



Hamilton Township
7780 S. State Route 48, Maineville, Ohio 45039

Trustee Meeting protocol

June 1, 2020

Hamilton Township will be opening the Administrative building to public attendance at Trustee meetings with restrictions through July. We hope to be back to unrestricted meetings, beginning in August.

As attendance at these open meetings is discouraged, the Township will continue streaming the meetings live on Facebook and uploading the video recordings within 24 hours to the Township website.

If you plan to attend a public Trustee meeting, the following protocols will be in place:

- In-person attendance is requested for residents with specific items to address or present to the Board, as there will be limited seating available.
- Social distancing will be practiced with seating arrangements (6 feet).
- Face masks/covers are preferred.
- It is requested that Public Comments are submitted online prior to the meeting to bcenters@hamilton-township.org with the subject line: *Public Comments*. However, the opportunity for in-person Public Comments will be made available.
- Any meeting materials (including Agendas) will need to be brought from home as they will not be available for public distribution. Available at: <https://www.hamilton-township.org/meetings/>
- Gatherings before and after the meeting will be prohibited inside the building. Those who gather outside of the building are requested to practice social distancing as directed by Governor DeWine and the State Board of Health.

The safety and health of our staff and residents remain our top priority. We appreciate your willingness to adapt to these unconventional measures during this unprecedented time. Your Trustees are dedicated to bringing Hamilton Township back to normal in a safe and healthy manner and appreciate your patience.

Stay healthy,

Hamilton Township



TRUSTEE MEETING AGENDA 6/3/2020

6:30 PM

HAMILTON TOWNSHIP ADMINISTRATION

Darryl Cordrey – *Board Chair*

Joe Rozzi – *Trustee*

Mark Sousa – *Trustee*

Kurt Weber- *Fiscal Officer*

7780 South State Route 48

Maineville, Ohio 45039

Phone: (513) 683-8520

Fax: (513) 683-4325

Township Administrator

Brent Centers

(513) 239-2372

Finance Coordinator

Ellen Horman

(513) 239-2377

Human Resources

Kellie Krieger

(513) 239-2461

Economic Development and Zoning

Alex Kraemer

(513) 683-8520

Community Development Coordinator

Nicole Earley

(513) 683-5320

Public Works

Kenny Hickey – Director

Phone: (513) 683-5360

Police Department

Scott Hughes – Police Chief

(513) 683-0538

Fire and Emergency Services

Brian Reese – Fire Chief

69 West Foster-Maineville Rd.

Maineville, Ohio 45039

(513) 683-1622

(513) 899-1967

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and Accept the tapes as the Official Minutes of the May 20, 2020 Township Trustee Meeting
- Bills before the Board

Public Comments

Human Resources

- Personal Leave of Absence request
- FMLA request

New Business

- **Motion**: Updating Park Rules and Regulations
- **Resolution 20-0603**: Subdivision turnover
- **Resolution 20-0603A**: Zoning amendment for CBD Oil establishments
- **Resolution 20-0603B**: Temporary above-ground swimming pool zoning amendment
- **Resolution 20-0603C**: Declaring a nuisance property

Fiscal Officer's Report

Administrator's Report

Trustee Comments

Executive Session

Adjournment

The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.

The following guidelines protect your rights as well as those of others:

1. *Speakers must state their name and full address for the record.*
2. *The Board Chair will recognize each speaker, and only one person may speak at a time.*
3. *Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.*
4. *Anyone who willfully disrupts a Board meeting may be barred from speaking further, or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)*

Hamilton Township Trustees Meeting

May 20, 2020

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30 pm. Mr. Cordrey, Mr. Rozzi, and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to amend and then approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the May 6, 2020 Trustee Meeting.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve Payroll for pay cycle April 19, 2020 – May 2, 2020, Electronic Fund Transfer Direct Deposit Vouchers 1183851647 – 1183851718.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the withholding payments for payment cycle April 19, 2020 – May 2, 2020, checks numbered 32053115 – 32053123 and 32053139 – 32053152.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve Payroll for pay cycle May 3, 2020 – May 16, 2020, Electronic Fund Transfer Direct Deposit Vouchers 1184524688 – 1184524762 and 1184525267 – 1184525270.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the withholding payments for payment cycle May 3, 2020 – May 16, 2020, checks numbered 32091851 – 32091859 and 32091900 – 32091913 and 32091917 – 32091920.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle May 4, 2020 – May 8, 2020, checks numbered 81491 and void 81450.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle May 11, 2020 – May 15, 2020, checks numbered 81492 - 81499.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle May 18, 2020 – May 22, 2020, checks numbered 81500 - 81528.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Public Comments

Mr. Cordrey opened the floor to public comments at 6:33 pm.

Carol Komescher submitted her concerns via email to Mr. Centers about water runoff around the township.

All three Trustees commented about the unprecedented rainfalls we received and how we need to continue to work with the County to create a plan to help with these concerns.

New Business

-Motion: Market increase for Medicount rates

This will increase our EMS Medicount billing rates to comparable rates with surrounding communities and provide a more stable base to our EMS Billing Fund.

Chief Reese explained that Medicount has suggested this adjustment for a while now. This will put us into a mid-range in the county with how we will bill for transport. We still only take in what insurance pays; we do not bill the residents so they should not see a difference.

Mr. Sousa commented that he is fine with this increase as it has been a while and will likely be some time before they are adjusted again.

Mr. Cordrey agrees as the new rates are pretty comparable to other communities here in the county.

Mr. Cordrey made a motion with a second from Mr. Rozzi to make a market increase for our Hamilton Township Medicount Billing Rates.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

-Resolution 20-0520: State Capital Transportation Improvements Grant

This is a Resolution authorizing Hamilton Township to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement program(s) and to execute contracts as required.

This project is to fund the Baxter bridge total restoration project. This is a 51-49 grant. The total project cost is \$133,500. Hamilton Township would pay 51% of the project at \$68,085. If approved, the program would fund 49% of the project at \$65,415. There is no cost to apply for the grant.

Mr. Rozzi asked what the turnaround is for a grant like this?

Mr. Centers responded that it is hard to say especially with the current conditions. Things have been slower at the State-level. Typically grants are due by April and with that the funds are usually available next year. This being a mid-year grant, we should know by the end of the year if we are getting granted the funds or not for the following year.

Mr. Rozzi asked what fund the money would come out of to which Mr. Centers explained that it would come out of the new levy fund.

Mr. Cordrey asked if this is a project that we will do even if the grant does not come through?

Mr. Centers explained that it is. This is on the resurfacing list but bridges cost more than our standard resurfacing so this is the one we would want to apply for.

Mr. Rozzi asked what the issue is with the bridge.

Mr. Hickey explained that it is disintegrating. There has been some work done on it before but it is something we were pushing off. This was actually brought before the Board last year and 2021 was our projected year to do the work.

Mr. Rozzi asked how far off Baxter is the bridge?

Mr. Hickey explained that it's roughly a mile to a mile and a half until you get to this section.

Mr. Sousa asked if Mr. Hickey has any history with applying for this kind of grant. Are they supply and demand or are there economic components to their decision?

Mr. Hickey explained that this is our second time applying. The last time we did not get approved however Neil Tunison with Warren County suggestion that we try again.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0520.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

-Resolution 20-0520A: Rivercrest Subdivision acceptance

This is a Resolution accepting public streets for maintenance and setting speed limits on Section Two, in the Rivercrest subdivision, dispensing with the second reading and declaring an emergency.

This will allow Hamilton Township to accept Section 2 of the Rivercrest subdivision from Warren County as Hamilton Township streets and establish the Township speed limit of 25 mph. This Resolution is declared an emergency measure necessary for the immediate preservation of the peace, health, safety, and welfare of Hamilton Township. The reason for the emergency is to provide an immediate establishment of a safe speed.

