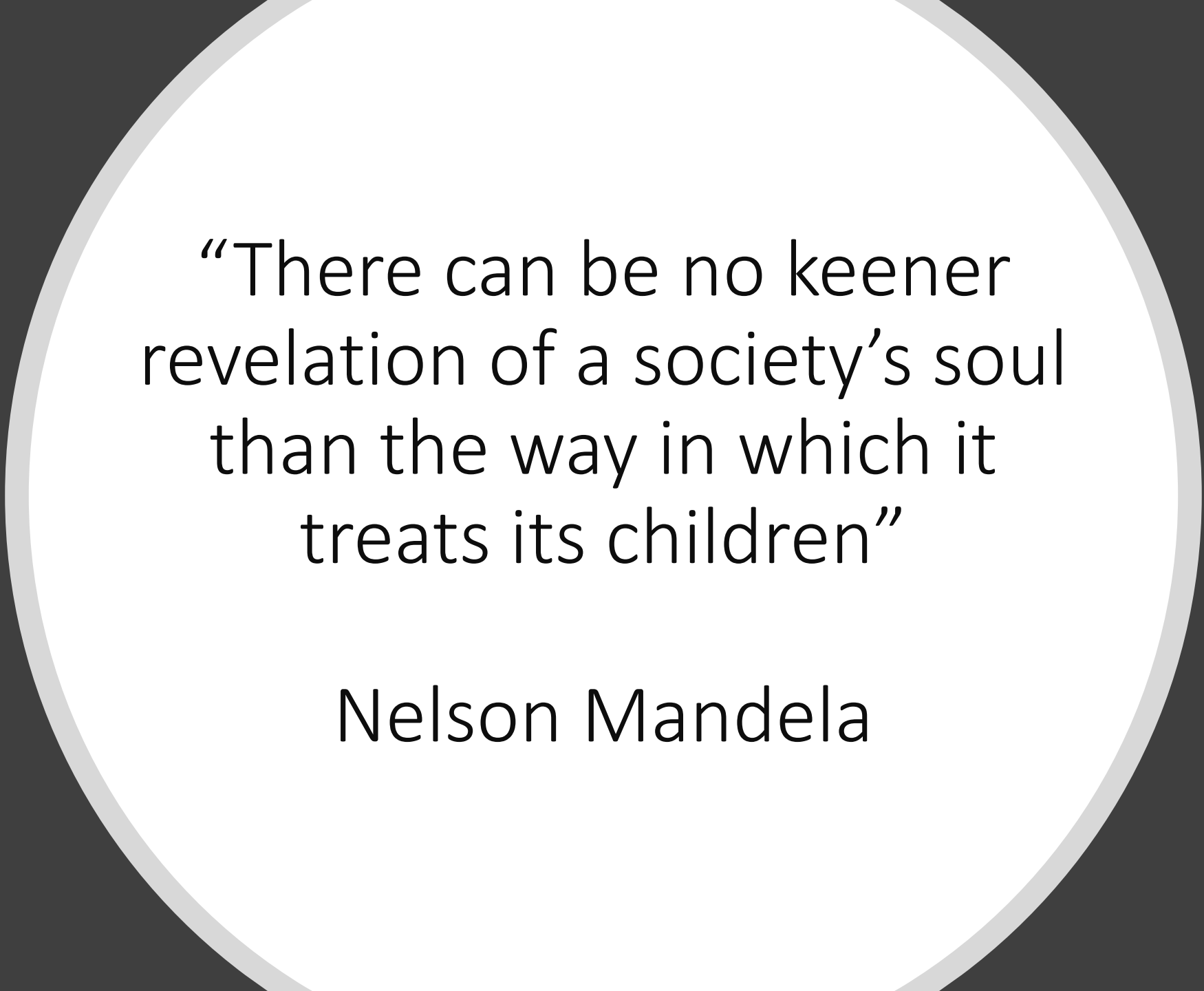
- Provided over 18 community presentations and trainings on Child Abuse 101, the CAC model and Mandated Reporting.
 - We were also out in the community! Hosting booths at the Made in Miami County Day for 8th grade students, United Way Fairs across the county and the JFS Trunk or Treat.
- Trained entire staff for Troy, Piqua and Tipp City Police Departments on the CAC response and collecting minimal facts interviews.
- Our staff attended the International Symposium on Child Abuse at the NCAC learning about the most current trends and research regarding best practice with these cases.
- Renewed contracts with 5 school districts to continue providing Child Safety Matters curriculum to assist in implementing Erin's Law; Troy, Covington, Bethel, Tipp City, Miami East.

Highlights

- Our therapist provided over 690 sessions of FREE Trauma-Based mental health services for over 56 children and saw 13 children successfully discharge from therapy.
- Diversified additional sources of funding to support costs for 2025/26.
 - Received federal grant from National Children's Alliance, state funding from ONCAC as well as local grants from the Opioid Settlement Grant, Miami County Foundation and the United Way. Participated in third annual "All in For Kids" fundraiser with Troy Rotary and Seeds of Hope OH to bring in additional financial support for operations.
- Average funding to serve a child nationally = \$2,579, locally our cost to serve a child is \$1,295. This highlights our fiscal responsibility, but also the need for additional staffing.

Caregiver Survey Comments

- “Kindness and no judgement”
- “How comfortable it was and how good they made us feel in a bad situation.”
- “How kind everyone was in making sure the kids were comfortable.”
- “I was able to open up about the problem.”
- “My daughter is getting the help she needs.”
- “Everyone was polite and clear about what was going on.”
- “Being understanding and listening.”



“There can be no keener
revelation of a society’s soul
than the way in which it
treats its children”

Nelson Mandela

THANK YOU for your support!



CHILD ADVOCACY CENTER

AT ISAIAH'S PLACE



MarketFirst

Rural Health Hub

Prepared by: Bradley Trostel - President, MarkeFirst LLC

Who We Are

MarketFirst LLC (MF) is a networking and consulting firm specializing in channel creation, management, and support. We effectively manage turn-key solutions and connect the dots for our customers to scale and grow their businesses.

Join us in this worthwhile pursuit to make a positive change to our rural communities!

