

CITY OF FOSTORIA, OHIO

Ordinance No.: 2019 - 05  
Introduced by: Shawler  
Requested by: SSD

AN ORDINANCE

Enacting new section 521.58 of Chapter 521 of the Codified Ordinances of the City of Fostoria, Ohio entitled "Junk and Junk Vehicles".

WHEREAS, the Director of Public Service and Safety has determined that it is necessary for the City of Fostoria to prohibit the prolonged deposit, storage, maintenance, and collection of junk and junk vehicles and declaring such deposit, storage, maintenance or collection a public nuisance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1: The Codified Ordinances of the City of Fostoria, Ohio be, and the same hereby is, amended by adding thereto a new section, 521.58, of Chapter 521, "Junk and Junk Vehicles", which shall read as follows:

**521.58 JUNK AND JUNK VEHICLES**

(a) Definitions.

(1) "Junk" means any worn out, cast off or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some other use. Any article or material, which unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new, shall not be considered "junk".

(2) "Junk vehicle" means any used vehicle propelled or intended to be propelled by power other than human power and which is in an inoperative or a partially dismantled condition. Portions of junk vehicles, such as hoods, fenders, radiators, rims, motors etc. not being utilized for the repair of a motor vehicle, and not being stored in an enclosed structure shall be considered junk.

(3) "Inoperative condition" means a vehicle which is incapable of being propelled under its own power.

(4) "Partially dismantled condition" means a vehicle which has some part or parts missing which is or are ordinarily an essential component thereof.

(b) Except as otherwise provided herein, the deposit, storage, maintenance or collection of junk or junk vehicles outside of a building is hereby declared to be a public nuisance and offensive to the public health, welfare and safety of the City.

(c) No person in charge or control of any premises within the City, whether as owner, tenant, lessee, occupant or otherwise, shall allow any junk or junk vehicle to remain upon such premises longer than seventy-two hours after receipt of written notice to remove such junk or junk vehicle from such premises or to cover such junk vehicle by housing it in a garage or other suitable structure. Written notice shall be issued and delivered by the Police Chief or anyone designated by him. Such written notice shall be served personally upon the owner, operator, or person having charge of the property involved, or by sending the same by regular U.S. Mail with a certificate of mailing, posting a copy thereof at a conspicuous place on the premises or in the yard attached to a wooden stake.

(d) This section, however, shall not apply to the deposit, storage, maintenance or collection of junk or junk vehicles in an enclosed building, in a regularly established junkyard or in any area of the City in which the same shall be permitted under the Zoning Ordinance.

(e) The Police Chief or anyone designated by him is hereby authorized to remove or cause to be removed any junk vehicle remaining at any place within the City in violation of the provisions of this section. Such junk vehicles shall be impounded until lawfully claimed or disposed of in accordance with the provisions of Ohio R.C. 737.32 or 4513.62 et seq.

(f) Persons may store or keep by unrestricted method any collector's vehicle as defined in Ohio R. C. 4501.01 (F) on private property with the permission of the person having the right to the possession of the property; except that such person having such permission shall conceal, by means of buildings, fences, vegetation, terrain or other suitable obstruction, any unlicensed collector's vehicle stored in the open.

(g) No person shall willfully leave a junk motor vehicle uncovered in the open for more than seventy-two hours after receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima-facie evidence of willful failure to comply with the notice. Each subsequent period of thirty days that a junk motor vehicle continues to be so left constitutes a separate offense.

(h) Any property impounded under this section other than titled motor vehicles shall be disposed of as determined by the Police Department after giving written notice to the property owner. The property will be disposed of unless all costs are paid and the property redeemed within five days of the receipt of such notice.

(i) Whoever violates this section is guilty of a special misdemeanor with a maximum fine of \$250 on a first offense within one year and each subsequent violation within a one year period shall be a special misdemeanor with a maximum fine of \$500 and a minimum fine of \$150.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its

committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: That in order to preserve the public peace, health, safety and welfare of the City of Fostoria and its inhabitants, this measure shall take effect at the earliest time allowed by law after its passage for the reason that this ordinance is necessary for the inhabitants of the City of Fostoria.

THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by the Mayor, this ordinance shall go into immediate force and effect.

Passed this 5<sup>th</sup> day of March, 2019.

  
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Steve Kauffman, Council President

ATTEST:

  
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Tamara L. Drake, Clerk of Council

Filed with me and approved by me this 5<sup>th</sup> day of March, 2019.

  
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Eric J. Keckler, Mayor

CITY OF FOSTORIA, OHIO

Ordinance No.: 2019 - 06  
Introduced by: Logsdon  
Requested by: SSD

AN ORDINANCE

Enacting new section 351.20 of Chapter 351 of the Codified Ordinances of the City of Fostoria, Ohio entitled "Yard Parking Violation".

WHEREAS, the Director of Public Service and Safety has determined that it is necessary for the City of Fostoria to regulate the parking of vehicles in yards.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1: The Codified Ordinances of the City of Fostoria, Ohio be, and the same hereby is, amended by adding thereto a new section, 351.20, of Chapter 351, "Yard Parking Violation", which shall read as follows:

**351.20 YARD PARKING VIOLATION**


(a) No parking of any vehicle will be permitted within any required yard. As defined in section 1131.01.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: That in order to preserve the public peace, health, safety and welfare of the City of Fostoria and its inhabitants, this measure shall take effect at the earliest time allowed by law after its passage for the reason that this ordinance is necessary for the inhabitants of the City of Fostoria.

THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by the Mayor, this ordinance shall go into immediate force and effect.

Passed this 5<sup>th</sup> day of March, 2019.

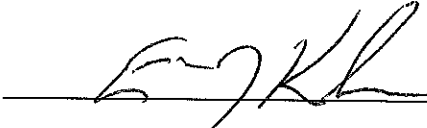
  
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Steve Kauffman, Council President

ATTEST:

  
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Tamara L. Drake, Clerk of Council

Filed with me and approved by me this 5<sup>th</sup> day of March, 2019.

  
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Eric J. Keckler, Mayor

CITY OF FOSTORIA, OHIO

Ordinance No.: 2019 - 07  
Introduced by: Shaver  
Requested by: SSD

AN ORDINANCE

Amending section 351.99 of Chapter 351 of the Codified Ordinances of the City of Fostoria, Ohio.

WHEREAS, the Director of Public Service and Safety has determined that it is necessary for the City of Fostoria to regulate the parking of vehicles in yards.

WHEREAS, the enacting of new section 351.20 of Chapter 351 necessitates the amending of section 351.99 of Chapter 351 to include a penalty for the newly enacted section 351.20.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1: The Codified Ordinances of the City of Fostoria, Ohio be, and the same hereby is, amended by adding language to section 351.99, of Chapter 351, "Penalty", which shall read as follows:

**351.99 PENALTY**

(a) Each owner or operator of a vehicle who receives a notice or notices of violation of this chapter, except for a violation of 351.03(u) and 351.13, shall report to the Fostoria Police Division within fourteen days of the date of the notice or notices and pay fifteen dollars (\$15.00) for each violation. The failure of the owner or operator of a vehicle to make such payment shall render him subject to an additional penalty of fifteen dollars (\$15.00) for each violation which was not paid within seven days of the date of the notice.

(b) Each owner or operator of a vehicle who receives a notice or notices of violation of Section 351.03(u) or 351.13 of this chapter shall report to the Fostoria Police Division fourteen days of the date of the notice or notices and pay ten dollars (\$10.00) for each violation. The failure of the owner or operator of a vehicle to make such payment shall render him subject to an additional penalty of ten dollars (\$10.00) for each violation which was not paid within fourteen days of the date of the notice.

(c) Each owner or operator of a vehicle who receives a notice or notices of violation of Section 351.20 of this chapter shall report to the Fostoria Police Division fourteen days of the date of the notice or notices and pay twenty five dollars (\$25.00) for each violation. The failure of the owner or operator of a vehicle to make such payment shall render him subject to an additional penalty of twenty five dollars (\$25.00) for each violation which was not paid within fourteen days of the date of the notice.