Mr. Rozzi asked how much road is being accepted?

Mr. Hickey mentioned that this is less than ¼ mile.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0520A.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

-Resolution 20-0520B: Hawthorn Manor Subdivision acceptance

This is a Resolution accepting public streets for maintenance and setting speed limits on Section Five A, B, and C, in the Hawthorn Manor subdivision, Hamilton Township, dispensing with the second reading and declaring an emergency.

This will allow Hamilton Township to accept Section 5 A, B, and C of the Hawthorn Manor subdivision from Warren County as Hamilton Township streets and establish the Township speed limit of 25 mph. This Resolution is declared an emergency measure necessary for the immediate preservation of the peace, health, safety, and welfare of Hamilton Township. The reason for the emergency is to provide an immediate establishment of a safe speed.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0520B.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

-Resolution 20-0520C: Increase in appropriations (Police and Public Works)

This is a Resolution authorizing and approving an increase in Township appropriations in the Police District and Gasoline Tax Fund in the Police Department and Public Works Department to reconcile budgets for calendar year 2020.

This appropriation is for the security access points upgrade in the Administration/Police Department and Public Works buildings. This was an unexpected cost associated with the construction of the new Fire Station 76. To maintain security access into all Hamilton Township buildings, the Administration/Police Department and Public Works building will need to be upgraded to meet the standards of the new Fire Station 76 security access points. The General Fund will also be paying \$4,437.56 but does not need to re-appropriate funds.

Mr. Rozzi mentioned that with the new standards, the key cards would not match so everyone would need to carry two different cards?

Mr. Centers explained that is correct. It would not make our system obsolete however it would not be compatible as there would be two different systems.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0520C.

Roll call as follows: Darryl Cordrey Yes

Joe Rozzi	Yes
Mark Sousa	Yes

-Resolution 20-0520D: Lighting District Delegation

This Resolution provides compensation to Ellen Horman pursuant to O.R.C. 515.12

This provides Ellen Horman \$.50 for each lot of the Lighting District. This work is assigned to the Fiscal Officer or designee per the Ohio Revised Code. Fiscal Officer Weber is delegating these duties to Ms. Horman along with the compensation that the work entails.

Mr. Cordrey explained that this is not an additional tax on the residents.

Mr. Sousa questioned that this is done due to money collected through a special assessment for lighting anywhere in the township that we are financially responsible for maintaining.

Mr. Weber stated that if we look at our property taxes, there is a special assessment for a lighting district and that's what this is.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0520D.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

-Resolution 20-0520E: Obsolete Property

This is a Resolution declaring certain property as obsolete, surplus, no longer needed for public use, and authorizing its disposal.

This is property that Chief Hughes has deemed obsolete and/or unusable. This property includes three computer Monitors and one USB printer. No single item is valued over \$2,500.

Mr. Rozzi asked what happens to the items to which Chief Hughes responded that they will be destroyed.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0520E.

Work Session

-Zoning for CBD Oil establishments

Mr. Kraemer gave a brief background stating that in December 2019 the Board of Trustees passed a one year moratorium on all CBD Oil establishments and asked the Hamilton Township Zoning Commission to look further into this. The Zoning Commission held three meetings in

January, March and May. They were able to speak with Doctor Duane Titus with Maineville Family Chiropractic to get his professional, medical opinion. Our legal council also attended the meetings to give their input.

There were a few rounds of discussion and ultimately the Board looked at what other municipalities are doing in the region. Deerfield Township is considering limitations as well so we looked at their recommendations as a guideline. The following are recommendations made by our Zoning Commission:

- Set a definition to define what a CBD Oil establishment is. A CBD Oil establishment is any retail space that maintains at least 30% of physical square footage for the sale of cannibidoil related products as its principle revenue source.
- There shall be a cap on the number of CBD Oil establishments permitted to operate at any one time in Hamilton Township. The cap shall be one CBD store per 8,000 residents as determined by the most recent Census data, not to exceed 4 total CBD stores in Hamilton Township. The Zoning Director will maintain a record of the number of existing stores operating in the Township and a zoning certificate approval will certify each store.
- Additionally there shall be at least a 500 foot buffer between each store, measured from one main entrance to the next main entrance. An exception is when there is separation between two retail strip centers. There also shall not be two CBD stores located adjacent to one another in the Township.
- Only permitted in B-1 and B-2 commercial zoning districts.

Mr. Cordrey questioned if the number used to calculate the cap of stores includes incorporated and unincorporated areas?

Mr. Centers explained that we can only enforce unincorporated.

Mr. Cordrey then asked if Maineville or South Lebanon could then allow other stores to open in their jurisdictions even if they do not meet the buffers that would be set for the Township?

Mr. Centers stated that because both entities have their own zoning and their own law enforcement that is correct.

Mr. Cordrey asked if there was any discussion about limits for how close these establishments can operate near schools?

Mr. Kraemer explained that there was a lot of discussion on that specific concern however it was not included in the recommendations because CBD is already sold in stores like Kroger, CVS and Walgreens. Kroger is within walking distance to South Lebanon Elementary already so we did not want to negatively impact the smaller "Mom and Pop shops" per say, when the larger stores already sell it. It is not their principle use but they do have it for sale in their stores.

Mr. Cordrey expressed concerns about the esthetics of advertisements near schools.

Mr. Sousa commented that he agrees with the direction of the Zoning Commission as South Lebanon is the only school that is immediately bordered by business zoned property where we would even have the potential for a development like this. Thinking about long term and how businesses and society is changing, he is comfortable without a recommendation for proximity to schools.

Mr. Rozzi expressed his concern for restricting business. This is medicinal and becoming more widely accepted. He asked if there are communities out there where these businesses are going on every street corner?

Mr. Kraemer reminded the Board that discussion for that took place and they found that the City of Montgomery has one, Anderson Township has one, and West Chester Township has one. So there has not been a proliferation in those municipalities.

Mr. Cordrey stated that he is not against a business like this but does have concerns about having a business lot where this could potentially go, next to a school and on a main drag. Do we want to plan for now or say okay we will take these recommendations as they are and go with it?

Mr. Rozzi is not in favor of a cap. He does not think an onslaught of CBD businesses will happen in the township. This is becoming more widely accepted for therapeutic uses. He questioned why we were looking into that.

Mr. Kraemer stated that the Zoning Commission did have discussion as to why we were even looking into this. Some CBD products can contain THC which is a component that can cause someone to fail a drug test so he believes that is why they proposed a cap.

Mr. Rozzi asked what the limit is that these stores can carry for THC content.

Mr. Kraemer responded that it is .3%. Dr. Titus did caution the consumer to look out for testing of the products for quality assurance.

Mr. Sousa questioned that if limits were set now and things changed down the road, could this be revised? Mr. Kraemer nodded in response that it could.

Mr. Rozzi asked if we can place signage restrictions?

Law Director, Mr. Yoder, stated that it would be difficult to place signage restrictions for one business and not another. Signage restrictions in general are tough.

Mr. Kraemer mentioned that some of the Zoning Commission members visited the Anderson Township store and said that it is a very nice and esthetically pleasing business. "Your CBD" store is the franchise that appears to be popping up in the Cincinnati area.

Mr. Centers explained that we did have one apply here in Hamilton Township but since it was during this process it did not move forward. However, the plans were very clean and did not appear to draw in a negative crowd but was geared more towards medicinal use.

Mr. Sousa does not want to be restrictive in the businesses that come to the Township since we have struggled in the past to get non-residential development here.

Continued discussion took place of adding a buffer pertaining to schools.

Mr. Rozzi asked if this is still an ongoing discussion in Deerfield Township or have they set parameters?