Buffalo Pacific



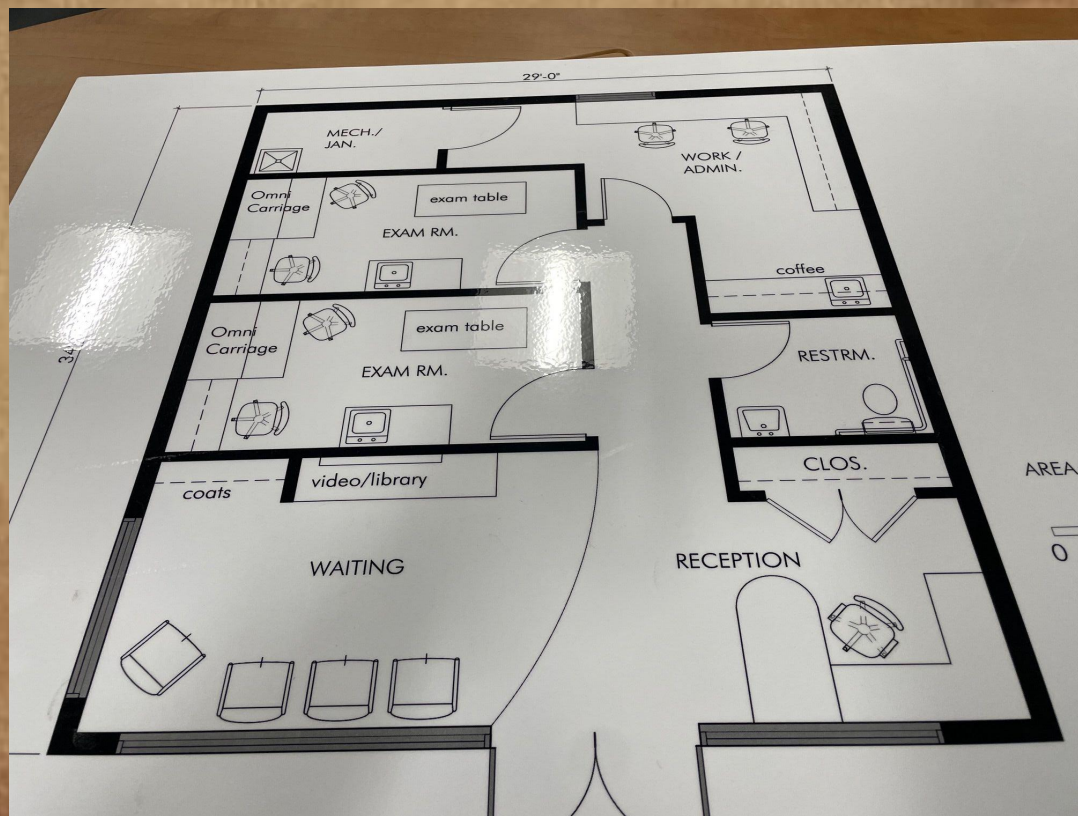
Who is Buffalo Pacific

Buffalo Pacific is a technology company and the creator of patented advanced OmniPresence 3D telepresence platforms providing enhanced connections and solutions for healthcare, financial services, and education through 'local community portals'.

Rural Health Portal - Omni Cottage



Suggested Blueprint



About the Omni Cottage

The Omni Cottage is a compact, community-based clinic that expands access to essential medical and behavioral health care in remote areas. Using advanced telemedicine, AI-assisted diagnostics, and portable lab equipment, the Omni Suite delivers timely, high-quality healthcare that improves health outcomes and reduces the need for long-distance travel.

Each Rural Health Hub Provides

3D holographic communication technology

AI-powered diagnostics

Optical vital scanning

Preventive screenings

Multilingual telehealth

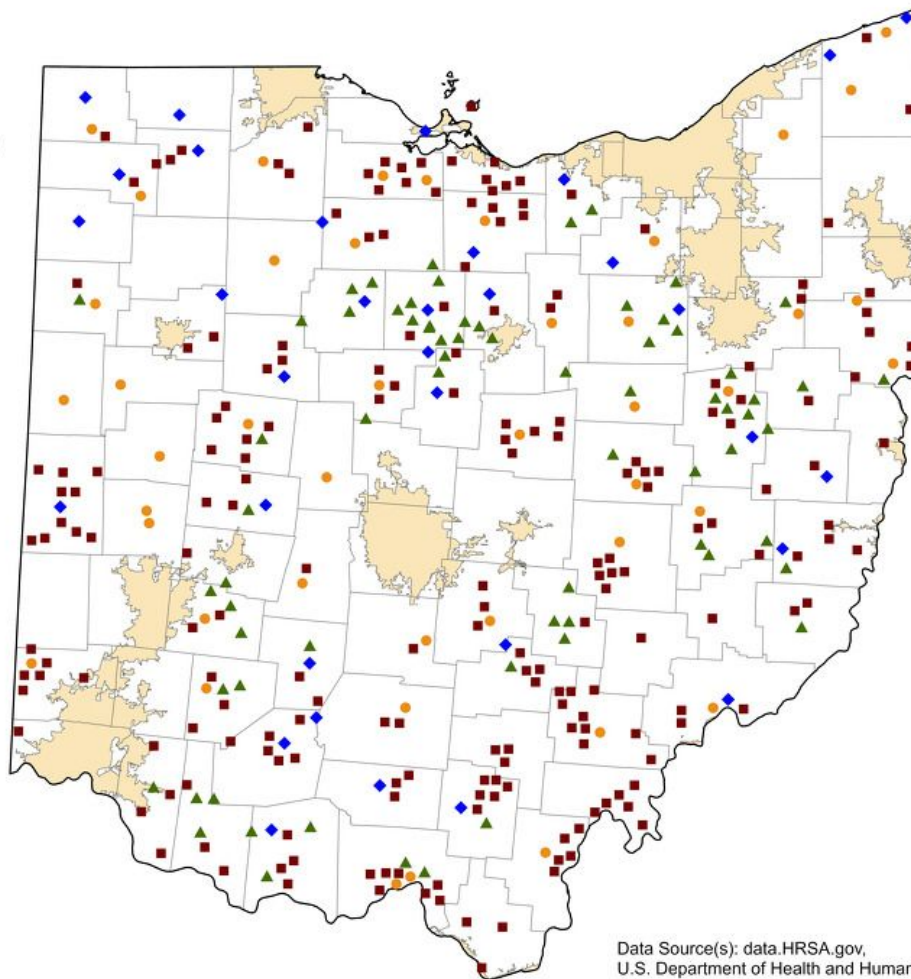
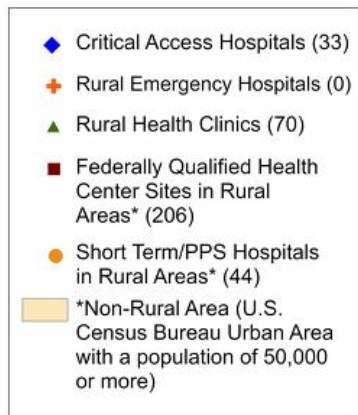
Mental health support (in development)

