

COUNCIL AGENDA

Tuesday, January 21, 2025— 7:00 pm Waynesville Municipal Building, 1400 Lytle Road

- I. Roll Call
- II. Pledge of Allegiance
- III. Mayor (for purposes of acknowledgments)
- IV. Disposition of Minutes of Previous Meetings
 Council, December 16, 2024 at 7:00 p.m.
- V. Public Recognition/Visitor's Comments (A five-minute per person time limit will be allowed for each speaker unless more time is requested and approved by a majority of the council)
- VI. Old Business
 - Appointment of Council members to 2025 committees
- VII. Reports
- Standing Council Committees
 - a) Finance Committee
 - b) Public Works Committee
 - c) Special Committees
- Village Manager's Report
- Police Report
- Finance Director's Report
- Law Directors Report
- VIII. New Business:
- Legislation:

Reading of Ordinances and Resolutions:

First Reading of Ordinances and Resolutions:

None

Second Reading of Ordinances and Resolutions:

ORDINANCE 2024-051

ADOPTING CHAPTER 151 OF THE VILLAGE OF WAYNESVILLE CODIFIED ORDINANCES REGARDING SPECIAL PURPOSE FLOOD DAMAGE REDUCTION

ORDINANCE 2024-052

AMENDING THE SCHEDULE OF FEES AND CHARGES FOR THE VILLAGE OF WAYNESVILLE REGARDING FILING FEES FOR PLEAS IN ABSENTIA IN MAYOR'S COURT AND DECLARING AN EMERGENCY

Tabled:

- IX. Executive Session
- X. Adjournment

Next Regular Council Meeting:

January 21, 2025 at 7:00 pm

Upcoming Meetings and Events:

Parks & Recreation, January 21, 2025 @ 5:00 p.m. Finance Meeting, January 21, 2025 @ 6:00 p.m. Public Works Committee, February 3, 2025 @ 6:00 p.m.



Village of Waynesville Council Meeting Minutes December 16, 2024 at 7:00 pm

Present:

Mr. Lyle Anthony

Mr. Brian Blankenship

Mr. Chris Colvin

Mrs. Connie Miller

Absent:

Mayor Earl Isaacs

Mr. Zack Gallagher Mr. Troy Lauffer

Village Staff Present: Hannah Pothoff, Law Director; Gary Copeland, Village Manager and Director of Public Safety; Jamie Morley, Finance Director and Clerk of Council

CLERK'S NOTE- This is a summary of the Village Council Meeting held on Monday, December 16, 2024.

President Pro Tempore Colvin called the meeting to order at 7:00 p.m.

Roll Call – 4 present

Mrs. Miller motioned to excuse Mayor Isaacs, Mr. Gallagher, and Mr. Lauffer from tonight's meeting, and Mr. Anthony seconded the motion.

Motion - Miller

Second – Anthony

Roll Call - 4 yeas

Mayor Acknowledgements

None

Disposition of Previous Minutes

Mrs. Miller moved to approve the minutes of the December 2, 2024 meeting as written, and Mr. Anthony seconded the motion.

Motion – Miller

Second – Anthony

Roll Call - 4 yeas

Public Recognition/Visitor's Comments Chief Copeland swore in the newest Reserve Officer, William Bowman. Officer Bowman graduated from Springboro High School and Hocking College and attended the Greene County Police Academy. **Old Business**

Reports

None

Finance

The Finance Committee met this evening. The Village is doing well financially. The next meeting will be on Tuesday, January 21, at 6:00 p.m.

Public Works Report

Public Works will meet on January 6, 2025 at 6 p.m.

Special Committee Report

Parks and Rec will meet on January 21st at 5:00 p.m. Representatives from Mary L Cook should be there to update the committee on the progress of the new park.

Village Manager Report

- Chief Copeland explained that Ordinance 2024-051 will update the Village's flood insurance codes in response to FEMA's new requirements. He said he worked with Sam Beam, who provided the ODNR model based on the state and federal standards. Mr. Forbes has reviewed the ordinance.
- Chief Copeland attended a preconstruction meeting for OPWC Franklin Phase II. SmithCorp plans to start the project around the first of the year, with a completion date of May 10.
- Chief Copeland said he hosted a meeting with all the stakeholders of the new DORA District, including the Chamber, WMA, and the restaurants serving beverages. He explained the Village expectations and provided rules and regulations. Signs have been placed to denote

- the boundaries. Once establishments receive the approved cups, they can start serving.
- On December 12, Chief Copeland attended a meeting with Ohio EPA to review Well 10. It was discussed that the new well contains small amounts of PFAS, but once it is blended with the other wells, it will be negligible. The Village must provide a letter to OEPA explaining why a new well is required and why it should be approved.
- A list of approved OPWC grants has been provided. The Village has been awarded Fourth Street, which should begin in the fall.
- After reviewing the complaint about the brightness of the replacement of the bulbs in Victoria Place, they have been replaced with dimmer bulbs. It looks much better.