Mr. Yoder explained that the recommendation has gone to the Trustees however, they did not want to conduct a public hearing via Zoom Meetings.

All three Trustees agreed they would like to have language clarified and bring this back at a later date for movement.

- Discuss Public Meetings

Mr. Cordrey stated that he would like to see the meetings opened back up to the public. We can set some social distancing guidelines in place but this is the people's government so he would like to get things back in order.

Mr. Rozzi and Mr. Sousa agreed that they also would like to open the meetings back up. Continued streaming of the meetings online was a suggestion as well.

Mr. Cordrey stated that he would even be in favor of continuing to accept public comments via email.

Mr. Centers asked if the Board would like staff input to which they all responded yes.

We have staff members that have some concerns about engaging the public. We do have some protocols put into place that opening up wouldn't align with. We have trainings scheduled that we had to contact the Health Department to get guidelines for. Typically we do not have large crowds that attend the meetings however if we have public hearings for things such as the CBD Oil establishments, that could pack the hall.

Mr. Cordrey explained that he would not be comfortable holding public hearings without input from the community so hosting those online is not ideal. He is willing to make accommodations so staff feels comfortable.

Mr. Centers also commented that we have greater attendance when the meetings are streamed online.

Mr. Yoder reminded the Trustees that they can be flexible with how each meeting is conducted.

The next meeting will be held in person and parameters will be set for anyone wishing to attend.

Fiscal Officer's Report

Mr. Weber explained that this report is reflected through the end of April. Being four months into the year puts us at 33% through the year and we did receive our first draw from Warren County. With that we received a little more than 5.1 million dollars which puts our revenue to date at 49% of our anticipated revenue for the year. We are right on schedule with our funds.

License plate fees and gas tax may be depleted some due to COVID-19. Those are such a small factor of our revenue that we are still okay. This revenue is usually collected 30-60 days in the rears. So it will be interesting to see what May and June bring with those funds.

For the month of April we spent \$941,000. For the year we have spent a little more than \$4.6 million which equates to 34% of our budget.

Mr. Cordrey commented that we most likely will not see an effect on property taxes until later in the year as they are collected roughly six months in the rears.

Mr. Sousa mentioned checking with the Warren County Auditor, Matt Nolan, to see if there is any delinquency.

Administrator's Report

Mr. Centers mentioned that this coming Tuesday, May 26th, we will have full Administrative staff back in the office. As mentioned, protocols are in place and everyone has masks if they wish to wear them in case they need to come in contact with the public.

The audit will begin next week as well.

Our life safety inspection passed at the new fire station and we were granted our temporary occupancy permit. You will most likely see us do a soft move-in with some furniture and non-essential items. We still do not have a permanent move in date.

Trustee Comments

Mr. Sousa thanked Alex for his work with the Zoning Commission on the CBD items. He’s also been timely in his outreach for grass complaints around the township as well. Mr. Sousa also mentioned interest rates have obviously fallen with this pandemic so our investments were getting us a good return last year but since those rates have taken a turn it might be good to look at other options. The LCNB money market option was giving us a good yield on all of our excess cash that was not with RedTree, has died to near zero so it might be worth it to look at what liquid options the State has available to get us a little better return.

Mr. Rozzi congratulated the Little Miami Seniors. He thanked Chief Hughes and the Police Department for handling the neighborhood parades for them. He encouraged residents to move safely about the Township as our restaurants and businesses open back up.

Mr. Cordrey congratulated the graduating classes of Little Miami and Kings High Schools and thanked everyone involved for the celebrations for them. We are rated the 12th safest community in Ohio which is a testament to the work of our Police Department. He also encouraged everyone to practice social distancing not only for themselves but out of respect for others as well.

Executive Session

Mr. Cordrey made a motion with a second from Mr. Rozzi to enter into Executive Session at 7:34 pm in reference to O.R.C. 121.22 (G) (1) to consider the compensation of a public employee or official.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Mr. Cordrey made a motion with a second from Mr. Rozzi to come out of Executive Session at 8:00 pm.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Mr. Cordrey made a motion to extend Fire Chief Brian Reese’s contract through April 17, 2023 and increase his salary to \$100,048. There was a second from Mr. Rozzi.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Adjournment

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 8:00 pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

DRAFT

LEGISLATIVE COVER MEMORANDUM

Introduction:	June 3, 2020
Effective Date:	Next available date
Agenda Item:	<u>Motion</u> To update the Hamilton Township Park Rules and Regulations
Submitted By:	Brent Centers
Scope / Description:	These rules largely maintain the current rules but adds the following: <ul style="list-style-type: none">• Codifies “catch and release” as an official policy for the Township’s parks• Puts most of the administrative tasks (related to permits/administration) within the power of the Township Administrator instead of the Board• Clarifies the enforcement/penalties for violating the rules<ul style="list-style-type: none">○ It primarily gives police officers and Township employees who have the authority (Administrator and Parks Director/Public Works Director) to remove people that violate the Rules/law.○ The current Rules provide for a \$100/first offense, \$500/second offense fines, which remain in contact.
Budget Impact:	\$0
Vote Required for Passage:	2 of 3

HAMILTON TOWNSHIP PARK RULES AND REGULATIONS

SECTION I. OPERATION

Hamilton Township parks will be open for public use only during times determined by the Board of Trustees. No person shall remain in or use any part of park facilities after closing time, unless by special written permission of the Township Administrator.

Areas may be closed whenever conditions are such that any activity conducted thereon would cause unnecessary damage to the area. Park areas under construction or development are closed until such time as opened by the Township Administrator for public use. The closed areas shall be posted.

SECTION 2. USE OF PARK FACILITIES

Picnic shelters, picnic areas, picnic tables, and play areas are available on a first come, first served basis unless reserved through the Township office and issued a written permit. Deposits and fees for use of shelters are determined by the Board of Trustees. Persons or organizations with written permits have sole use of their designated area during the times listed on the permit. Athletic fields are not to be used if such use will cause damage to the area.

The Township Administrator reserves the right to cancel or relocate any individual or group holding a written permit to use any park facilities. Users of shelters, athletic fields, play areas, and other park facilities are responsible for proper cleanup of the areas they use. Failure to do so can result in loss of deposit and or permission to use the area. Failure to clean up may also cause an additional charge for labor by Township personnel. Clean up must be completed the same day as the event. Compliance with this rule for purposes of deposit refund shall be at the sole determination of the Township Administrator.

SECTION 3. CHILD SUPERVISION

No child under ten years old shall be left unattended in any areas of the parks.

SECTION 4. PRESERVATION OF PROPERTY AND NATURAL RESOURCES

No person shall injure, deface, befoul, or disturb any part of a park or any building, sign, equipment, or other property found therein; nor shall any tree, flower, shrub, rock, or other mineral be removed, injured, or destroyed. No park fixtures or equipment (picnic tables, bleachers, waste receptacles, soccer goals, etc.) shall be moved to other locations within the park or removed from park property without written permission of the Township Administrator.

SECTION 5. PRESERVATION OF GOOD ORDER IN THE PARKS

No event or activity sponsored or promoted by an individual or organization shall be permitted if, in the opinion of the Township Administrator, it will constitute hazards and dangers to the personal safety of the participants or other park visitors; endanger peace and good order in the parks; interfere with the regular and normal use of the facilities and activities by park visitors; or is inconsistent with the use of park lands for park purposes.

No person shall sell or offer for sale any article, thing, privilege, or service without a written permit from the Township Administrator, and no person shall do any begging, hawking, peddling, or soliciting herein.

SECTION 6. GARBAGE, REFUSE, ASHES, SEWAGE, AND WASTE MATERIAL

No person shall deposit, or permit in any part of the parks, any garbage, ashes, sewage, refuse, brush, chips, or waste materials whatsoever, other than in receptacles provided for such purposes, nor dump any earth or other materials within the parks without specific written permission of the Township Administrator.

