

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

**ORDINANCE CM-22-37**

Ordinance No. \_\_\_\_\_

Passed November 8<sup>th</sup>, 2022

## **AN ORDINANCE AMENDING SECTION 50.15 OBSTRUCTION OF GUTTERS FORBIDDEN OF THE WEST MILTON CODIFIED ORDINANCES**

**WHEREAS**, the Municipality of West Milton, Ohio has increasingly dealt with the issue of grass clippings, yard waste and other loose matter being placed in the gutter, street and right-of-way of the municipality, which in turn run into the sewer; and

**WHEREAS**, the Municipal Manager, along with the Director of Service is requesting that such items be included in Section 50.15 in order to alleviate the stress and damage to the sewer system.

**NOW, THEREFORE**, Be it Ordained by the Council for the Municipality of West Milton, Ohio, that:

**SECTION I:** Council hereby amends Section 50.15 of the West Milton Codified Ordinances to read as follows:

### **§ 50.15 OBSTRUCTION OF GUTTERS, *STREETS, PUBLICLY OWNED PROPERTY AND PUBLIC RIGHT-OF-WAYS* FORBIDDEN**

- (A) No person shall place any rubbish, dirt, ***grass, weeds, leaves, yard waste, filth or loose matter of any kind*** in or on the gutters, ***streets, public owned property or right-of-ways*** of the municipality or having placed the same thereon, or if the dirt, rubbish, ***grass, weed, leaves, yard waste, filth or loose matter of any kind*** shall mash or accumulate therein shall permit it to remain to the annoyance or inconvenience of any person.
- (B) Nothing in this section shall be construed so as to interfere with parties who have a permit from the Municipal Council to occupy the gutter temporarily for the improvement of abutting property.

**SECTION II:** This Ordinance shall be effective on and after the earliest date permitted by law.

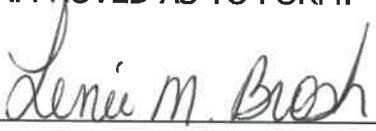
Passed this 8<sup>th</sup> day of November, 2022

  
Anthony Miller, Mayor

ATTEST:

  
Laura Wright, Clerk of Council

APPROVED AS TO FORM:

  
Lenee' Brosh, Law Director

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

**ORDINANCE CM-22-38**

Ordinance No. \_\_\_\_\_

Passed

November 8<sup>th</sup>, 2022

## **AN ORDINANCE AMENDING CHAPTER 50 STREETS AND SIDEWALKS, SECTION 50.99(A) PENALTY OF THE WEST MILTON CODIFIED ORDINANCES**

**WHEREAS**, the penalty section of Chapter 50 Streets and Sidewalks of the West Milton Codified Ordinances was passed on April 9, 1996; and

**WHEREAS**, the Council for Municipality of West Milton, Ohio, upon the recommendation of the Municipal Manager, believes it is in the best interest of the Municipality to increase the penalty for a violation of Chapter 50 of the Codified Ordinances in order to reflect the severity of the violations due to the burden it places on residents and Municipal employees, as well as to further deter individuals from violating this Chapter.

**NOW, THEREFORE**, Be it Ordained by the Council for the Municipality of West Milton, Ohio, that:


**SECTION I:** Council hereby amends Section 50.99(A) of the West Milton Codified Ordinances to read as follows:

§ 50.99 PENALTY.

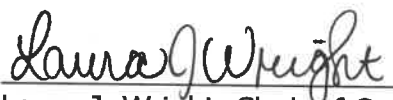
(A) Whoever violates any provisions of this chapter, for which another penalty is not already provided is guilty of a misdemeanor of the fourth degree. Each day during which noncompliance or a violation continues shall constitute a separate offense.

**SECTION II:** This Ordinance shall be effective on and after the earliest date permitted by law.

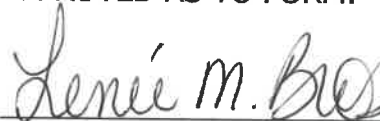
Passed this 8<sup>th</sup> day of November, 2022

  
\_\_\_\_\_  
Anthony Miller, Mayor

ATTEST:

  
\_\_\_\_\_  
Laura J. Wright, Clerk of Council

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Lenee' Brosh, Law Director

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. \_\_\_\_\_

**ORDINANCE CM-22-48**

Passed \_\_\_\_\_

*November 8<sup>th</sup>*

, 20 *22*

## **AN ORDINANCE AMENDING SECTION 50.01 APPLICATION FOR EXCAVATION PERMIT, STREETS AND SIDEWALKS OF THE WEST MILTON CODE OF ORDINANCES**

**WHEREAS**, it has been several years since the fee for street cut bonds has been updated; and

**WHEREAS**, Council has reviewed the current fee and believe it is necessary, and in the Municipality's best interest, to update this fee to reflect the current economy.