Police Report

- November Dispatched Calls for Service and Mayor's Court Month End have been provided for review.
- There is an ordinance on tonight's agenda at the request of the Magistrate to have a fee of \$75 for the Mayor's Court Pleas in Absentia.
- Thank you to all those who attended and contributed to the staff Christmas Party.

Mrs. Miller asked if there were floodplains in the Village. Chief Copeland responded that there was no housing in the floodplains, but the Der Dutchman land and Bowman Park were.

Chief Copeland stated that the Council may want to consider starting to set aside money for the future to purchase the Bannon property. It is upstream from the wellfield, and if it ever comes up for sale, it may be advantageous to buy it.

Mr. Anthony thanked the Water Department for securing the lid to the vault on Franklin Road.

Financial Director Report

None

Law Report

- Ms. Pothoff stated she is filling in for Mr. Forbes and wants to follow up on creating a lighting district. She said that a lighting district cannot be made retroactively. However, if there is a lighting improvement project on Main Street, then there is a possibility of creating a district.



None

Legislation

First Reading of Ordinances and Resolutions

Ordinance 2024-051

Adopting Chapter 151 of the Village of Waynesville Codified Ordinances Regarding Special Purpose Flood Damage Reduction

Mr. Anthony moved to have the first reading of Ordinance No. 2024-051, and Mrs. Miller seconded the motion.

Motion – Anthony Second – Miller

Roll Call - 4 yeas

Ordinance 2024-052

Amending The Schedule of Fees and Charges for the Village of Waynesville Regarding Filing Fees for Pleas in Absentia in Mayor's Court and Declaring an Emergency

Mrs. Miller moved to have the first reading of Ordinance No. 2024-052, and Mr. Colvin seconded the motion.

Motion – Miller Second – Colvin

Roll Call - 4 yeas

Second Reading of Ordinances and Resolutions

| None | |
|---|--|
| | |
| ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | |

Executive Session

| None |
|--|
| All were in favor of adjourning at 7:29 p.m. |
| Date: |
| Jamie Morley Clerk of Council |

Council Report

January 21, 2025 Chief Copeland

Manager

- I am providing an update on the SR42 traffic signal project and want to share the final resolution between the Village and the Ohio Department of Transportation (ODOT) for your records. I have been collaborating with Scott Brown, the Planning Engineer for ODOT District 8. EMH&T has completed the project plans and job specifications. The bid packets are prepared and will be opened on February 27th, with the bidding closing on March 10th. We will share the results promptly after the bids close.

 Based on the project estimates, the Village's portion of the job will be \$266,550.70, contingent upon all bids not exceeding these estimates. The Waynesville County Vehicle Tax will fund the Village's portion, and if the bids exceed the estimates, the additional amount will be sourced from the Village Highway Fund.

 A preconstruction meeting is scheduled for early April. The project specifications require construction to begin and break ground on May 9, 2025. I will continue to keep the Council updated on the progress of this project.
- I emailed the Council on Wednesday, January 15th, regarding the insurance renewal with Hylant. Additionally, I have a meeting scheduled for Thursday, January 23rd, at 10 a.m. with Karie Novesl at the Village Government Center to review the list of Village assets. She will be preparing a quote, and I will provide the Council with a first-read ordinance at the February 3rd meeting. The current policy expires on March 12, 2025.
- The DORA cups arrived and were picked up by the businesses. A subsequent investigation showed that the company DigiStitch used to make the cups switched them because they could not print the required information based on the ordered cup size and material. I have been working with Eric Huber, the owner of DigiStitch, and he advised that he had located a company that could make disposable cups, but they needed to be clear. In addition, the lettering would be orange in color. He also said he would take the loss and replace the hard cups with disposable cups at no cost to the businesses. I said I would check with the Council and get back to him on Wednesday, January 22nd.
- The Water Department has provided the well withdrawal totals for 2024, which are available for your review. The report includes the monthly gallon totals (in millions), hours of operation for each pump, and the percentage of flow per pump. Additionally, a year-end total of each pump has been included.
- The Franklin Road waterline and repaving project from Old Stage to Lytle Road will begin on January 27th. An OUPS (utility marking) ticket has been filled. The residents of Franklin Road and the Fire Department have been notified of the project and the dates of construction.