No person shall, either within or from outside a park, discharge into, throw, cast, lay, drop, or leave in any stream, creek, storm sewer or drain flowing into or through a park any substance, either liquid or solid, which may or shall result in the pollution of the water courses within the park.

SECTION 7. HUNTING, FISHING AND MOLESTING WILDLIFE

No person within the confines of a park, unless authorized by specific written permission of the Township Administrator, shall hunt, pursue with dogs, trap, molest, harm, harass, injure, or take any wild bird or animal found within the confines of a park, or therein rob or molest any bird nest or take the eggs of any bird or animal.

Fishing is permitted at Hamilton Township Parks during the park's normal hours of operation. Hamilton Township utilizes a "Catch and Release" policy for its parks. Unless authorized by the Township Administrator, no fish may be removed from any lakes or streams. A State of Ohio fishing license is required. Exemptions to the licensing requirement are granted as follows: persons under the age of 16; persons 66 years old or older; persons who are unable to engage in fishing without the assistance of another person due to a physical disability and the person who is assisting the disabled person.

SECTION 8. WEAPONS

No person, in any park, except authorized employees or agents of the Board, or law enforcement authorities, shall discharge firearms of any description, air rifle or pistol, slingshot, or other missile throwing device including archery equipment, or discharge any firearm, fireworks, or explosive substances, or air rifle or pistol therein.

SECTION 9. FIRES

No person shall start a fire within a park, except small fires for cooking purposes in park grills, without written permission from the Township Administrator. No "bonfires" shall be permitted in the park grills. All fires shall be extinguished thoroughly by the person or persons starting or using the same before leaving the immediate vicinity of the fire. The Township Administrator may at his or her discretion, prohibit fires or smoking for limited periods at any location or for any purpose when necessary for the protection of park property.

SECTION 10. DOMESTIC ANIMALS

Pets are permitted in the Township's parks but must be controlled and confined to a leash. Pet owners must have in their possession some device for the removal and containment of such pet's excrement and shall remove to a waste receptacle any excrement deposited by any pet under their control.

SECTION 11. PARKING

Vehicles shall be parked in designated parking areas only – no parking on grassy areas is permitted without written permission of the Township Administrator. All handicapped parking restrictions shall be observed. No blocking of park entries or entry ways to trails or walkways is permitted. No other activities, such as roller blading, skate boarding, or improper bicycling shall take place in road or vehicle parking areas; except in areas clearly marked and closed off for that purpose. No person shall leave any vehicle in a park during the hours which a park is closed. Any vehicle within a park after closing time will be subject to towing at the owner's expense.

No person shall park or store commercial car or truck, trailer, semi-trailer, pole trailer, bus, recreational vehicle, boat, watercraft, commercial tractor, or any other vehicle with a gross vehicle weight over 6,000 pounds in any Township park unless prior permission from the Township Administrator is obtained.

SECTION 12. TRAFFIC

No person shall drive or propel or cause to be driven or propelled along or over any roads within the parks, any vehicle at a rate of speed greater than ten (10) miles per hour.

No portion of a park shall be used for the purpose of travel by motorized vehicle except designated, paved roadways, except by agents of the Board or law enforcement officers.

Paths, walks, and trails established for pedestrian travel shall not be used for vehicular travel. Motorized vehicles used as a means of transportation for disabled individuals are permitted on paved trails and walkways.

No persons shall drive or propel any vehicle along or over any park road in a reckless manner without due regard for the safety of pedestrians and drivers and all other occupants of any vehicle.

No person shall drive or propel any vehicle along or over any park road without complying with all traffic signs, including but not limited to marked areas with "No Vehicles Beyond This Point" signs, and all other posted traffic regulations.

SECTION 13. PROHIBITED CONDUCT

No person shall recklessly engage in any boisterous, disorderly, or indecent conduct that annoys, inconveniences, or alarms the community within a park. No person shall do any indecent, lascivious, lewd, or improper acts therein. No person shall indulge in any noisy, boisterous conduct nor shall any person use any sound amplification device without specific written permission of the Township Administrator.

No person shall drive or hit any type of golf ball, or cause the same to be driven or hit within a park.

No person shall operate a drone or any other gas-powered remote control model within any park without express permission of the Township Administrator.

No person or organization shall place any obstruction or markings on any trail, building, or structure within a park for any reason.

No skates, skateboards, rollerblades, motorized models, or any other objects with wheels except bicycles, strollers, wheelchairs, and motorized vehicles used as a means of transportation for disabled individuals, will be permitted on trails or walkways unless otherwise posted or with written permission of the Board or its agent.

No person shall takeoff or land, or cause to takeoff or land, a hot air balloon without specific written permission of the Township Administrator.

SECTION 14. CAMPS

No person shall establish or maintain any camp or temporary lodging within a park, without the written permission of the Township Administrator.

SECTION 15. ALCOHOLIC BEVERAGES

No alcoholic beverages shall be sold or consumed in any park except with specific written permission from the Township Administrator with the rental of a shelter or pavilion area. No open containers of alcoholic beverages shall be permitted within the parks except in areas designated for dispensing and consuming same, except with written permission of the Township Administrator.

SECTION 16. SIGNS

No person shall place any sign or advertisement except with written permission of the Township Administrator.

SECTION 17. ENFORCEMENT/PENALTY

No person shall remain in the park who does not abide by the Hamilton Township Parks Rules and Regulations. In addition, no individual shall remain in the park who does not abide by instructions and directions of duly authorized law enforcement officers or agents of the Board in the lawful performance of their duties. Any person ordered to leave the park shall do so promptly and peaceably.

The following activities shall be a proper basis for the forcible removal of any individual from the park by any authorized law enforcement officer or agent of the Board in the lawful performance of their duties or the imposition of fines and penalties as set forth below:

- A. Violation of any Hamilton Township Parks Rules and Regulations;
- B. Violation of the Ohio Revised Code;
- C. Use, sale, or possession of intoxicating liquor or beer as defined in R.C. 4301.01 or as authorized by special permit of the Board;

- D. Use, sale, or possession of any controlled substance or harmful intoxicant as defined in R.C. 2925.01;
- E. Any person deemed to be under the influence of beer, intoxicating liquor, or other controlled or harmful substances shall be removed;
- F. Being in the park after dark;
- G. Trespassing in park areas that are under construction or specifically prohibited and identified by proper signage.

Any person violating any of the Hamilton Township Parks Rules and Regulations, including any amendments or additions thereto, shall be fined a sum not exceeding one hundred dollars (\$100.00) for the first offense, nor more than five hundred dollars (\$500.00) for each second or further offense, pursuant to R.C. 505.261 and applicable Resolutions of the Hamilton Township Trustees.

SECTION 18. TERMS

The terms "park" as used herein means any land owned, leased, or controlled by the Board of Trustees of Hamilton Township, Hamilton County, Ohio.

The term "person" includes persons, corporations, partnerships, limited liability companies or any other entity.

The term "Board" as used herein means the Hamilton Township Board of Township Trustees.

The term "pet" shall mean any privately owned animal, whether domestic or wild.

LEGISLATIVE COVER MEMORANDUM

Introduction: June 3, 2020

Effective Date: Next available date

Agenda Item: **Resolution 20-0603**
A Resolution accepting public streets from maintenance and setting speed limits on Sections Three, in the Thornton Grove Subdivision, Hamilton Township, dispensing with the second reading and declaring an emergency.

Submitted By: Kenny Hickey

Scope / Description: This will allow Hamilton Township to accept Section Three of the Thornton Grove subdivision from Warren County as Hamilton Township streets and establish the Township speed limit of 25 mph.