Multimodal specialty integrations

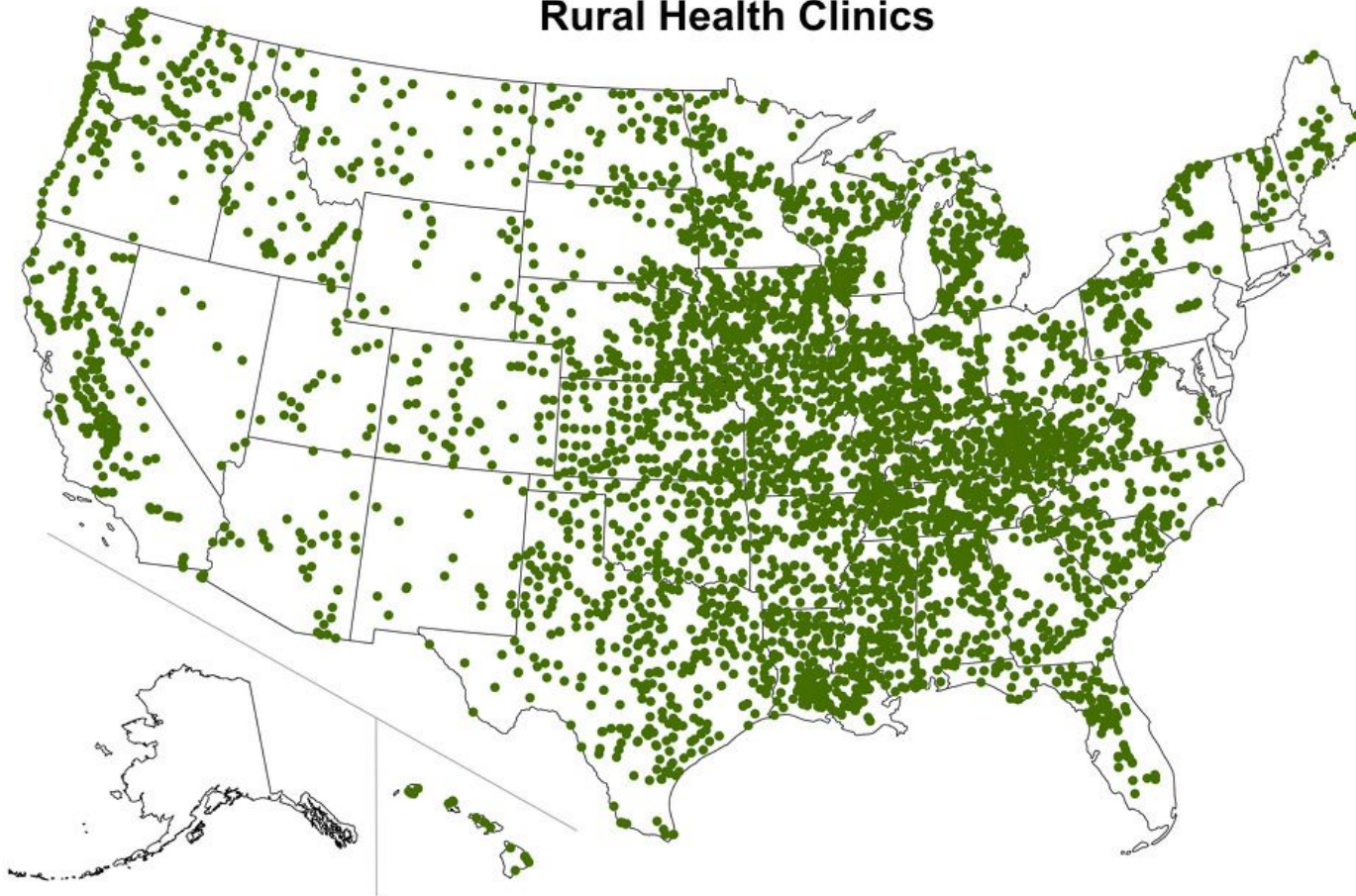
Omni Presence Tutorial



Selected Rural Healthcare Facilities in Ohio



Rural Health Clinics



Next steps

- **No - risk consultation and technology demonstration**
- **Memorandum of Understanding**
- **Project planning, management, and support**
- **Phased rollout to completion**

Omni Cottage (Rural Health Hub) Frequently Asked Questions (FAQ's)

Who is MarketFirst LLC?

MarketFirst LLC (MF) is a networking and consulting firm specializing in channel creation, management, and support. MarketFirst effectively manages turn-key solutions and connects the dots for our customers to scale and grow their businesses.

Who is Buffalo Pacific?

Buffalo Pacific is a technology company and the creator of patented advanced OmniPresence 3D telepresence platforms providing enhanced connections and solutions for healthcare, financial services, and education through 'local community portals'. Buffalo Pacific is also the licensor of said patented technologies.

Where is Buffalo Pacific Headquartered?

1149 Experiment Farm Road, Troy, Ohio 45373

What is an Omni Cottage?

The Omni Cottage is a compact, community-based clinic that expands access to essential medical and behavioral health care in remote and underserved areas. Using advanced telemedicine, AI-assisted diagnostics, and portable lab equipment, the Omni Suite delivers timely, high-quality healthcare that improves health outcomes and reduces the need for long-distance travel.

How Large is an Omni Cottage?

Omni Cottages range from 660 square feet to 3,000 square feet depending on the needs of the community. Omni Cottages can also be integrated into an existing building or structure. Many clients desire to offer medical facilities, behavioral health/rehabilitative solutions, and even financial services for their residents.

What Makes Our Patented Technology Different?

- 3D holographic communication technology
- AI-powered diagnostics and triage
- Optical vital scanning and biometric scanning
- Preventive screenings
- Early detection of breast cancer
- Multilingual telehealth in 167 languages
- Mental health support
- Multimodal specialty integrations
- Telemedicine capabilities for 25k patients per day
- Alien beds (med beds) for remediation therapy

Who Owns the Land for the Omni Cottage?

Typically local villages, municipalities, cities, or universities provide land allocated to their

organization. However, if public land is unavailable communities can work with local businesses or healthcare networks to implement an Omni Cottage free standing or within an existing building or structure.

How Long Does a Facility Installation Take?

This depends on the size and scope of the project. A small Omni Cottage can be constructed and equipped in 8-10 weeks where a larger unit may be closer to 12-20 weeks depending on the scope of the project.

Who Does the Omni Cottage Serve?

The Omni Cottage is designed to serve rural and underserved community residents. The breadth and scope of the technology solutions integrated in the portal will depend on project scope.

What Funding Options are Available?

3 options for financing

1- State grants are available to all 50 states for rural health initiatives. Recently the Trump administration released \$5B US for Rural Health Care initiatives. The grant money is passed down to the states and awarded to local applicable municipalities to enhance rural health and behavioral health initiatives. Ohio has been awarded grants reaching over \$200M US per year available (2026-2030) through the Ohio Rural Health Transformation Program.

2- Local communities can work with regional or national healthcare networks who will be willing to sponsor an Omni Cottage utilizing Buffalo Pacific's patented technologies.

3- Local communities can solicit local donors or receive funding from a lending institution with kickbacks to the local community for each patient served. For example, if the portal averaged 10 patients per day x 6 days a week and charged \$100 per patient that is \$6,000/weekly or \$312,000/annually to pay for staffing and maintenance (these numbers are only examples).

Who is Responsible for Funding?

The municipality or organization sponsor will be responsible for selecting and pursuing a funding option. MarkeFirst will assist from a consultative perspective concerning funding options and procurement.

Who is Responsible for Ongoing Maintenance of the Property After Construction?

The municipality or organization sponsor will be tasked with ongoing Omni Cottage and grounds maintenance and repair. VitalLynk will provide additional optional technical support for the Omni Presence solutions.

What are the benefits of an Omni Cottage (Rural Health Hub)

The Omni Cottage is a centralized model that brings together multiple healthcare and support services in underserved rural areas. These hubs can significantly improve both access and outcomes for communities that often face barriers to care. Here are the main benefits:

1. Better Access to Care

Rural areas often lack nearby hospitals or specialists. A health hub:

- Reduces long travel times for appointments
 - Provides multiple services in one location (primary care, mental health, pharmacy, etc.)
 - Improves access for people without reliable transportation
-

2. Integrated Services (Whole-Person Care)

Instead of fragmented care, patients can receive coordinated support:

- Primary care + behavioral health + social services
- Chronic disease management (like Diabetes or Hypertension) in one place
- Easier referrals and follow-ups

This leads to better long-term health outcomes.