- On January 16th, I met with Fire Chief Jason Beckett at the Village Government Center to discuss code violations in the village and upcoming projects for 2025. Several business violations have been reported, and we will work together to address these complaints. We will also collaborate on various projects, including the waterline and repaving initiatives, the SR 42 (North Street) traffic signal, and multiple inspections.
- I am providing an update on the meeting we had on December 12th with Katie Moore, Sam Spence, John McDaniels, and Jeff Davison from the Ohio Environmental Protection Agency (OEPA) regarding Well #10. At the OEPA's request, we submitted a variance application to blend Well #10 with Wells 6 and 7 to bring PFOS levels within regulatory standards. We are currently awaiting the PFOS level test results for Wells 6 and 7. The lateral line from Well #10, which runs under the mill race, has been approved, and an OEPA approval letter is attached to this report for your review. Additionally, Molly Conley, the Director of Warren County Soil and Water, informed me that she will draft a letter of approval from the County for the installation of the well in the floodplain, as required by the OEPA.
- Dave O'Banion's property, located north of our well field, is currently listed for sale. This property may be of interest to the village as it adjoins our well field, which we want to protect, and could potentially serve as a future well site.

 The realtor's contact number is 937-604-6603. The property consists of 27.757 acres, with an asking price of \$30,000 per acre, totaling \$832,710. I will propose discussing this at the Public Works meeting on February 3rd.

 In addition, I will research the property history to ascertain if there are any past usage agreements or restrictions.
- Mary L. Cook Public Library Executive Director Kelly Maloney and Park Project
 Architect Chris Hice will provide an update to the Council and Parks Board members
 regarding their park project. The Parks and Recreation meeting is set for Tuesday,
 January 21, at 5 PM.
- The Fresh Marketplace, also known as Hometown Market, has new owners who are excited to improve their service to the community. On Friday, January 17th, Mary Hammiel, the Bakery Manager, and Shazia "Shaz" Bano, the owner, visited the Village staff to provide freshly baked donuts. We extend a warm welcome to them and look forward to their contributions to our community.

• We received a check (check #1972) for \$1,370.00 from the Merchants Association. This reimbursement is for the DORA signs already installed by the Village Maintenance Department.

Police

- I have included the December dispatched calls for service for your review. Please feel free to contact me if you have any questions or concerns.
- The December Mayor's Court report and 2024 Annual Mayor's Court report have been provided. Feel free to contact me or Ashley if you have any questions.
- Sgt. Denlinger has provided a code enforcement report has been provided for your review. Please contact the Sgt or me with any questions, concerns, or recommendations for properties to add to the list.
- School Resource Officer Mermann is scheduled to attend ALICE (Alert, Lockdown, Inform, Counter, Evacuate) Instructor Certification training from January 22 to January 23. This course focuses on responding to violent critical incidents, including active shooters, violent intruders, mass shootings, terrorism, workplace violence, and other unexpected tragedies. It is a train-the-trainer course, which enables him to train our agency's officers. Additionally, the training hours can be registered for state-required continuing professional training credits for reimbursement.
- The Drug Task Force is reaching out to all municipalities in Warren County for their annual contributions that fund the collaborative operations. The DTF has proven to be a valuable asset to both the County and the Village of Waynesville. I would like to recommend maintaining our contribution at \$9,000.00, the same amount we have provided for the past four years. I request that this matter be addressed and supported by the Council at the meeting scheduled for January 21, 2025.

• **Public Notice: 48-Hour Parking Violation Reminder**

This notice serves as a reminder regarding the 48-hour parking violation policy. We observed significant issues with parked vehicles during the last two snowstorms. If you are parked on a designated snow route, please be aware that you cannot park on that street if snow accumulates to two or more inches. Additionally, vehicles parked on non-snow routes must not remain in the same location for more than 48 hours. This policy is essential for assisting our Street Maintenance workers as they plow the roads. We appreciate your cooperation in helping us keep the streets clear and ensure safe travel within the Village.

FINAL RESOLUTION

The following Final Resolution enacted by the Village of **Waynesville**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the 1st day of May 2023, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of improvements to the intersection of Main Street (U.S.R. 42) and Corwin/North Street by installing a new traffic signal including asphalt concrete surfacing, realignment of north and south bound turn lanes, ADA curb ramps, pedestrian crossings, drainage upgrades, erosion control upgrades, traffic signal upgrades and pavement markings, lying within the Village of Waynesville; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the Village limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Two Hundred Sixty-Six Thousand Five Hundred Fifty and - - - - 70/100 Dollars, (\$266,550.70),** but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum of Two Hundred Sixty-Six Thousand Five Hundred Fifty and - 70/100 Dollars, (\$266,550.70), is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that the **Village Manager** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the 1st day of May, 2023, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume 2023, at Page 018, and under date of May 1, 2023.

Legislative Authority of the Village of Waynesville, Ohio

Village Madager

Clerk (Secretary Ex-Officio

SEAL (If Applicable)

FISCAL OFFICER'S CERTIFICATE

(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: \$266,550.70 required for the payment of the cost other than that thereof assumed by the Federal Government, for the improvement of that portion of U.S.R. 42 - 20.23, lying within the corporate limits of the Village of Waynesville, more particularly described as follows:

The project consists of improvements to the intersection of Main Street (U.S.R. 42) and Corwin/North Street by installing a new traffic signal including asphalt concrete surfacing, realignment of north and south bound turn lanes, ADA curb ramps, pedestrian crossings, drainage upgrades, erosion control upgrades, traffic signal upgrades and pavement markings, lying within the Village of Waynesville; and

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied, placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the Village of **Waynesville**, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

Legislative Authority's Journal, Volume 2023, at Page 018 .