This Resolution is declared an emergency measure necessary for the immediate preservation of the peace, health, safety, and welfare of Hamilton Township. The reason for the emergency is provide an immediate establishment of a safe speed.

Budget Impact: \$0

Vote Required for Passage: 3 of 3

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on June 3, 2020, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey - Trustee
Joseph P. Rozzi – Trustee
Mark Sousa - Trustee

Mr. _____ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 20-0603**

**A RESOLUTION ACCEPTING PUBLIC STREETS FOR MAINTENANCE AND
SETTING SPEED LIMITS ON SECTION THREE, IN THE THORNTON GROVE
SUBDIVISION, HAMILTON TOWNSHIP, DISPENSING WITH THE SECOND
READING AND DECLARING AN EMERGENCY**

WHEREAS, Warren County Commissioners have accepted the following streets in the Thornton Grove subdivision and approved them for maintenance by Hamilton Township and Hamilton Township is accepting the same for maintenance Section Three (3) shown on the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Hamilton Township, Warren County, Ohio:

SECTION 1. Hamilton Township accepts Section Three as shown on the attached Exhibit A of the Thornton Grove subdivision for maintenance.

SECTION 2. The speed limit in Section Three (3) of the Thornton Grove subdivision, Hamilton Township is hereby established at twenty-five (25) miles per hour.

SECTION 3. The Trustees of Hamilton Township, upon majority vote, do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

SECTION 4. This Resolution is hereby declared an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of Hamilton Township. The reason for the emergency is to provide for an immediate establishment of a safe speed limit.

SECTION 5. This Resolution shall take effect on the earliest date allowed by law.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph P. Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 3rd day of June 2020.

Attest:

Kurt E. Weber, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Kurt E. Weber., Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on June 3, 2020.

Date: _____

Kurt E. Weber, *Fiscal Officer*



May 19, 2020

Hamilton Township
Attn: Kenny Hickey
7780 South State Route 48
Hamilton Township, Ohio 45039

Re: Thornton Grove, Phase 5, Part 3

Dear Hamilton Township,

Please be advised that the punch list items compiled by inspections for the above have been completed and inspected and found to be satisfactory per Warren County Engineer Regulations.

Your acceptance letter will allow this office to release bonds and turn the streets over for public maintenance.

Per Hamilton Township request our office will e-mail a copy of the Survey Certificate and As-Builts (if required) to your office upon receipt as required prior to issuance of your acceptance letter.

Upon your Subdivision Inspector's report of our final review being acceptable and you concur then please send a letter or e-mail that you are willing to accept the street for public maintenance. In the same token we ask that the township forward any objections to our office within 30-days from the date of this letter.

Sincerely,

Neil F. Tunison, P.E., P.S.
Warren County Engineer

A handwritten signature in black ink that reads "Jason Fisher".

Jason Fisher
Subdivision Inspection

Cc: Towne Development, Attn: Judy Daley Wright (E-Mail only)
Hamilton Twp - Brent Centers, Administrator (E-Mail only)
Soil & Water - (E-Mail only)
File

WARREN COUNTY ENGINEER'S OFFICE

ADMINISTRATION and ENGINEERING
210 W Main St. Lebanon, OH 45036
Telephone (513) 695-3301 Fax (513) 695-7714

HIGHWAY MAINTENANCE, PERMITS, and INSPECTION
105 Markey Rd. Lebanon, OH 45036
Telephone (513) 695-3336 Fax (513) 695-3323

Towne Development Group, Ltd
 Attn: Judy Daley-Wright
 1055 St Paul Place
 Cincinnati, OH 452025



RE: **PUNCH LIST #2**

Development: **Thornton Grove Ph 5, Prt 3**
 Date: **June 6, 2018**
 Attended: **Judy Dale-Wright, Matt Stephens, John Daunt, Don Pelfrey, and Jason Fisher**

ALL OF THE FOLLOWING MUST BE RECEIVED BEFORE BONDS CAN BE RELEASED:

- (A) DETENTION AS-BUILTS RECEIVED? (X) NO (X) Contact Chuck Petty 513-925-3309
- (B) 100-YR STORM ROUTE AS-BUILTS RECEIVED? (X) Contact Chuck Petty 513-925-3309
- (C) SURVEY CERTIFICATE RECEIVED? (X) NO
- (D) CONSTRUCTION TITLE SHEET (stamped, signed, dated) RECEIVED? (X) YES
- (E) Township acceptance letter: **WCEO will request after** (a) all items above marked 'NO' have been received and approved and (b) all punch list items are completed, inspected, and found to be satisfactory per Warren County Engineer Regulations

	LOCATION	CORRECTION REQUIRED:
1	All Streets	Coordinate all signs with Hamilton Township
2	All Streets	Seal cracks in pavement
3	6156 Hickory Wood	Backfill behind curb with top soil/see/straw (at south P/L)
4	Hickory Wood at Elm Tree	Replace R-1 stop sign with reflective sign
5	Replace C/B grate	Along G-36 lot frontage
6	Replace block sidewalk	At #911 Elm Tree Drive (at manhole)
7	Detention area	Clean out all of detention area
8	Detention area	Connect sidewalk from #923 Elm Tree to #1088 Spruce Glen
9	1079 Spruce Glen	3 sections of curb & mill/fill pavement
10	1055 Spruce Glen	Replace 1/2 section of curb
11	1047 Spruce Glen	Whole section of sidewalk – replace
12	1079 Spruce Glen	(North side of cul-de-sac) Seal all curb concrete around C/B
13	All Streets	Clean out & re-grout C/B's
14	All Streets	Sweep
15	All Streets	Clean out vegetation in curb line
16	As-Builts (item A above)	E-mail to Chuck Petty for review/approval prior to bond release
17	Survey Certificate (item C above)	E-mail to Sheliah Withrow prior to bond release

Requesting construction of punch list items to be completed approximately 90 days of date of the letter.