3. Improved Health Outcomes

Because care is easier to access and more coordinated:

- Earlier diagnosis of conditions
 - Better management of chronic illness
 - Reduced hospitalizations and emergency visits
-

4. Workforce Support & Retention

Rural areas often struggle to attract healthcare workers. Hubs help by:

- Creating team-based environments (less isolation for providers)
 - Offering shared resources and infrastructure
 - Making rural practice more appealing to clinicians
-

5. Cost Efficiency

Health hubs can reduce overall healthcare costs by:

- Preventing expensive emergency care through early intervention
 - Sharing equipment and administrative systems
 - Improving efficiency through coordinated care
-

6. Use of Telehealth & Technology

Many rural hubs integrate telemedicine:

- Connects patients with distant specialists
 - Expands services without needing full-time on-site providers
 - Helps manage conditions like Depression or Heart disease remotely
-

7. Community-Centered Care

Rural health hubs often reflect local needs:

- Tailored programs (e.g., maternal health, substance use treatment)

- Health education and prevention initiatives
 - Partnerships with schools, farms, and local organizations
-

8. Emergency Preparedness

Having a central hub improves response to:

- Public health crises (like COVID-19)
 - Natural disasters
 - Local outbreaks
-

Bottom Line

A rural health hub isn't just a clinic—it's a **coordinated ecosystem of care** that makes healthcare more accessible, efficient, and community-focused in areas that need it most.

What are the Next Steps?

- No - risk consultation and technology demonstration
- Memorandum of Understanding
- Project zoning, planning, management, and support
- Phased rollout to completion and ribbon cutting ceremony

CHAPTER 53: GARBAGE, REFUSE AND RECYCLABLES

Section

- 53.01 Definitions
- 53.02 Illegal dumping
- 53.03 Storage of garbage, refuse and recyclables
- 53.04 Collections from householders
- 53.05 Collection of recyclables
- 53.06 Joint use of containers prohibited
- 53.07 Transportation of garbage, refuse and recyclables
- 53.08 Rubbish and garbage falling from conveyance
- 53.09 Operator care and diligence
- 53.10 Service and complaint
- 53.11 Permits for collection required
- 53.12 Trucks to display name of hauler
- 53.13 Wearing uniforms
- 53.14 Collection rates; bill payment
- 53.15 Uncollected garbage and refuse and recyclables
- 53.16 Placing refuse and recyclables for collection
- 53.17 Cleaning spilled materials
- 53.18 Hauling debris
- 53.19 Mandatory residential collection
- 53.20 Refuse fund
- 53.21 House Bill 592
- 53.22 Yardwaste disposal
- 53.23 Miami County solid waste district
- 53.24 Charges to be a lien
- 53.25 Municipal billing provisions
- 53.26 Appeals of water, sewer and refuse bills

- 53.99 Penalty

§ 53.01 DEFINITIONS.

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

APPROVAL or APPROVED. The object of reference shall meet the approval of all duly constituted authorities having jurisdiction therein.

COMMERCIAL OPERATOR. Persons, firms, partnerships or corporations who own or operate stores, restaurants, industries, institutions, and other similar places, public or private, charitable or noncharitable, and includes all responsible persons other than householders upon the premises upon which garbage or refuse or both is or are created or accumulated.

COMMERCIAL PERMITTEE. Any person, firm or corporation who, in compliance with terms of this chapter, has applied for and received a permit for collection of garbage, refuse and recyclables from commercial operators within the corporate limits of the municipality. The word **PERMITTEE** shall extend to and include the employees or agents of the principal who holds the aforesaid permit.

COMPOSTING. The breakdown of organic materials, such as leaves, grass, brush and other yard trimmings. Composting may be accomplished at the source as with backyard composting or at an approved facility in accordance with the Ohio Environmental Protection Agency composting rules and regulations contained at Ohio Administrative Code Chapters 3745-27 and 3745-37.

CONSTRUCTION AND DEMOLITION DEBRIS. A “special” waste generated by construction, alteration and demolition of buildings and are those materials that form the structure, or are directly affixed to the structure, such as brick, concrete, dry-wall, stone, glass, wall coverings, plumbing fixtures, electrical wiring, framing and finishing lumber and further defined in the Ohio Environmental Protection Agency construction and demolition debris regulations contained at Ohio Administrative Code Chapter 3745-27.

DEBRIS. Any nonputrescible waste such as earth, sand, stone, cinders, ashes, plaster or other substances which may result from construction or remodeling operations, or also known as construction and demolition debris.

DUMP, PRIVATE OR PUBLIC. Any place within the corporate limits of the municipality not controlled and supervised by the municipality and on which place or places garbage, rubbish, ashes, animal or vegetable refuse, dead animals, animal offal and waste matter of any kind, is regularly or irregularly deposited and also any place in which fires are started after any deposit as aforesaid is made, which fires gives off offensive or unwholesome odors.

GARBAGE. All putrescible wastes (except human excreta, sewage, and other water carried wastes) and shall include all vegetable and animal offal and carcasses of dead animals, and shall include all such substances from all public and private establishments and from all residences, excluding recyclables if a valid contract for their collection is in place, yard waste and construction and demolition debris.

HOUSEHOLDER. The head of a family or one maintaining separate living quarters and shall include owners, tenants, and occupants of all “residential” and “residential; multi-family” units where garbage, refuse and recyclables is or are created. Nothing in this definition shall be construed to apply to commercial operators as hereinafter defined.

RECYCLABLES. All items which are deemed recyclable by the municipality and are incorporated into the recyclable residential permittee’s exclusive contract. The items currently classified as recyclable include: aluminum and bi-metal cans, steel food cans, glass bottles (all colors), old news print, old corrugated cardboard, shipboard, paper boxes (cereal, shoe, detergent and the like), wet strength cardboard (pop and beer carriers), plastics (PET 1, HDPE2, V3).

REFUSE. Ashes, glass, crockery, rags and old clothing and all similar nonputrescible wastes. The words shall not include any material such as earth, sand, brick, stone, plaster or other substances that may accumulate as a result of construction or remodeling operations (construction and demolition debris) nor shall it include yard waste.

RESIDENTIAL. Single-family residences, duplex residential structures, twin-single residential structures, garage apartments, and apartment houses with not more than three residential units.

RESIDENTIAL; MULTI-FAMILY. Apartment houses with more than three units. Nothing in this definition shall be construed to apply to commercial operators as hereafter defined.

RESIDENTIAL PERMITTEE. Any person, firm or corporation who, in compliance with terms of this chapter, has applied for and received an exclusive permit for collection of residential garbage, refuse and/or recyclables within the corporate limits of the municipality. The word **PERMITTEE** shall extend to and include the employees or agents of the principal who holds the aforesaid permit(s).

YARDWASTE. Solid waste that includes only leaves, grass clippings, brush, garden waste, tree trimmings, holiday trees and/or prunings.
(Ord. CM-22-54, passed 12-13-2022)

§ 53.02 ILLEGAL DUMPING.

(A) No person shall deposit within the municipality any garbage, refuse, recyclables, debris, ashes, animal offal, animal or vegetable refuse, dead animals, or waste matter of any kind in any dump, private or public, which is not under control of the municipality.

(B) No one, other than the municipality, shall establish or permit to be established, maintained, or operated upon his or her property any private or public dump within the limits of the municipality.
(Ord. CM-22-54, passed 12-13-2022) Penalty, see § 53.99

§ 53.03 STORAGE OF GARBAGE, REFUSE AND RECYCLABLES.

(A) No household or commercial operator shall permit the accumulation of garbage, refuse and recyclables upon the premises for which he or she is responsible except in approved containers.

(B) All garbage for collection shall be kept in Municipality of West Milton standard volume OR low volume containers also known as "toters." Where practical, all garbage shall be drained of liquids and wrapped in paper before depositing in the garbage containers. Once filled, standard volume containers shall not exceed 300 pounds and low volume containers shall not exceed 150 pounds in weight. All garbage for containers shall be washed and disinfected as often as necessary to prevent nuisance.