(d) Any owner or operator may within the same time limitations in subsection (a) hereby notify the Fostoria Police Division designated as agent for the Court, of a plea of not guilty to the notice by giving name, address and telephone number and full payment of the fine as bond for appearance at the date and time set for trial.

(e) Any owner or operator of a vehicle who fails to pay such original fine and additional penalty as prescribed in subsection (a) hereof, within thirty days of the time of violation shall be guilty of a minor misdemeanor and will be charged accordingly.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: That in order to preserve the public peace, health, safety and welfare of the City of Fostoria and its inhabitants, this measure shall take effect at the earliest time allowed by law after its passage for the reason that this ordinance is necessary for the inhabitants of the City of Fostoria.

THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by the Mayor, this ordinance shall go into immediate force and effect.

Passed this 5<sup>th</sup> day of March, 2019.

  
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Steve Kauffman, Council President

ATTEST:

  
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Tamara L. Drake, Clerk of Council

Tamara L. Drake, Clerk of Council

Filed with me and approved by me this 5<sup>th</sup> day of March, 2019.

  
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Eric J. Keckler, Mayor

CITY OF FOSTORIA, OHIO

Resolution No.: 2019 - 08  
Introduced by: Laibe  
Requested by: SSD

A RESOLUTION

Authorizing the disposal of personal property, motor vehicles, road machinery, equipment, tools or supplies which are not needed for public use, or are obsolete or unfit, to be sold by internet auction in calendar year 2019 and declaring an emergency to exist.

BE IT RESOLVED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1. The Council of the City of Fostoria, Ohio hereby authorizes, directs and empowers the Director of Public Service and Safety to offer for public internet auction through GovDeals.com City owned personal property, including motor vehicles, acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired. This authority is limited to calendar year 2019.

SECTION 2. The internet auction shall be made in accordance with the City's Fixed Asset Policy, and with the regulations for Govdeals.com, wherein the number of bidding days shall be no less than ten (10) days, including legal holidays, Saturdays and Sundays. The said Director may establish a reasonable minimum bid and may decline any and all bids.

SECTION 3. The Clerk of Council shall publish, in a newspaper of general circulation, Notice of the City's intent to sell unneeded, obsolete, or unfit municipal personal property, including a summary of this resolution, and that Notice shall be published twice. The second Notice shall be published not less than ten nor more than twenty days after the previous Notice. A similar Notice shall be posted continually through the calendar year of 2019 in a conspicuous place in the Department of Finance.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. The reason for this emergency is to dispose of unneeded and obsolete personal property efficiently and at the best price.

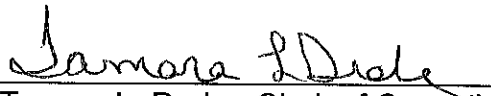


THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by the Mayor, this resolution shall go into immediate force and effect.

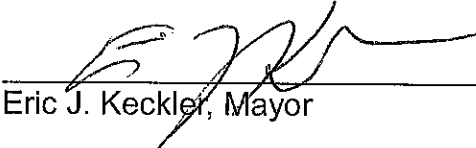
Passed this 5<sup>th</sup> day of March, 2019.

  
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Steve Kauffman, President of Council

ATTEST:

  
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Tamara L. Drake, Clerk of Council

Filed with me and approved by me this 5<sup>th</sup> day of March, 2019.

  
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Eric J. Keckler, Mayor

CITY OF FOSTORIA, OHIO

Ordinance No.: 2019 - 09  
Introduced by: Lake  
Requested by: Council as a Whole

AN ORDINANCE

Adopting and Amending ordinance No. 2018-64 (Permanent 2019 Appropriations) by appropriating from unappropriated funds in the General Fund and declaring an emergency.

BE IT ORDAINED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1: That ordinance No. 2018-64 (Permanent 2019 Appropriations) passed December 18, 2018, be, and the same is hereby amended as delineated in the following sections:

SECTION 2: That Seven Thousand Dollars (\$7,000) be appropriated from unappropriated funds to 101-710-531240 General Fund – General Government-Mayor/Contractual Services-Lease Payments.