Sincerely,

Neil F. Tunison, P.E., P.S.
 Warren County Engineer

Jason Fisher
 Jason Fisher
 Subdivision Inspector

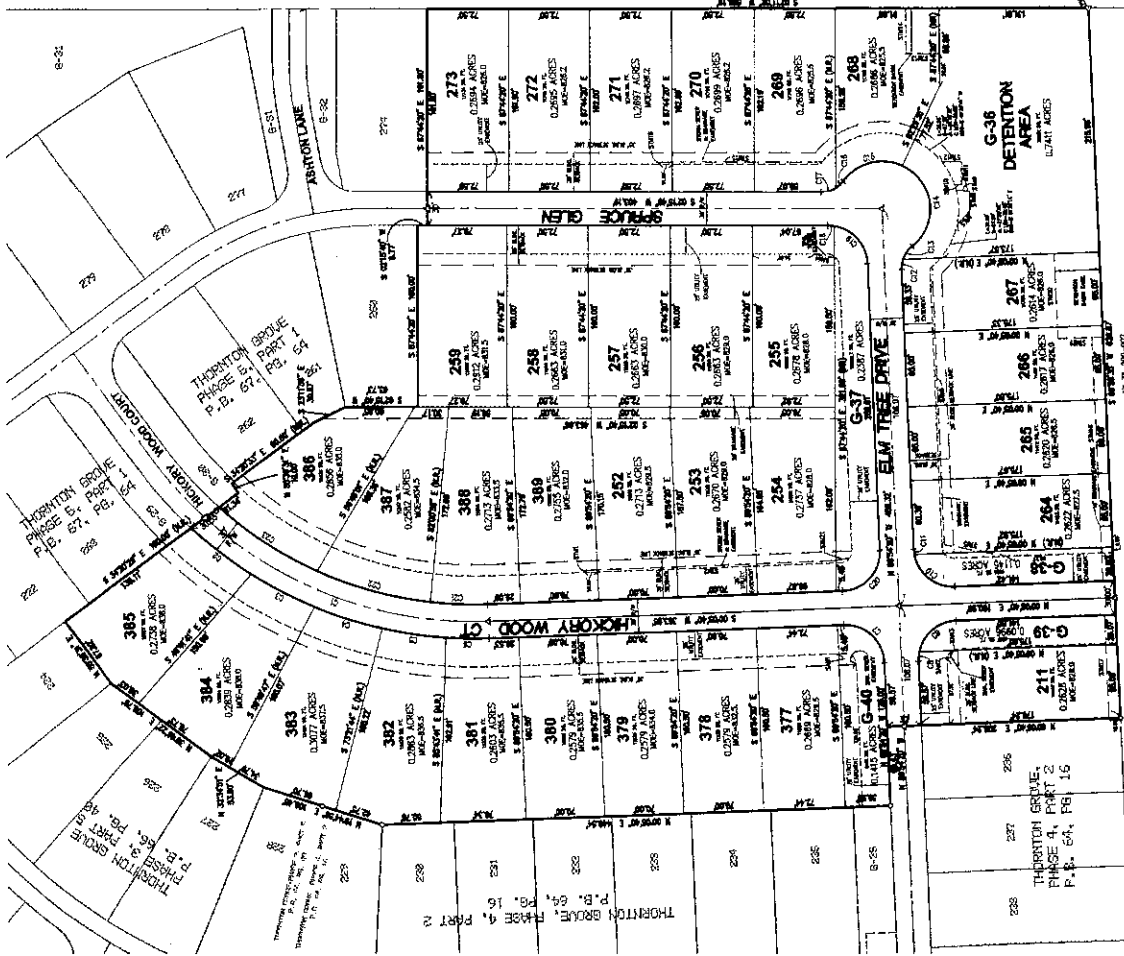
Cc: Hamilton Township: Kinney Hickey (E-Mail)
 Soil & Water Department (E-Mail)
 File

WARREN COUNTY ENGINEER'S OFFICE

ADMINISTRATION and ENGINEERING
 210 W Main St. Lebanon, OH 45036
 Telephone (513) 695-3301 Fax (513) 695-7714

HIGHWAY MAINTENANCE, PERMITS, and INSPECTION
 105 Markey Rd. Lebanon, OH 45036
 Telephone (513) 695-3336 Fax (513) 695-3323

Hamilton Survey Co. Inc. of Ohio
1111 Main Street, Hamilton, OH 45006
Phone: (513) 863-1111



MEDENHOLD SUBDIVISION,
BLOCK 11
P. B. 62, 70, 72

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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OCCUPATION
Record Plat
Hamilton Survey Subdivision
Phase 5, Part 3
Township
Thornbury Grove
Hamilton Survey No. 3334
Hamilton Township
Warren County, Ohio

DATE: 11/11/11
TIME: 9:00 AM
PROJECT: 11111111



Berding Surveying
GPS Surveying 3D Laser Scanning
1111 Main Street, Hamilton, OH 45006
Phone: (513) 863-1111

LEGISLATIVE COVER MEMORANDUM

Introduction: June 3, 2020

Effective Date: Next available date

Agenda Item: **Resolution 20-0603A**
Resolution adopting Zoning Code text amendment creating zoning and land use regulations for CBD establishments.

Submitted By: Alex Kraemer

Scope / Description: This will CBD establishment permittable in the Hamilton Township Zoning Code with restriction explained in the attached Exhibit A.

Budget Impact: \$0

Vote Required for Passage: 2 of 3

The Board of Township Trustees of Hamilton Township, County of Warren, Ohio, met at its regular, 6:30 pm meeting on June 3, 2020, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey – Trustee, *Board Chair*
Joseph Rozzi – Trustee
Mark Sousa – Trustee

Mr. _____ introduced the following resolution and moved for its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 20-0603A**

**RESOLUTION ADOPTING ZONING CODE TEXT AMENDMENT
CREATING ZONING AND LAND USE REGULATIONS
FOR CBD ESTABLISHMENTS**

WHEREAS, Ohio Revised Code 519.02 authorizes the Hamilton Township Board of Trustees to regulate the zoning and use of real property located within its territorial boundaries in order to promote the public convenience, comfort, prosperity and general welfare of the Township;

WHEREAS, Ohio Revised Code 928.01 defines “cannabidiol” (“CBD”) as the cannabidiol compound derived from the hemp plant and containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent (0.3%);

WHEREAS, Ohio Revised Code 928.02 permits any person, without a license, to possess, buy, or sell products consisting of or infused with CBD;

WHEREAS, on December 4, 2020, the Board of Trustees passed Resolution 19-1204B, placing a one-year moratorium on the issuance of zoning permits and approvals for the principal and conditional use of land for hemp-related purposes, such as retail establishments offering CBD for sale, and certified the Resolution to the Hamilton Township Zoning Commission to study the potential need for zoning regulations and, if necessary, develop reasonable regulations regarding the location and operation of CBD establishments within Hamilton Township;

WHEREAS, during three (3) public hearings held on January 13, March 9 and May 11, 2020, respectively, the Zoning Commission considered whether zoning regulations for CBD establishments were necessary in Hamilton Township and ultimately recommended approval of a text amendment to the Hamilton Township Zoning Resolution to provide for appropriate and reasonable zoning regulations for CBD establishments;

WHEREAS, the Board of Trustees held the requisite hearing on the proposed Zoning Resolution text amendment on June 3, 2020; and

WHEREAS, based on the information contained in the staff report pertaining to the proposed text amendment, the recommendation of the Zoning Commission and the Board's own independent judgment as the legislative body for Hamilton Township, the Board of Trustees finds adoption of the proposed text amendment is necessary to promote the public convenience, comfort, prosperity and general welfare.

NOW THEREFORE, BE IT RESOLVED, that the Board of Township Trustees of Hamilton Township, Warren County, Ohio hereby adopts the proposed text amendment to the Hamilton Township Zoning Code, setting forth zoning and land use regulations for CBD establishments, in the manner provided in the attached "Exhibit A."

BE IT FURTHER RESOLVED, that all formal actions of the Board of Trustees concerning and relating to the passage of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board which resulted in formal action pertaining to this matter occurred in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 3rd day of June, 2020.

Attest:

Kurt Weber, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Township Trustees of Hamilton Township, County of Warren, Ohio, at its regular meeting on June 3, 2020.

Date: _____

Kurt Weber, *Fiscal Officer*

EXHIBIT A
to Resolution No. 20-0603A

TABLE 4-2: PERMITTED USE TABLE
UPDATED TABLE

* * * *

4.8.3. Business Uses

* * * *

O. CBD Establishments

- (1) CBD shall be defined as the cannabidiol compound derived from hemp and containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths percent (0.3%).
- (2) A CBD Establishment shall be defined as a retail store: (i) maintaining at least thirty percent (30%) of its physical merchandise space for the sale of products consisting of or infused with CBD; or (ii) for which products consisting of or infused with CBD serve as the store's principal revenue source.
- (3) The following limits on the number of CBD Establishments permitted to operate at any one time in Hamilton Township shall apply:
 - (a) There is allowed one CBD store per 8,000 residents, as determined by the most recent Census data.
 - (b) A maximum of four (4) CBD Establishments may operate in the Township at any one time. A CBD Establishment shall be considered operational within the Township as of the date a Zoning Certificate for the CBD Establishment is issued. The Zoning Director will maintain a record of the number of active Zoning Certificates for all CBD Establishments in the Township.
- (4) There shall be a minimum 500-foot distance between two CBD Establishments, measured from main entrance to main entrance.
- (5) If a proposed CBD Establishment would be located within 500 feet of a school, church, library, public playground or Township park, the Township shall not issue zoning approval for the proposed CBD Establishment until the Township has provided notice of the proposed CBD Establishment to the authorities in control of the applicable school, church, library, public playground or Township park and has provided those authorities with an opportunity to request a public hearing on the advisability of granting zoning approval for the proposed use.
- (6) CBD Establishments shall only be permitted as a Conditional Use in the B-1 Neighborhood Business District and the B-2 General Business District.