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said Fiscal Officer, this 8th day of January , 2025.

(Fiscal Officer's Seal) (If Applicable)

Fiseal Officer of the Village o

Waynesville, Ohio

CONTRACT

(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the Village of **Waynesville**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

WHEREAS, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

SECTION I: RECITALS

The foregoing recitals are hereby incorporated as a material part of this contract.

SECTION II: PURPOSE

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: LEGAL REFERENCES

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of improvements to the intersection of Main Street (U.S.R. 42) and Corwin/North Street by installing a new traffic signal including asphalt concrete surfacing, realignment of north and south bound turn lanes, ADA curb ramps, pedestrian crossings, drainage upgrades, erosion control upgrades, traffic signal upgrades and pavement markings, lying within the Village of Waynesville.

SECTION V: FINANCIAL PARTICIPATION

- 1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
- 2. The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
- 3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
- 4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of Two Hundred Sixty-Six Thousand Five Hundred Fifty and - - 70/100 Dollars, (\$266,550,70).
- 5. The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the Village limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.
- The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

7. The LPA agrees that change orders and extra work contracts required to fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION VI: RIGHT-OF-WAY AND UTILITIES

- 1. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
- 2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
 - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
 - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
 - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

- 1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
- 2. The LPA agrees:
 - A. To keep said highway open to traffic at all times;
 - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto;

- C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion:
- D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;
- E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

SECTION IX: NOTICE

Notice under this contract shall be directed as follows:

Village of Waynesville 1400 Lytle Road Waynesville, Ohio 45068 Ohio Department of Transportation Office of Contract Sales & Estimating 1980 West Broad Street, MS 4110 Columbus, Ohio 43223

SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training Including Apprenticeship.

- 2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
- 3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

SECTION XI: GENERAL PROVISIONS

- This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
- Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
- 3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
- 4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
- 5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.

- 6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
- 7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

SECTION XII: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

IN WITNESS THEREOF, the parties hereto have caused this contract to be duly executed in duplicate.

SEAL

Village of Waynesville (If Applicable) 1400 Lytle Road - Waynesville, Ohio 45068 513-897-8015 - fox 513-897-2015

OHIO DEPARTMENT OF TRANSPORTATION

E-SIGNED by Nathan Fling on 2025-01-14 20:04:13 GMT

Director of Transportation

LOCAL PUBLIC AGENCY Village of Waynesville

Date

Approved: Dave Yost

Attorney General of Ohio

E-SIGNED by Corinna Efkeman 2025-01-14 19:07:35 on 2025-01-14 19:07:35 GMT

By:

Corinna Efkeman Unit Coordinator, Transportation **Executive Agencies Section**

2024 Well Withdrawal

| | | | 14/11/6 | 147 11 7 | 1 110 |
|-----------------|-----------|------------|-----------|-----------|-----------|
| | | | Well 6 | Well 7 | Well 8 |
| | Total | Monthly | Hours, | Hours, | Hours, |
| | Hours | MG | MG, | MG, | MG, |
| | | 4. | Flow % | Flow % | Flow % |
| January | · | | 386.4 H | 201.5 H | 265.8 H |
| January | 853.7 H | 14.764 MG | 6.682 MG | 3.484 MG | 4.598 MG |
| | | | 45.26% | 23.60% | 31.14% |
| February | | | 296.6 H | 251.6 H | 245.2 H |
| 1 distriction y | 793.4 H | 14.087 MG | 5.266 MG | 4.467 MG | 4.354 MG |
| | | | 37.38% | 31.71% | 30.91% |
| March | | | 369.4 H | 191.2 H | 215.2 H |
| - TVIGITOIT | 775.8 H | 13.546 MG | 6.449 MG | 3.339 MG | 3.758 MG |
| | | | 47.61% | 24.65% | 27.74% |
| April | | | 371.6 H | 164.7 H | 226.9 H |
| 7.01.11 | 763.2 H | 13.289 MG | 6.470 MG | 2.868 MG | 3.951 MG |
| | | | 48.69% | 21.58% | 29.73% |
| May | | | 417.4 H | 214.5 H | 356.7 H |
| | 988.6 H | 17.268 MG | 7.291 MG | 3.747 MG | 6.230 MG |
| | | | 42.22% | 21.70% | 36.08% |
| June | | | 366.8 H | 329.2 H | 300.3 H |
| | 996.3 H | 17.422 MG | 6.415 MG | 5.756 MG | 5.251 MG |
| All distances | | | 36.82% | 33.04% | 30.14% |
| July | | | 461.5 H | 351.8 H | 157.8 H |
| J 5 y | 971.1 H | 16.574 MG | 7.876 MG | 6.005 MG | 2.693 MG |
| | | | 47.52% | 36.23% | 16.25% |
| August | | | 477.3 H | 469.5 H | 120.0 H |
| | 1066.8 H | 18.326 MG | 8.199 MG | 8.065 MG | 2.062 MG |
| | | | 44.74% | 44.01% | 11.25% |
| September | | | 475.9 H | 460.8 H | 44.1 H |
| | 980.8 H | 17.327 MG | 8.407 MG | 8.140 MG | 0.780 MG |
| | | | 48.52% | 46.98% | 4.50% |
| October | | | 267.8 H | 253.5 H | 316.2 H |
| | 837.5 H | 15.171 MG | 4.852 MG | 4.592 MG | 5.727 MG |
| | | | 31.98% | 30.27% | 37.75% |
| November | | | 282.8 H | 258.8 H | 213.5 H |
| | 755.1 H | 13.212 MG | 4.948 MG | 4.528 MG | 3.736 MG |
| | | | 37.45% | 34.27% | 28.28% |
| December | | | 311.4 H | 241.9 H | 197.2 H |
| | 750.5 H | 13.241 MG | 5.494 MG | 4.267 MG | 3.480 MG |
| | | | 41.49% | 32.23% | 26.27% |
| Total | | | 4484.9 H | 3389.0 H | 2658.9 H |
| | 10532.8 H | 184.227 MG | 78.349 MG | 59.258 MG | 46.620 MG |
| | | | 42.58% | 32.18% | 25.24% |