(C) All other refuse for collection shall be stored in Municipality of West Milton "toters." The containers shall be of adequate capacity and provided in sufficient number to contain all refuse accumulating between collections. **All refuse set out for collection must be completely inside the refuse toter. Refuse set out beside the toter will not be collected.** Toters will not be emptied if they are not accessible. Toters must be placed in a location that is NOT blocked by vehicles, trees, signs, mailboxes, wires, etc. The refuse driver will NOT empty any container unless it is the toter provided by the Municipality of West Milton. No private containers will be emptied by municipal equipment. Toters should be placed for collection the evening before your scheduled collection day to avoid missed or return pick-ups. Toters shall be placed with the opening toward the street side. See directional arrow printed on the toter. Toters shall be kept free of combustible materials. Hazardous items shall not be placed in the toter and will not be collected such as liquid paint, chemicals, and auto batteries, etc. Large rocks and concrete will NOT be collected. If any of these items are placed in the toter for collection, the occupant utilizing the toter will be held responsible for damage to workers or equipment. Said resident will also be responsible for any additional unloading fees assessed to the Municipality of West Milton from the Miami County Solid Waste District. If the residents' toter is habitually overflowing on their refuse collection day, the Director of Service shall determine if a low volume toter must be replaced with a standard volume toter OR an additional standard volume toter is needed at said residence. Toters shall be removed from the right-of-way within 48 hours of the day the refuse was collected. **Refuse toters shall not be stored anywhere in the area considered as "frontage" (front yard) of businesses or residences. Exceptions can be made to this rule by the Director of Service. Reasons for exceptions include (but not limited to) frontage areas with specifically built toter storage areas that hide the toter from being seen. An example of another exception could include frontages where side or rear storage is not safe or possible.**

(D) Any large refuse items that will not fit into the residential standard volume or low volume toters shall be considered bulk refuse. Normal bulk refuse will be collected once per week on the date chosen by the Director of Service. Until curbside recycling is available, municipal staff shall encourage residents to self-deliver all cardboard to the recycling area for free disposal rather than set it out for bulk collection. During high bulk refuse periods, additional days of collection could be added. Bulk refuse can consist of the following, but not limited to furniture, appliances, mattresses, box springs, televisions, etc. **Specific items that CANNOT be collected during bulk collection include full sized pianos and full size spas.** All smaller bulk items set out for collection should not be loose. These items should be boxed, bagged or bundled. Loose metal or wood planks shall be bundled in three-to-five-foot lengths. Hazardous items will not be collected such as liquid paint, chemicals, and auto batteries, etc. Large rocks and concrete will NOT be collected. Bulk refuse will be collected in alleyways. Bulk collection is not intended for entire residential clean-outs. The Director of Service has the authority to deny bulk collection if it is deemed that the bulk quantity is too large. Each household will be limited to a certain number of bulk collections annually. This number will be set by the Director of Service with advice from the Mayor, Council and the Municipal Manager, and be monitored/adjusted if needed. After the set number is reached, the Municipality reserves the right to refuse collection or charge the householder a fee decided upon by the Director of Service and the Municipal Manager. (Ord. CM-22-54, passed 12-13-2022; Am. Ord. CM-23-56, passed 10-10-2023) Penalty, see § 53.99

§ 53.04 COLLECTIONS FROM HOUSEHOLDERS.

Collections of garbage and refuse and recyclables (if applicable) shall be made weekly throughout the municipality. The temporary closing of any street, alley or lane shall not be reason for the discontinuance of collections service to the areas so affected. Collections shall be made in accordance with schedules to be established, approved and provided to each property. Collections shall not be made on New Year's Day, MLK

Day, Memorial Day, July 4, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day, and the collection schedule for the weeks in which these days occur shall be so modified as to provide for community-wide collection in the days remaining in the week, Sunday excepted. Any other holidays shall be at the option of the permittee but must be approved by the municipality and handled as above.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.05 COLLECTION OF RECYCLABLES.

(A) Until a time if or when the Municipality of West Milton offers curbside recyclables collection, a recycling drop off station or stations will be provided for use by municipal residents 24 hours a day, every day of the year.

(B) All municipal recycling drop-off centers will have redundant signage detailing what recycling materials can be placed inside the available recycling containers. At said locations, flyers will also be available detailing what recycling materials can be placed inside the recycling containers.

(C) It is unlawful to place any items inside the recycling containers other than the materials listed on the signage and flyers posted at the recycling drop off center. The recycling containers are monitored by CCTV at all times.

(D) It is unlawful for persons living outside of the municipal corporation limits to utilize said recycling containers. Signage stating this shall be posted at recycling drop off centers.

(Ord. CM-22-54, passed 12-13-2022; Am. Ord. CM-23-02, passed 2-14-2023)

§ 53.06 JOINT USE OF CONTAINERS PROHIBITED.

The joint use of any garbage or refuse containers by any plural combination of householders or commercial operators is prohibited. The use of a refuse toter not belonging to said resident or commercial operator is also prohibited.

(Ord. CM-22-54, passed 12-13-2022) Penalty, see § 53.99

§ 53.07 TRANSPORTATION OF GARBAGE, REFUSE AND RECYCLABLES.

All garbage, refuse, and recyclables transported by municipal equipment on the streets or other public thoroughfares shall be in waterproof, all-steel, enclosed, compaction-type trucks, OR trucks equipped with tarps should container not be covered. The Municipality of West Milton shall provide apparatus and appliances for thorough cleaning and purification of the vehicles and shall keep same clean and sanitary.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.08 RUBBISH AND GARBAGE FALLING FROM CONVEYANCE.

Municipal operators, within the corporate limits, shall not allow or permit to escape from the vehicle any garbage, rubbish, ashes, refuse, waste paper, recyclables or waste matter of any kind.

(Ord. CM-22-54, passed 12-13-2022) Penalty, see § 53.99

§ 53.09 OPERATOR CARE AND DILIGENCE.

Municipal operators shall exercise all reasonable care and diligence in handling the municipal containers. The municipality will provide and maintain suitable totes, and the municipal operators must exercise due care in preventing damage thereto. The municipal operator must report to the Service Director any violations of trash storage ordinances or any unsanitary conditions.

(Ord. CM-22-54, passed 12-13-2022) Penalty, see § 53.99

§ 53.10 SERVICE AND COMPLAINT.

Any complaints to the Service Director or Municipal Manager must be given prompt and courteous attention. In case of a missed scheduled collection, the municipal operator shall investigate and, if verified, shall arrange for pick-up of the refuse within 24 hours after the complaint is received. It is recognized that in rendering this type of service to the public it is impossible to avoid some service complaints whether justified or unjustified, and if it is shown that the municipal operator is performing with reasonable diligence the service requirements as a whole, it shall be construed that the performance requirements as to service have been met.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.11 PERMITS FOR COLLECTION REQUIRED.

No person shall engage in the business of hauling rubbish, garbage or recyclables within the corporate limits of the municipality unless he or she first obtains a permit therefor from the Municipal Manager.

(Ord. CM-22-54, passed 12-13-2022) Penalty, see § 53.99

§ 53.12 TRUCKS TO DISPLAY NAME OF HAULER.

Each municipal truck used in the collection of refuse, garbage or recyclables shall display the name of the municipality.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.13 WEARING UNIFORMS.

All employees of the Municipality of West Milton engaged in actual collection of the garbage, refuse and recyclables will be required to wear uniforms, be well-groomed and perform duties in a respectful manner.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.14 COLLECTION RATES; BILL PAYMENT.