LEGISLATIVE COVER MEMORANDUM

Introduction: June 3, 2020

Effective Date: Next available date

Agenda Item: **Resolution 20-0603B**
Limited Home Rule Resolution, R.C. 504.01 ET. SEQ., authorizing the Hamilton Township Director of Economic Development and Zoning to issue orders implementing temporary waivers of certain township regulations and certain enforcement activities in order to promote the public health, safety and general welfare, dispensing with the second reading and declaring an emergency.

Submitted By: Alex Kraemer

Scope / Description: This will allow Zoning permits to be issued for temporary above-ground pools that do not follow the current set-back requirements within the Hamilton Township Zoning Code.

The reason for this Resolution is to ensure our Township residents can enjoy the use of residential swimming pools since many public pools remain closed during the COVID-19 pandemic.

This Resolution will be in effect until September 7, 2020.

Budget Impact: \$0

Vote Required for Passage: 2 of 3

The Board of Township Trustees of Hamilton Township, County of Warren, Ohio, met at its regular, 6:30 pm meeting on June 3, 2020, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey – Trustee, *Board Chair*
Joseph Rozzi – Trustee
Mark Sousa – Trustee

Mr. _____ introduced the following resolution and moved for its adoption:

First Reading: June 3, 2020
Second Reading: Dispensed

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 20-0603B**

**LIMITED HOME RULE RESOLUTION, R.C. 504.01 ET. SEQ., AUTHORIZING THE
HAMILTON TOWNSHIP DIRECTOR OF ECONOMIC DEVELOPMENT AND
ZONING TO ISSUE ORDERS IMPLEMENTING TEMPORARY WAIVERS OF
CERTAIN TOWNSHIP REGULATIONS AND CERTAIN ENFORCEMENT
ACTIVITIES IN ORDER TO PROMOTE THE PUBLIC HEALTH, SAFETY AND
GENERAL WELFARE, DISPENSING WITH THE SECOND READING
AND DECLARING AN EMERGENCY**

WHEREAS, on March 9, 2020, Ohio Governor Mike DeWine declared a State of Emergency in Executive Order 2020-01D in response to the COVID-19 pandemic;

WHEREAS, on March 15, 2020, the Ohio Department of Health issued a Director's Order temporarily closing all nonessential businesses, prohibiting certain activities which lead groups of people to congregate together in a certain area, and encouraging Ohio citizens to stay inside their residences as much as possible to reduce the spread COVID-19;

WHEREAS, on April 2, 2020, the Ohio Department of Health issued an amended Director's Order, adding a provision requiring the closure of all public and private swimming pools, with the exception of private swimming pools serving only one household;

WHEREAS, as part of the Responsible Restart Ohio initiative to slowly reopen Ohio businesses and facilities, public and private swimming pools may reopen on May 26, 2020, as long as they abide by strict precautions to reduce the risk of exposure to and infection with COVID-19, including reducing the capacity of guests who may visit a swimming pool at any one time;

WHEREAS, Chapter 519 of the Ohio Revised Code authorizes the Hamilton Township Board of Trustees to adopt resolutions regulating the use of land within the Township and the Hamilton Township Zoning Code was adopted pursuant to such authority; and

WHEREAS, consistent with the powers and authority of the Board of Trustees, and in order for the Township to maximize Township residents' general welfare and use and enjoyment of their properties while also facilitating efforts to reduce the spread of COVID-19, the Board of Trustees finds it appropriate to authorize the Hamilton Township Director of Economic Development and Zoning to issue temporary waivers from certain local regulations and certain enforcement activities related to private swimming pools.

NOW THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Hamilton Township, Warren County, Ohio:

SECTION 1. The Hamilton Township Director of Economic Development and Zoning is hereby authorized to issue temporary waivers of certain setback requirements set forth in the Zoning Code for private above-ground swimming pools on residential property. The Director is further authorized to temporarily waive enforcement activities related to noncompliance with such setback requirements.

SECTION 2. In no event shall this Resolution be interpreted as authorizing the Director to waive strict compliance with any health and safety regulations applicable to swimming pools. All federal, state and local safety rules and regulations with respect to swimming pools shall remain in full force and effect.

SECTION 3. This Resolution and the authority granted to the Director herein shall be in effect until September 7, 2020.

SECTION 4. All above-ground swimming pools constructed with temporary approval from the Director pursuant to the authority granted by this Resolution shall be deconstructed and removed on or before September 7, 2020. Any such swimming pool which is not removed on or before September 7, 2020 shall be subject to a Hamilton Township zoning violation notice and all associated penalties and fines.

SECTION 5. Any provision within this Resolution which conflicts with any state or federal law or constitutional provision, or conflicts with or is superseded by any Executive Order of the Governor, the State of Ohio or the President of the United States, shall be deemed inapplicable to and severed from this Resolution, and the remainder of the Resolution shall remain in full force and effect.

BE IT FURTHER RESOLVED, that by a majority vote of its members, the Hamilton Township Board of Trustees hereby dispenses with the requirement that this Resolution be read on two separate days and authorizes passage on the first reading; and

BE IT FURTHER RESOLVED, that this Resolution constitutes an emergency measure necessary for the immediate preservation of the public health, safety and general welfare, as the Board desires to do its part in facilitating efforts to reduce the spread of COVID-19 while also maximizing Township residents' general welfare and use and enjoyment of their properties, and, as such, this Resolution shall be immediately effective upon its passage per Ohio Revised Code 504.11.

BE IT FURTHER RESOLVED, that all formal actions of the Board of Trustees concerning and relating to the passage of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board which resulted in formal action pertaining to this matter occurred in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 3rd day of June, 2020.

Attest:

Kurt Weber, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Township Trustees of Hamilton Township, County of Warren, Ohio, at its regular meeting on June 3, 2020.

Date: _____

Kurt Weber, *Fiscal Officer*

LEGISLATIVE COVER MEMORANDUM

Introduction: June 3, 2020

Effective Date: Next available date

Agenda Item: **Resolution 20-0603C**
Resolution providing for and authorizing removal of junk, refuse and debris at 9457 Schlottman Road, Loveland, Ohio 45140 in Hamilton Township, declaring a nuisance and declaring an emergency.

Submitted By: Alex Kraemer

Scope / Description: This will allow for the Public Works Department to clean up any junk, refuse, and/ or debris on the stated property and assess the hourly rate against the homeowners taxes.

The property owner has been notified through Zoning protocol and has not corrected the violations.

This Resolution is declared an emergency to preserve the health, wellness, and general welfare of the residents of Hamilton Township. This will ensure the issue is mitigated immediately by our Public Works Department and does not require 30 days before action occurs.