Mike DeWine, Governor Jon Husted, Lt. Governor Anne M. Vogel, Director

January 13, 2025

Gary Copeland, Village Manager Village of Waynesville PWS 1400 Lytle Road Waynesville, OH45068

Subject: Project DDAGW-3441; Detail Plans for Waynesville Village PWS; War-way-2403 Well 10 Waterline Extension; Plans Received November 26, 2024, From Choice One Engineering Corporation

Ladies and Gentlemen:

The Ohio Environmental Protection Agency has reviewed the enclosed plans submitted pursuant to Ohio Revised Code Sections 6109.07 et. seq., or accepted the certification of plan review by an authorized professional engineer pursuant to a contract therefore. These plans are approved subject to the condition of compliance with all applicable laws, rules, regulations, and standards. The applicant is responsible for obtaining all other necessary approvals, waivers or releases required by state, federal or local law prior to implementing this plan. Further, all construction must be supervised by a registered engineer, if required by law, or expert qualified in such work.

The enclosed project summary sheet contains a description of the facilities approved which may include information regarding approved operating rates, capacities, and requirements, and is incorporated herein.

This approval shall become void five years from the date of this letter unless the facilities are constructed as proposed by that date. By accepting this approval, the applicant acknowledges that this deadline shall not be considered or construed as extending or having any effect whatsoever on any compliance schedule or deadline set forth in any administrative or court order issued to or binding upon the applicant, and the applicant shall abide by such compliance schedules or deadlines to avoid the initiation of additional legal action by the Ohio Environmental Protection Agency.

A license to operate will be required for these facilities. The owner shall notify the appropriate district office of the Ohio Environmental Protection Agency in writing within ten days of placing this water system in operation so that a license to operate application can be provided to the owner. The owner shall return the completed application and the appropriate fee within seven days of receiving the application.

This approval covers only the water supply facilities proposed. Sanitary waste handling facilities may need a separate approval by the Ohio Environmental Protection Agency. Other aspects of the project may need approval by the Ohio Department of Health and/or the local health department.

Lead solder and flux that exceeds 0.2 percent lead content and any pipe or pipe fitting that exceeds a 0.25 percent lead content shall not be used in the installation of the proposed facilities.

The owner shall provide for the proper maintenance and operation of the water supply and distribution system.

Necessary measures shall be taken to ensure that there will be no cross connections between the public water supply and any private water supply. The local health department shall be notified of any private water wells which will no longer be used as sources of potable water and which should be abandoned.

The supplier of water shall ensure that no person shall install or maintain a water service connection where a booster pump has been installed, unless an approved method is in place and operational to maintain a minimum suction pressure in accordance with Ohio Administrative Code Rule 3745-95-07.

50 W. Town Street Suite 700 Columbus, Ohio 43215 U.S.A. 614 | 644 3020 epa.ohio.gov Waynesville Village January 13, 2025 Page 2

The owner shall contact the appropriate district of the U.S. Army Corps of Engineers regarding each stream or wetland crossing proposed as part of this project. If a 404 permit is determined to be necessary by the Corps of Engineers, the owner shall acquire a Section 404 Permit and 401 Water Quality Certification, before impacting any waters of the state as a part of this project.