(A) Payment to the municipality shall be made by the customer no later than the established due date which appears on the bill. Types or classes of service which arise after approval of the rate schedule and are not included in or comprehended at the time of schedule approval, shall be charged for in accordance with the discretion of the Municipal Manager until Council approves the rate for the type or class of service.

(B) The municipality shall charge each householder, tenant, or owner the rate established by the contract(s) multiplied by the number of separate residential units. Thus a duplex would be charged two times the current rate. A six unit residential; multi-family building would be charged six times the current rate.

(C) Any property which will be vacant for greater than three months shall be able to suspend trash service and billing. The householder, tenant, or owner shall complete the necessary municipal form and submit it to the municipality for approval. If the property is no longer vacant, billing for services shall resume, even if no refuse is collectable.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.15 UNCOLLECTED GARBAGE AND REFUSE AND RECYCLABLES.

The Municipality of West Milton shall not be required to collect garbage, refuse or recyclables from any householder or commercial operator who is in arrears for a period exceeding one quarter. Each householder or commercial operator shall have his or her garbage removed for disposal at least once each week and as often as necessary to prevent putrefaction, noxious odors or the attraction of rodents and insects. Fermenting, putrefying or odoriferous garbage, refuse or recyclables in containers or dumped in the open shall be prima facie evidence of violation of this chapter.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.16 PLACING REFUSE AND RECYCLABLES FOR COLLECTION.

Refuse and recyclables (if applicable) containers shall be placed for collection in the right-of-way, off of the street and at the curb line (greenspace if available). Unless approved by the Director of Service, refuse collection will NOT take place on nonresidential streets to include alleyways. Placement of refuse for collection shall be the responsibility of the householder, tenant, or property owner.

(Ord. CM-22-54, passed 12-13-2022; Am. Ord. CM-23-54, passed 10-10-2023)

§ 53.17 CLEANING SPILLED MATERIALS.

Municipal refuse collection equipment shall be equipped to clean up and collect any waste material/liquids that exit the refuse truck during operations. Toters that are overflowing refuse and/or containing liquids that exit the container prior to or at the time of being emptied will be the responsibility of the customer/container “user” for clean-up.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.18 HAULING DEBRIS.

The municipality acting under the terms of this chapter shall NOT be required to collect and dispose of any materials which do not comply with definitions of garbage, refuse, recyclables. This provision, however, shall not prohibit the municipality from hauling any debris not defined as garbage or refuse or recyclables.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.19 MANDATORY RESIDENTIAL COLLECTION.

(A) Each and every residential and residential; multi-family householder shall be required to contractually obtain, and pay for garbage, refuse and recycling collection (if applicable) from the municipality in accordance with this Code of Ordinances. A landlord may pay for all residential and residential multi-family householders under his control at the rates established by the contract(s).

(B) The municipality shall individually bill each residential and residential; multi-family householder in accordance with this Code of Ordinance.

(C) In the event of a mixed residential and commercial use of a building, the householders shall comply with divisions (A) and (B) above. The commercial operator must contract with a permitted commercial permittee for its garbage and refuse collection in accordance with this Code of Ordinances, with the exception as listed in division (D).

(D) Commercial properties who wish to use toters may contract with the municipality for service. Accessibility of collection shall be considered prior to approval of such service. If adequate collection areas are not feasible, service will be denied. The volume of toters and refuse from commercial properties shall be reasonable and is subject to the municipality's discretion for service.
(Ord. CM-22-54, passed 12-13-2022)

§ 53.20 REFUSE FUND.

A Refuse Fund shall be established to deposit funds for the sole purpose of having the necessary funds available to provide for the collection of garbage, refuse and recyclables within the municipality.
(Ord. CM-22-54, passed 12-13-2022)

§ 53.21 HOUSE BILL 592.

(A) H.B. 592 required the Director of the Ohio EPA to establish restrictions on the types of solid wastes disposed of by landfilling for which alternative management methods are available. The Director of Ohio EPA established restrictions on yard waste, waste tires and lead/acid batteries to prohibit them from disposal in solid waste landfills and combustion in incinerators.

(B) The following table details the Director's implementation schedule:

<i>Restricted Waste Stream</i>	<i>Implementation Date</i>
Whole waste tires	January 1, 1993
Lead-acid batteries	January 1, 1993
Yard waste	December 1, 1993
Shredded and whole waste tires*	January 1, 1995
*Restriction does not apply to shredded tires disposed at monofills and monocells (within sanitary landfills).	

(C) Compliance with H.B. 592 is required by all commercial operators, commercial permittees, householders, residents and residential permittees.
(Ord. CM-22-54, passed 12-13-2022)

§ 53.22 YARDWASTE DISPOSAL.

(A) Residential properties shall have the option to create a backyard composting facility for the disposal of yard waste. All home backyard composting facilities shall comply with the Department of Health's requirements, OEPA requirements and not violate West Milton's nuisance sections.

(B) Various private, commercial, and other parties may create various programs/composting facilities to dispose of yard wastes. These programs/composting facilities must comply with the Department of Health's requirements, OEPA rules, the Ohio Administrative Code, and not violate West Milton's nuisance sections. The municipality may encourage voluntary per bag programs to dispose of yard waste through the private sector. The Municipality of West Milton may set dates for yard waste to be hauled by residents and dropped off at a site chosen by the Director of Service. The Municipality of West Milton will establish one day per week, Monday through Friday, for the collection of bagged yard waste, limbs, Christmas trees, etc. All yard waste to be collected MUST be bagged or bundled with the exception of leaves that are collected during the annual leaf collection program. All loose yard waste set out for collection shall be placed in a bag made of paper and designed to hold both wet and dry materials without easily breaking open. Bags must be of a reasonable weight where one person can easily load the bag onto a truck or trailer for removal bags made of plastic will not be accepted. The municipality may offer suitable yard waste bags to residents free or charge. The number of free bags given to each resident may vary and will be decided by the Director or Service. Bundles of yard waste such as sticks/branches shall be bundled (maximum of five-foot lengths) and tied securely for easy collection/removal.

(C) Should a weather event occur such as a windstorm or ice storm the Director of Service may direct municipal crews to provide assistance in collection of vegetation (tree) debris from the right of way after residents have moved these materials to the right-of-way. In this event, these organic materials will not have to be bagged or bundled.

(Ord. CM-22-54, passed 12-13-2022; Am. Ord. CM-23-55, passed 10-10-2023)

§ 53.23 MIAMI COUNTY SOLID WASTE DISTRICT.

(A) H.B. 592 established the provisions to create solid waste districts. Miami County has created a single county solid waste district, and the municipality of West Milton supports and will participate in this solid waste district.

(B) When the law requires, all garbage refuse and construction and demolition debris shall be taken to the county transfer station, or other designated facilities.

(C) Yard waste and recyclables are exempt from these flow control restrictions.
(Ord. CM-22-54, passed 12-13-2022)

§ 53.24 CHARGES TO BE A LIEN.

All charges for garbage, refuse, and recycling (if applicable) to which the service is rendered is made a lien upon the corresponding lot, parcel of land, building or premises served by or having the use or availability services. If the charge is not paid when due and payable, it shall be certified to the Auditor of Miami County who

shall place the charge on the tax duplicate as a tax lien or assessment against such lot, parcel of land, building or premises with interest and penalties allowed by law. The charge shall be collected in the same manner and at the same time as other taxes are collected.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.25 MUNICIPAL BILLING PROVISIONS.