Budget Impact: \$0

Vote Required for Passage: 3 of 3

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30PM on June 3, 2020 at Hamilton Township, Warren County, Ohio, with the following Trustees present:

- Darryl Cordrey, Trustee, *Chair*
- Joseph Rozzi– Trustee
- Mark Sousa – Trustee

Mr. _____ introduced the following resolution and moved its adoption:

HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 19-0603C

RESOLUTION PROVIDING FOR AND AUTHORIZING REMOVAL OF JUNK, REFUSE AND DEBRIS AT 9457 SCHLOTTMAN ROAD, LOVELAND, OH 45140 IN HAMILTON TOWNSHIP, DECLARING A NUISANCE AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code §505.87 provides that a Board of Township Trustees may provide for the abatement and control over the removal of vegetation, garbage, refuse, and other debris from land located in the Township; and

WHEREAS, the Board of Township Trustees of Hamilton Township has determined that the continuing maintenance of garbage, refuse and other debris on the following properties in Hamilton Township is a nuisance (most notably in the side yard and driveway):

- 9457 Schlottman Road, Loveland, OH 45140

NOW THEREFORE, Be It Resolved by the Board of Township Trustees, Hamilton Township, Ohio:

Section 1. That the garbage, refuse and other debris located on the following properties in Hamilton Township is hereby declared to be a nuisance;

- 9457 Schlottman Road, Loveland, OH 45140

Section 2. Pursuant to O.R.C. §505.87, the owners and lien holders of record for the properties shall be properly notified of this action and given seven days to abate the nuisances;

Section 3. In the event the nuisance is not abated within the time period allowed, the Economic Development and Zoning Department of the Township is hereby directed to cause the

removal of the garbage, refuse and other debris at the following properties in Hamilton Township:

- 9457 Schlottman Road, Loveland, OH 45140

Section 4. The owners of the following properties in Hamilton Township shall be billed for such services and the Fiscal Officer of the Township is directed to place a special assessment on the real estate tax bill of the property if payment is not made within thirty days.

- 9457 Schlottman Road, Loveland, OH 45140

Section 5. The Trustees of Hamilton Township upon majority vote do hereby authorize the adoption of this resolution upon its first reading.

Section 6. This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, and welfare of the Township. The reason for the emergency is to provide for safe and habitable properties in the township.

M____, _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 3rd day of June, 2020

Attest:

Kurt E. Weber, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on June 3, 2020.

Date: _____

Kurt E. Weber, *Fiscal Officer*



Notice of High Grass & Junk and Debris on Property

May 8, 2020

Mr. Jeremy Caudill
9457 Schlottman Road
Loveland, Ohio 45140

Re: 9457 Schlottman Road Zoning Violations

Dear Mr. Caudill:

You are hereby advised that your property located at 9457 Schlottman Road, Loveland, Ohio 45140 is in violation of the Hamilton Township Zoning Code:

Section 4.2.3. General Property Maintenance Requirements

B. Yards

(2) No owner or person in control of a parcel, dwelling, business, building or premises shall allow grass, weeds, noxious weeds, brush or similar vegetation to remain on the premises at such a height and density as to constitute harborage, actual or potential, for rodents or vermin within 100 feet of any abutting property line or 100 feet from any right-of-way.

(a) For the purpose of this section, a height of 12 inches constitutes a potential hazard.

E. Outside Storage of Material in Residential District


No person shall store, collect, leave, deposit, maintain, reserve, put aside for future use, permit, allow in a yard area, in any district, the following, except in a completely enclosed building or structure or neatly stored against the house in the side or rear yard of the property:

- 1) Lumber or other building materials except those related to a project for which a current building permit has been issued or for firewood for the personal use of the resident;*
- 2) Automotive parts, including tires;*
- 3) Materials used in the construction trade;*
- 4) Household appliances;*
- 5) Furniture capable of harboring rodents; or*
- 6) Junk, salvage or miscellaneous debris.*

The grass on your property has been measured at higher than 12 inches. Please bring your property into compliance by mowing the grass by Friday, May 22, 2020. If this is not corrected, the Board of Trustees will declare your property a nuisance, order the property mowed within 7 days of notice of the nuisance, and bill you for the service. Failure to pay the bill will result in a lien for the amount of the service placed on your property.

Questions regarding this notice may be referred to my attention at the address and phone below.

Respectfully,



Alexander Kraemer

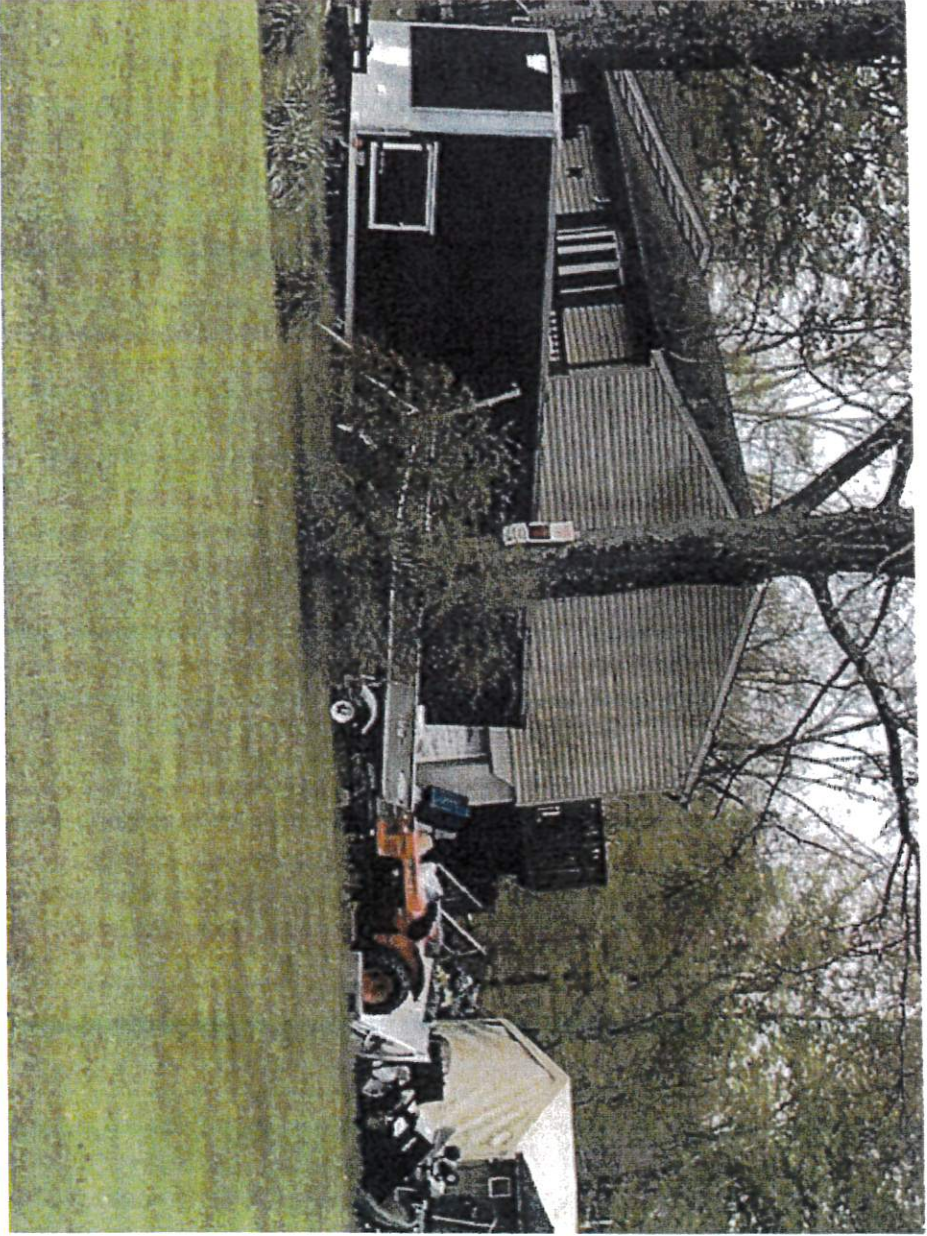
Director of Economic Development & Zoning

7780 South State Route 48 (513) 683-8520 Office
Hamilton Township, OH 45039 (513) 683-4325 Fax
<https://www.hamilton-township.org>



May 7, 2020

5/7/2020





5/7/2020

5/7/2020