Any well, well point, pit, or other device installed for the purpose of lowering the ground water level to facilitate construction of this project shall be properly abandoned in accordance with the provisions of Rule 3745-9-10 of the Ohio Administrative Code or in accordance with the provisions of this plan or as directed by the director of the Ohio Environmental Protection Agency or his representative. In addition, a well sealing report shall be filed with the Ohio Department of Natural Resources, Division of Water, within 30 days of completion, in accordance with Section 1521.01 of the Ohio Revised Code.

Any person installing any well, well point, pit, or other device used for the purpose of removing ground water from an aquifer shall complete and file a Well Log and Drilling Report form with the Ohio Department of Natural Resources, Division of Water, within 30 days of the well completion in accordance with the Ohio Revised Code, Section 1521.01 and 1521.05. In addition, any such facility that has a capacity to withdraw waters of the state in an amount greater than 100,000 gallons per day from all sources shall be registered by the owner with the Chief of the Division of Water, Ohio Department of Natural Resources, within three months after the facility is completed in accordance with Section 1521.16 of the Ohio Revised Code. For copies of the necessary well log, drilling report, or registration forms, please contact:

Division of Water
Ohio Department of Natural Resources
Fountain Square
Columbus, OH 43224-1387
(614) 265-6717

Air Pollution Control Requirements: Fugitive dust generated by this water line project shall be controlled as specified in OAC 3745-17-08(B).

A National Pollutant Discharge Elimination System (NPDES) permit will be required if the construction project results in a disturbance greater than or equal to one acre. As a requirement of the permit, a Storm Water Pollution Prevention Plan (SWPPP) must be developed before submitting the Notice of Intent (NOI) for coverage under the permit. The NOI must be submitted 45 days prior to beginning construction. To obtain the application form and relevant information, please contact Ohio EPA's stormwater coordinator at (937) 285-6357.

The proposed facility may be constructed only in accordance with plans approved by the director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the agency. Any deviation from the approved plans or the above conditions may lead to sanctions and penalties provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities prove to be inadequate or cannot meet applicable standards.

If a Water Supply Revolving Loan Account (WSRLA) loan is desired, it will be necessary to comply with the requirements of Ohio Revised Code 6109.22. If compliance with WSRLA requirements necessitates any revisions to the plans as herein approved, a resubmittal and approval of the plans will be required before construction.

Should there be any questions regarding the requirements, meaning, or interpretation of any of the above which we may clarify, please contact the Division of Drinking and Ground Waters, Southwest District Office, Ohio Environmental Protection Agency.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by

Waynesville Village January 13, 2025 Page 3

a filing fee of \$70.00, made payable to "Treasurer of the State of Ohio", which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission 30 East Broad Street, 4th Floor Columbus, OH 43215

Ohio EPA has developed a customer service survey to get feedback from regulated entities that have contacted us for regulatory assistance, or worked with the Agency to obtain a permit, license or other authorization. Ohio EPA's goal is to provide our customers with the best possible customer service, and your feedback is important to us in meeting this goal. Please take a few minutes to complete this survey and share your experience with us at www.epa.ohio.gov/survey.aspx.

Sincerely,

Anne M. Vogel

Ame M Vagel

Director

ec: Warren County Health Department

Jacob L. Bertke, P.E., Engineer, Choice One Engineering

Sincerrai Gentry, DDAGW-SWDO



PROJECT SUMMARY SHEET FOR PLAN REVIEW OF PROPOSED WATERLINE EXTENSIONS

| Wa | ater Systen | n Name <u>Villa</u> | ge of Waynes | sville | | | |
|-----|------------------|---|------------------|---|--------------------------|----------------|--------------------|
| Pr | oject Title (| same as liste | d on water su | pply data sheet): <u>Well 1</u> | 0 Waterline Ex | <u>tension</u> | |
| Th | e following | is a summary | of the propo | sed waterline: | | | |
| | PIPE MATERIAL | DIAMETER (INCHES) | LENGTH (FEET) | LOCATION | APPLICABLE STANDARDS* | CLASS | PRESSURE RATING |
| | | | | | | | |
| Dι | ıctile Iron | 8 | 254 | From Well 10 to existing 8" raw waterline. | AWWA C-151 | CL-52 | 350 psi |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| 'Ma | aterial and ins | stallation, JUSTII | FY IF NOT AN A | WWA STANDARD (See poli | cy ENG-08-002) | • | |
| 1. | | | | nydrants conform to the l | atest Ye | | Na 🗀 |
| | Standards | s issued by A\ | vvvA and/or i | NOF? | Υ € | es 🔼 | No |
| 2. | • | cking and joir uirements of <i>i</i> | • | s used for pipe joints con | nform Ye | es 🖂 | No |
| 3. | If in an ar | ea of groundv | vater contami | nated by organic compo | unds, | | |
| | | e pipe and joir ation of the o | | uch that they do not allowunds? | w Ye | es 🖂 | No |
| | | • | • | luding pipe, joint materia f non-permeable materia | • | es 🔀 | No |