**NOW, THEREFORE**, Be it ordained by the Council for the Village of West Milton, Ohio as follows:

**SECTION I:** The language contained in the existing Section 50.01 of the West Milton Code of Ordinances is hereby amended to read as follows:

### **50.01 APPLICATION FOR EXCAVATION PERMIT.**

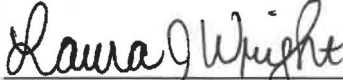
No person may, in any manner or for any purpose, excavate or cause to be excavated, any street or alley in the municipality until the person has filed an application for and has been issued by the Director of Service a permit and bond therefor or cash or certified check in lieu of the bond for ~~\$200~~ **\$450.00** conditioned that the excavation will be done and refilled according to the terms of the application, permit, and Ord. 796, and that warnings shall be posted and maintained as provided herein.

**SECTION II:** This Ordinance shall become effective from and after the earliest date permitted by law.

Passed this 8<sup>th</sup> day of November 2022

  
\_\_\_\_\_  
Anthony Miller, Mayor

ATTEST:

  
\_\_\_\_\_  
Laura Wright  
Clerk of Council

APPROVED TO AS FORM:

  
\_\_\_\_\_  
Leneé M. Brosh, Director of Law

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. **ORDINANCE CM-22-51**

Passed November 8<sup>th</sup>, 2022

## **AN ORDINANCE AMENDING SECTION 91.11 POSSESSION, SALE AND USE OF FIREWORKS OF THE WEST MILTON CODE OF ORDINANCES**

**WHEREAS**, Council has had the opportunity to review Ohio Fire Code (OFC) §1301:7-7-56(Z)(5626) which places more regulations on the possession and discharge of fireworks in the State of Ohio since the passage and adoption of Amended Substitute House Bill 172 ("HB 172") which went into effect on July 1, 2022; and

**WHEREAS**, Council believes it is in the best interest of the Municipality to amend Section 91.11 of the West Milton Codified Ordinances to reflect the Ohio Revised Code and Ohio Fire Code regarding the possession, sale and use of fireworks.

**NOW, THEREFORE**, Be it Ordained by the Council for the Municipality of West Milton, Ohio, as follows that:

**SECTION I:** Section 91.11 Possession, sale and use of Fireworks shall be amended to reads as follows:

§ 91.11 POSSESSION, SALE, ***STORAGE*** AND USE OF FIREWORKS.

- (A) ~~No person shall possess fireworks in this municipality or shall possess for sale or sell fireworks in this municipality, except a licensed manufacturer of fireworks as authorized by R.C. §§ 3743.02 through 3743.08, a licensed wholesaler of fireworks as authorized by R.C. §§ 3743.15 through 3743.21, a shipping permit holder as authorized by R.C. § 3743.40, an out-of-state resident as authorized by R.C. § 3743.44, a resident of this state as authorized by R.C. § 3743.45, or a licensed exhibitor of fireworks as authorized by R.C. §§ 3743.50 through 3743.55, or as authorized by any municipal ordinance that is substantially equivalent to any of these statutes, and except as provided in R.C. § 3743.80 or a substantially equivalent municipal ordinance.~~
- (B) ~~Except as provided in R.C. § 3743.80 or a substantially equivalent municipal ordinance, and except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to R.C. §§ 3743.50 through 3743.55 or a substantially equivalent municipal ordinance, no person shall discharge, ignite, or explode any fireworks in this municipality.~~
- (C) ~~No person shall use in a theater or public hall what is technically known as fireworks showers, or a mixture containing potassium chlorate and sulphur.~~
- (D) ~~No person shall sell fireworks of any kind to a person under 18 years of age. No person under 18 years of age shall enter a fireworks sales showroom unless that person is accompanied by a parent, legal guardian, or other responsible adult. No person under 18 years of age shall touch or possess fireworks on a licensed premises without the consent of the licensee. A licensee may eject any person from a licensed premises that is in any way disruptive to the safe operation of the premises.~~



# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_\_

- (E) ~~Except as otherwise provided in R.C. § 3743.44, no person, other than a licensed manufacturer, licensed wholesaler, licensed exhibitor, or shipping permit holder shall possess 1.3G fireworks in this municipality.~~
- (F) ~~All provisions of the West Milton Codified Ordinances, including but not limited to West Milton's Codified Ordinance Chapter 91 et seq., concerning the possession, sale or discharge, ignition or exploding of fireworks, and all Ordinances that regulate noise, disturbance of the peace and disorderly conduct, will remain in full force and effect regardless of the permission granted in HB 172.~~
- (A) All regulations regarding the possession, sale, storage and use of fireworks shall be pursuant to Ohio Revised Code Section 3743 "Fireworks" and Ohio Fire Code (OFC) Section 1301:7-7-56(Z)(5626) which are hereby incorporated and adopted herein by reference.**

**SECTION II:**

That except as herein amended and supplemented, all the provisions of Chapter 91 Fireworks, Explosives and Fire Prevention as contained in the West Milton Codified Ordinances shall remain in full force and effect.

**SECTION III:**

This Ordinance shall be effective on and after the earliest date permitted by law.

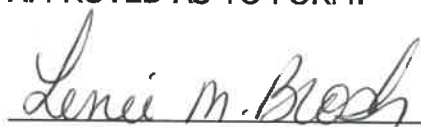
Passed this 8 day of November 2022.

  
\_\_\_\_\_  
Anthony Miller, Mayor

ATTEST:

  
\_\_\_\_\_  
Laura J. Wright  
Clerk of Council

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Leneé M. Brosh  
Law Director

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. 30045

## RESOLUTION CM-22-52

Resolution No. \_\_\_\_\_

Passed November 8<sup>th</sup>, 2022

### **A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH SOFTWARE SOLUTIONS FOR THE PURCHASE OF NEW ACCOUNTING, PAYROLL AND UTILITY SOFTWARE, INCLUDING THE ANNUAL SUPPORT FEE, FOR THE MUNICIPALITY OF WEST MILTON OHIO**

**WHEREAS**, the Municipality is in need of updating its accounting, payroll and utility software in order to better serve the employees and residents of the Municipality; and

**WHEREAS**, the Municipality has received a quote from Software Solutions for the purchase of software covering these areas in the amount of \$69,400.00, of which \$6,940.00 is due at signing, \$31,230.00 is due by March 2023 and \$31,230 is due by March 2024; and

**WHEREAS**, there is also an annual support fee of \$16,450.00 which, according to the terms of the contract, will not increase by more than five percent (5%) each year; and

**WHEREAS**, due to the purchase and annual support fee for such software and services being above \$15,000.00, the purchase requires Council's approval pursuant to Section 33.18(A)(7) of the West Milton Codified Ordinances; and

**WHEREAS**, the Municipal Manager believes it to be in the best interest of the Municipality to enter into a contract with Software Solutions for the purchase of said software, and that such approval by Council include the annual support fee, so long as it does not increase more than five percent (5%) each year.

**NOW THEREFORE BE IT RESOLVED BY** the Council of the Village of West Milton, Ohio that:

**SECTION I:** It is in the Municipality's best interest to enter into a contract with Software Solutions.

**SECTION II:** The Municipal Manager is hereby authorized to enter into a contract with Software Solutions for the purchase of new accounting, payroll and utility software in the amount of \$69,400.00, as well as the annual support fee, of \$16,450.00, which shall not be increased by more than five percent (5%) each year. Said contract is attached hereto as Exhibit A and incorporated herein as if fully rewritten.

**SECTION III:** This Resolution shall take effect and be in full force immediately upon passage.


**SECTION IV:** It is hereby found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of this council, and that all deliberations of this Council that resulted in such formal actions were in a meeting open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. 30045

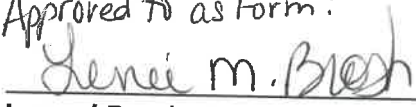
Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

Passed this 8<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
Anthony Miller, Mayor

Attest:

  
\_\_\_\_\_  
Laura Wright, Clerk of Council

Approved to as Form:  
  
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Lenee' Brosh, Law Director