SECTION 3: That Three Thousand Seven Hundred Dollars (\$3,700) be appropriated from unappropriated funds to 101-730-531240 General Fund – General Government-Law Director/Contractual Services-Lease Payments.

SECTION 4: That Five Thousand Dollars (\$5,000) be appropriated from unappropriated funds to 101-740-531240 General Fund – General Government-Auditor/Contractual Services-Lease Payments.

SECTION 5: That this ordinance shall be published in accordance with applicable Ohio Law.

SECTION 6: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 7: That in order to preserve the public peace, health, safety and welfare of the City of Fostoria and its inhabitants, and in order to make the appropriation adjustments in the Permanent 2019 appropriations without delay to meet pending obligations, this measure is determined to be an emergency ordinance and shall take effect at the earliest time allowed by law after its passage.

THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by Mayor, this ordinance shall take immediate force and effect.

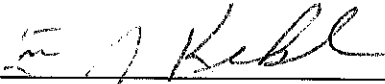
Passed this 5<sup>th</sup> day of March, 2019.

  
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Steve Kauffman, Council President

ATTEST:

  
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Tamara L. Drake, Clerk of Council

Filed with me and approved by me this 5<sup>th</sup> day of March, 2019.

  
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Eric J. Keckler, Mayor

CITY OF FOSTORIA, OHIO

Resolution No.: 2019 - 10  
Introduced by: Lalle  
Requested by: Director of Finance

AN ORDINANCE

To continue support by the City of Fostoria, Ohio to the Fostoria Economic Development Corporation in order to promote economic development and growth, and declaring an emergency to exist.

BE IT ORDAINED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1. The Council of the City of Fostoria, Ohio (the Council) hereby appropriates \$30,000.00 for budget year 2019 to the Community Development Fund (number 236) from funds derived from the temporary one percent income tax for the support of the Fostoria Economic Development Corporation (FEDC). Council directs these monies be spent for the support of FEDC.

SECTION 2. In addition, the Council directs that the interest earned from the STAR Ohio account, where the City's UDAG Revolving Loan Fund 240 dollars are being held on deposit, is also expended for the support of FEDC.

SECTION 3. For the budget year 2019, an additional 75% of the interest collected in 2018 from all loans currently being paid back to the City of Fostoria's UDAG Revolving Loan Fund (fund 240) is also authorized to be expended for the support of FEDC.

SECTION 4. The interest collected in 2018 from loans being paid back to the City's RLF Fund was \$9,042.34. The council hereby authorizes FEDC to receive 75% of those interest payments, or \$6,781.76 in a one-time payment with the agreement that the FEDC Director will make quarterly reports in writing to City Council.

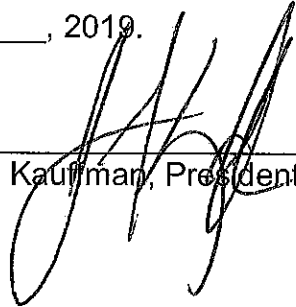
SECTION 5. The Mayor and two members of City Council shall be members of the FEDC Board in exchange for this monetary support. The Mayor and one City Council member shall be a member of the Executive Committee of the Board in exchange for this monetary support. The President of Council shall make the council appointments.

SECTION 6. Ordinance No. 2018-08 is hereby repealed.


SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 8. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. The reason for such emergency is the fact that the allocation of monies is necessary for timely and proper budgeting of City of Fostoria funds with an eye towards creating and retaining good paying jobs in the community.

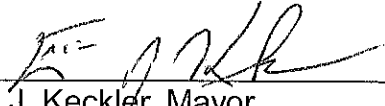
Passed this 5<sup>th</sup> day of March, 2019.

  
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Jon Kauffman, President of Council

ATTEST:

  
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Tamara L. Drake, Clerk of Council

Filed with me and approved by me this 5<sup>th</sup> day of March, 2019.

  
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Eric J. Keckler, Mayor