| 4. | Will all waterlines be pressure tested and tested for leakage in accordance with applicable AWWA Standards? | Yes 🔀 | No |
|-----|---|-----------|------|
| | a. Test to be performed by <u>Contractor</u> | | |
| | b. Test to be supervised by Village of Waynesville | | |
| 5. | Is a continuous and uniform bedding provided in the trench for all buried pipe? | Yes 🔀 | No |
| 6. | Are all tees, bends, plugs, and hydrants provided with reaction blocking, tie rods, or joints designed to prevent movement? | Yes 🔀 | No |
| 7. | Will all waterlines be disinfected in accordance with AWWA Standard C651? | Yes 🔀 | No |
| | a. Disinfection to be performed by <u>Contractor</u> | | |
| | b. Disinfection to be supervised by Village of Waynesville | | |
| | c. Microbiological samples to be analyzed at <u>State of Ohio Certified L</u> | aboratory | ı |
| 8. | Is the system designed to maintain a minimum pressure of 20 psi at ground level at all points in the system under all conditions of flow? | Yes 🔀 | No |
| 9. | Will the normal working pressure in the system be not less than 35 psi? (TSS 8.2.1 recommends 60 – 80 psi) | Yes 🔀 | No |
| 10. | Is the system designed to provide fire protection? | Yes | No 🔀 |
| | a. The design fire flow will be gpm minimum at psi pres | ssure. | |
| | b. What is the maximum spacing of the hydrants? | | |
| | c. Will hydrant drains be plugged? | Yes | No |
| | d. Is the minimum size of all waterlines at least six inches? | Yes | No |
| 11. | Will a backflow prevention program be implemented or followed to prevent cross connections with unapproved sources? | Yes 🔀 | No 🗍 |

| 12. | Are there any master meters to be installed as part of this project? | es [| \ | lo 🏻 | \leq |
|-------------|---|--------|----------|--------|--------|
| | NOTE: If the answer above is yes, contact your Ohio EPA district office to determine if the entity being served by a master meter is an exempt public water system. | | | | |
| 13. | Is at least four feet of cover provided to protect the waterline from | | | | |
| | freezing? Minimum cover <u>4.5</u> feet. | Yes | | No | |
| 14. | What is the maximum spacing between shutoff valves? <u>245</u> (each intersection and 800 feet maximum recommended, 500 feet in co | mmer | cial are | as) | |
| 15. | Have the number of dead end mains been minimized? | Yes | | No | |
| 16. | Where dead end mains occur, has a means of flushing the main | | | | |
| | been provided? (2.5 fpm minimum) | Yes | | No | |
| 17. | Will all waterlines have at least 10 feet horizontal separation | | | | |
| | (edge to edge) from sanitary and storm sewers? | Yes | | No | |
| 18. | Will all waterlines which cross sanitary and storm sewers have a minimu | ım | | | |
| | vertical separation (outside to outside) of 18 inches? | Yes | | No | |
| 19. | Will a reliable means to detect leakage at surface water crossings wider | | | | |
| | than 15 feet be provided? | Yes | | No | |
| 20. | Will a minimum cover of five feet be provided over the water | | | | |
| | crossing pipe? | Yes | | No | |
| 21. | Will piping at water crossing have flexible watertight joints? | Yes | | No | |
| 22 | Are air relief valves provided (attach summary sheet)? | Yes | | No | |
| | | | | INO | |
| | vide a justification for any of the above questions which are answered "no | | ,,, | | |
| | stion # 10, City does not plug hydrants so fire hydrants are spaced from catch t | | | | - |
| | ackfilled with gravel to allow positive drainage. Question # 12, there are no ma | | | | |
| | nis project. Questions #19, 20 and 21 do not apply to this project due to no surf | ace wa | aters de | ing Cl | ossed. |
| <u>uue:</u> | stion #22 there are no release valves needed for this project. | | | | |