(A) A bill for refuse and recycling (if applicable) services will be issued for each billing period, as defined in § 52.003. A combined water, sewer, refuse and recycling (if applicable) bill will be issued.

(B) Customers will be billed for the current month of service, plus additional totter(s) costs. The monthly charge is an operational charge and will not be prorated. All charges rendered shall be paid by the fifteenth of the month. Should the fifteenth of the month fall upon a weekend or holiday, the next business day will become the final date for net payment. After this date, a 10% penalty shall be charged.

(C) Customers whose bill has not been paid by the end of the month in which the bill was sent shall be issued a delinquent notice. If payment has not been received prior to the shut off date listed on the bill, a \$30 service fee shall be levied on the account and customers shall be required to pay the entire account balance to avoid water disconnection. The customer has the right to appeal the disconnection in accordance with § 53.26. If no appeal has been filed in accordance with § 53.26, and payment has not been received by the shut off date, water service shall be disconnected without further notice and an "off and on" fee of \$20 shall be the charge.

(D) Customers that are disconnected due to non-payment are required to pay the entire account balance, including fees, before water service is restored.

(E) If a final bill is generated for the property, the monthly charge will not be prorated and the entire operational charge shall be billed.

(F) The municipality shall endeavor to give proper notice of refuse and recycling charges (if applicable) but by law cannot guarantee delivery of mail. Failure to receive notice by mail shall not excuse customers from prompt payment of charges. It shall be the established policy of the municipality to accept only total and complete payment for charges billed.

(G) All garbage, refuse and recycling charges are payable at the municipal office to the Director of Finance, or to an agent thereof.

(H) The billing rate per residence or customer for regular refuse removal will be as follows:

- (1) \$24.10 for standard volume per month per household.
- (2) \$22.20 for low volume per month per household.
- (3) \$2.50 for extra totter receptacle (standard or low volume) per month per household.

(I) Owners of property shall be held responsible for refuse and recycling charges (if applicable) to their premises, but payments will be accepted from tenants. The bill shall be sent to the same person, individual, firm, corporation who receives the water and sewer bill.

(J) Owners and landlords of a residential multi-family property may request a separate account for only refuse and recycling (if applicable) charges. This type of account shall follow all sections of this code as required for other customers. Customers shall sign up for refuse and recycling service (if applicable) at the same time as sign up for water and sewer service.

(Ord. CM-22-54, passed 12-13-2022)

§ 53.26 APPEALS OF WATER, SEWER AND REFUSE BILLS.

(A) The Finance Director shall hear any and all appeals of any charges contained on the water, sewer, and refuse bill, including the penalty therein; any “on and off charges”; and any shut-off order.

(B) Any interested person feeling aggrieved by any matter contained in division (A) above may appeal such charge, penalty, or order directly to the Finance Director in writing prior to the payment of such water, sewer, or refuse bill by the fifteenth of the month in which the bill is due, or within such additional reasonable amount of time as determined by the Finance Director.

(C) The Finance Director shall affirm, modify, or revise any such bill, shut off order, on and off charge or decision or action of the municipal staff which is being appealed and direct such appropriate corrective action to be taken not later than 15 days following the filing of the appeal.

(D) Upon filing of the appeal pertaining to any shut off order, the Finance Director may, but shall not be required to, suspend, or delay any such shut off order, or may order the resumption of services until the appeal has been decided, upon the condition that all future charges not appealed are paid.

(E) No appeal shall be affected by any payment of charges or payment of any on and off charges, even if payment is made after the appeal is filed. As part of the decision regarding the appeal, the Finance Director may order refunds or credits for payments which have been made on disputed accounts.

(F) Should the interested person still feel aggrieved by the decision of the Finance Director, that person may make a final appeal to the Municipal Manager. The final appeal process shall follow the same guidelines as laid out in divisions (B) through (E).

(Ord. CM-22-54, passed 12-13-2022)

§ 53.99 PENALTY.

Whoever violates any of the provisions of this chapter for which no other penalty is provided herein, is guilty of a minor misdemeanor on a first offense and shall be fined not more than \$100; on a second offense and each subsequent offense, the person is guilty of a misdemeanor of the fourth degree, and shall be fined not more than \$250 or imprisoned not more than 30 days, or both.

(Ord. CM-22-54, passed 12-13-2022)



West Milton First Responder Grant Program

Purpose: The Village of West Milton is committed to ensuring the health and safety of its residents through strong emergency response services. This grant is intended to bolster the operational budgets of police, fire, and rescue departments, specifically focusing on improving equipment and service delivery to meet the growing demands for public safety. Grant funds may be used for additional equipment needs or areas that can benefit the safety and services provided by organizations providing first responder services to the Village of West Milton, Ohio.

Objectives:

- Strengthen police, fire, and rescue departments' ability to respond effectively to all emergency calls.
- Enhance service delivery through improved equipment, training, and service delivery.

There is \$50,000.00 in grant funds available. The deadline to submit a grant application for funding is May 1, 2026. Grant recipients will be notified by July 1, 2026. Grant funds will be reimbursed once expenses have been incurred. Should grant funds be awarded to the Village of West Milton's Police and/or Fire Department, the amount awarded shall be internally moved into the applicable expense account. All funds must be used by December 31, 2026. A completed grant report must be submitted by March 1, 2027.

Procedures

Applications are currently being accepted for grant funds and will be evaluated by the Village of West Milton's Grants Committee, with final grant approval to be approved by the Village of West Milton Council.

- Applicants will be notified after the West Milton Village Council has met regarding the approval or denial of their requests.
- Only fully completed grant applications will be accepted.
- Type or print the application clearly. Additional pages may be attached if necessary.

- Application needs to include:
 - A detailed budget outlining how the funds will be used.
 - Explanation of needs and how the funds will be used to improve service delivery
 - Description of specific challenges the grant will help address.
 - How the project will be evaluated.
- A grant may be awarded for less than the amount requested, depending on the number of applications received and the information provided in the application.
- Approved grants will be paid directly to the grant recipient only. No payments will be made directly to vendors.
- Should plans for an approved grant be changed, the Village of West Milton must be notified in writing and must approve said changes(s).

Applications can be sent to:

Village of West Milton

Attn: Ben Herron, Village Manager

701 S Miami Street

West Milton, Ohio 45383

Or emailed to Ben Herron: herron@westmiltonohio.gov

The deadline to submit a grant application for funding is May 1, 2026. Grant recipients will be notified by July 1, 2026.

If application is approved, the awarded organization must agree to the following:

- Submit a final grant report within 30 days of the completion of the project outlining accomplishments, challenges, and proof of completion.
- Please include supporting collateral such as any tangible proof of a direct benefit of the grant, copies of invoices, etc.



West Milton First Responder Grant Application

There is \$50,000.00 in grant funds available. The deadline to submit a grant application for funding is May 1, 2026. Grant recipients will be notified by July 1, 2026.

Date ____ / ____ / ____

Project

Name _____

Organization Applying for

Grant _____

Contact Name _____

Email _____

Address _____

Phone _____

City _____, OH Zip

Code _____

All applications will be evaluated as submitted until program funding is exhausted or the deadline is reached. This does not mean that priority will be given based on the date received. Applications will not be reviewed until the deadline has been met.

Planned Completion Date ____ / ____ / ____ (Funds must be used by December 31, 2026)

Grant Amount Requested _____ Total Project

Budget _____

Questions: Please answer in the space provided or attach an additional page if necessary.

What is the purpose of your grant request? How will you be using the funds? What problem will be solved or addressed through the use of these grant funds?

What are your goals for the grant funds? How will the use of the funds enhance your services?

How will you track the results of the use of the grant funds?

Please provide a budget for the program / equipment for the grant funds.

By submitting the application, you agree to the guidelines, terms, and conditions set forth by the Village of West Milton.

_____	_____
Printed Name	Company/Organization Name

_____	_____/_____/_____
Signature	Date

Vacant Property and Building Registration

§ 98.20 VACANT PROPERTY AND BUILDING REGISTRATION: 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.

§ 98.201 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.

(G) "Vacant commercial unit." An individual ground-floor or street-facing commercial space within a building containing two or more distinct units (whether commercial, residential, or mixed-use) that meets any of the following conditions:

(1) The commercial unit has been unoccupied and unused for commercial purposes for a period exceeding ninety (90) consecutive days;

(2) The commercial unit has had utilities disconnected or discontinued for a period exceeding ninety (90) days, unless the unit shares a utility connection with an occupied portion of the building and utilities remain active;

(3) The commercial unit is secured by other than normal means; or

(4) The commercial unit shows evidence of vacancy as defined in subsection (F) of this section.

A commercial unit may be classified as vacant under this subsection regardless of the occupancy status of any other unit within the same building or structure. The determination of whether a space constitutes a distinct commercial unit shall be made by the Municipal Manager or his/her designated agent based on the

presence of a separate street-facing entrance, separate lease history, or separate tax parcel or unit designation. A building containing one or more vacant commercial units and one or more occupied units shall not, solely by reason of the occupied units, be exempt from the requirements of this chapter as they apply to the vacant commercial unit(s).

§ 98.202 VACANT PROPERTY/BUILDING REGISTRATION.

(A) The owner shall register with the Municipal Manager, or his/her designated agent, not later than 60 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 Ohio, the name, address and email address(es) of any third party who resides in Ohio, 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 and service of process relating to the property and conformance of any and all ordinances, and to authorize emergency repairs when necessary to protect public health and safety;

(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, to include a construction schedule and necessary permits, which includes starting within 30 days of acceptance of the proposed demolition plan and does not exceed one year, with the agreement that the Municipal Manager, or his designated agent, shall be provided with progress

updates at 90 day intervals and any extension requests must demonstrate progress on the property and be approved by the Planning Board; 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, to include a construction schedule and the necessary permits. The rehabilitation plan timeline shall not exceed 12 months from the time the owner obtains permits, unless the Planning Board grants an extension upon receipt of a written statement from the owner detailing the progress that has been made on the plan and 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.

(C) The property owner and/or designated agent/manager shall be available to be contacted by the Municipality Monday through Friday between 9:00 a.m. and 5:00 p.m., legal holidays excepted. The property owner and/or designated agent/manager shall place a sign in a window of the vacant property facing the street and said sign shall be visible from the street. Owners of a vacant single-family residential building are exempt from this posting requirement. The posting shall be no less than 18 inches by 24 inches and shall be of a font that is legible from a distance of 45 feet. The posting shall contain the following language with supporting information:

“THIS PROPERTY IS MANAGED BY _____ AND IS INSPECTED ON A REGULAR BASIS. THE OWNER AND/OR PROPERTY MANAGER CAN BE CONTACTED BY TELEPHONE AT _____ OR BY EMAIL AT _____.”

(D) Registration of Vacant Commercial Units in Mixed-Use Buildings. The registration requirements of this section shall apply to individual vacant commercial units as defined in §98.201(G), in addition to vacant buildings as defined in §98.201(E). Where a building contains both occupied and vacant units:

(1) The owner shall register each vacant commercial unit separately, identifying the specific unit(s) by street address, suite or unit number, or physical description sufficient to distinguish the unit from occupied portions of the building;

(2) Registration fees assessed under §98.204 shall apply to each vacant commercial unit individually. Fees shall not be assessed against occupied portions of the building;

(3) Maintenance and security requirements under this chapter shall apply to the vacant commercial unit, including but not limited to: maintaining the storefront facade, display windows, entrance, signage area, and any exterior elements visible from the public right-of-way in a condition consistent with the standards of Chapter 98;

(4) The vacant building plan required under §98.202(b)(5) shall address the owner's intentions for the vacant commercial unit specifically, including a timeline for marketing, rehabilitation, or re-occupancy;

(5) Exemptions under §98.205 shall apply to individual vacant commercial units on the same terms as they apply to vacant buildings, provided the exemption criteria are met with respect to the specific unit.

§ 98.203 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.

§ 98.204 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 \$250.00. If there is a second Notice that 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 \$250.00. If there are any further Notices that 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 Notices, the owner shall pay an annual fee of \$500.00.

(B) The owner of a vacant two-family and/or multi-family residential building shall pay an annual fee of \$500.00. for the first year the building remains vacant, an annual fee of \$1,000.00 for the second year the building remains vacant, and an annual fee of \$2,000.00 for the third year the building remains vacant and for each year thereafter that the building remains vacant.

(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 \$500.00. for the first year the building remains vacant, an annual fee of \$1,000.00 for the second year the building remains vacant, and an annual fee of \$2,000.00 for the third year the building remains vacant and for each year thereafter that the building remains vacant.

(D) The owner of a vacant industrial shall pay an annual fee of \$1,000.00. for the first year the building remains vacant, an annual fee of \$2,000.00 for the second year the building remains vacant, and an annual fee of \$4,000.00 for the third year the building remains vacant and for each year thereafter that the building remains vacant.

(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 the penalties as prescribed in Section 98.207. All subsequent annual fees shall be paid by the first day of the subsequent year. Failure to pay annual fees on time shall result in the owner being subject to the penalties prescribed in Section 98.207.

(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.

§ 98.205 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. This exemption shall also apply to individual vacant commercial units under §98.201(G) where the owner demonstrates that active renovation of the specific unit is underway with a valid 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 at fair market value and within 30 percent of the auditor's assessed value, 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. If the owner or owner's representative wish to continue to list the building after the 12 months have expired, the Planning Board shall review the matter to determine if the exemption shall remain in place and the length of any exemption if granted.

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

§ 98.206 APPEALS.

Any owner who is served a notice of vacant property registration may, within thirty (30) calendar days of the date 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.

§ 98.207 PENALTY.

An Official Notice of delinquent fees shall be posted on the structure, which shall not be removed until the vacant building is registered and all fees and penalties are paid in full. In addition, a notification letter will be sent informing the owner of registration requirements. Notice under this subsection is sufficient if it is deposited in the mail, first class, to the last known owner or entity in control of the property on the records of the Miami County Auditor at the time of notification. Failure to make registration within thirty (30) business days from the date of notice shall result in the additional assessment penalty of \$250.00 for residential and \$1,000.00 for two-family and/or multi-family residential structures,

as well as commercial and industrial structures, per building in addition to the annual registration fee. The Municipality can then certify to the County Auditor the registration fee pursuant to 98.204. Such amounts can be entered upon the tax duplicate and can be a lien upon such lands from the date of entry, and can be collected as other taxes and returned to the General Fund as provided by Ohio R.C. 731.54. In addition to the above, such amounts (penalties/fees) are also considered a debt collectible and the unpaid debt can also be collected in accordance with other remedies available under Ohio law.

Further, in addition to the above penalty, whoever violates or fails to comply with any of the provisions of Sections 98.20 through 98.205 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.