Name: <u>Jacob L. Bertke, P.E.</u> Date: <u>11/26/2024</u>

CALLS FOR SERVICE

From Date: 12/01/2024 12:00:00am To Date: 12/31/2024 11:59:59pm

| Type Description | Count |
|---|--------|
| 911 Hangup / Silent | 4 |
| Abandoned Vehicle | 1 |
| Alarm | 10 |
| Animal Complaint | 1 |
| Assault | 3 |
| Attempt to Locate | 2 |
| Burglary | 1 |
| Business Check | 76 |
| Citizen Assist | 2 |
| Criminal Warrant | 3 |
| Domestic Violence | 1 |
| Escort | 9 |
| Extra Patrol | 207 |
| Fire Call | 7 |
| Follow Up Investigation Harassment/Stalking/Threats | 10 |
| Hit Confirmation | 1 1 |
| Intoxicated Driver | 1 |
| Juvenile Complaint | 2 |
| Lock Out | 2 |
| Medical | 39 |
| Mental Disorder | 3 |
| Notification Only | 2 |
| Open Door/Window | 1 |
| Parking Complaint | 3 |
| Phone Call | 12 |
| Recovered Property | 1 |
| Road Closure | 2 |
| Road Hazard/Disabled Vehicle | 4 |
| Road Re-Open | 1 |
| Solicitor Complaint | .1 |
| Special Detail | 6 |
| Suspicious Cir/Per/Veh - Past | 2 |
| Suspicious Person | 1 |
| Suspicious Vehicle | 5 |
| Traffic Crash | 7 |
| Traffic Crash w/ Injuries Traffic Offense | 2 2 |
| Traffic Stop | 43 |
| Trespassing | 1 |
| Unknown Nature | 1 |
| Utility Problem | 1 |
| Vacation House Check | 2 |
| Well Being Check | 2 |
| = 58 5650 | - |

488

TOTAL

Monthly Mayor's Court Report

WAYNESVILLE MAYOR'S COURT Cash Flow for December 2024

END OF REPORT

Page: 1

Report Date: 01/02/2025 **Report Time:** 09:33:29

| | Current Period | Year-To-Date | Last Year-to-Date |
|------------------------------------|----------------|--------------|-------------------|
| City Revenue From: | | | |
| Court Costs | | | |
| COMPUTER FUND | \$306.00 | \$7,002.00 | \$7,632.00 |
| LOCAL COSTS | \$1,233.00 | \$29,830.40 | \$32,321.00 |
| Additional Costs | \$0.00 | \$126.00 | \$214.00 |
| Fines | | | |
| Overpayment / Adjustment | \$0.00 | \$0.00 | \$0.00 |
| City Revenue From Fines | \$4,595.00 | \$84,193.61 | \$81,016.14 |
| Fees | | | , |
| Fees | \$50.00 | \$1,494.34 | \$1,575.95 |
| Miscellaneous/Other | | | |
| Miscellaneous/Other | \$0.00 | \$0.00 | \$-273.68 |
| Bond Forfeits | | | |
| Bond Forfeits | \$0.00 | \$750.00 | \$0.00 |
| Miscellaneous/Other | | | |
| Bond Administration Fees | \$0.00 | \$0.00 | \$0.00 |
| Total to City: | \$6,184.00 | \$123,396.35 | \$122,485.41 |
| State Revenue From: | | | |
| Court Costs | | | |
| VICTIMS OF CRIME | \$315.00 | \$6,957.00 | \$7,550.00 |
| DRUG LAW ENFORCEMENT FUND | \$119.00 | \$2,632.00 | \$2,877.00 |
| INDIGENT DEFENSE SUPPORT FUND | \$866.00 | \$19,541.00 | \$21,035.00 |
| Fees | | | |
| Fees | \$0.00 | \$30.00 | \$60.00 |
| Total to State: | \$1,300.00 | \$29,160.00 | \$31,522.00 |
| Other Revenue From: | • | , | , , |
| Court Costs | | | |
| INDIGENT DRIVER ALC TREATMENT FUND | \$51.00 | \$1,128.00 | \$1,233.00 |
| Restitution | | , | |
| Restitution | \$0.00 | \$0.00 | \$617.27 |
| Total to Other: | \$51.00 | \$1,128.00 | \$1,850.27 |
| TOTAL REVENUE * | \$7,535.00 | \$153,684.35 | \$155,857.68 |
| *Includes credit card receipts of | \$2,685.00 | \$45,081.00 | \$41,214.11 |

WAYNESVILLE MAYOR'S COURT

1400 LYTLE ROAD

WAYNESVILLE, OHIO 45068

Phone: (513) 897-8020 Fax: (513) 897-2025

Waynesville Mayor's Court is one of seven operating in Warren County and one of over 300 throughout the State of Ohio. Mayor's Courts have the authority to hear cases involving traffic and criminal offenses in alleged violation of local ordinances and state traffic laws. The Mayor's Court is imperative for an efficient Ohio court system, as it provides the ability to prevent minor offenses from reaching courts with significant caseloads.

Court personnel includes *Magistrate Wm. Robert Kaufman, Prosecutor Chase Kirby, Clerk of Courts Ashley Richardson, and Bailiff Kevin Fickert.* All staff completed the training necessary to maintain compliance with state requirements.

The year 2024 started with 252 open cases. A total of 803 new cases were filed in 2024, consisting of:

25 Misdemeanor Criminal

762 Misdemeanor Traffic

3 OVI

13 Other (Parking, High Weeds, Garbage, Etc.)

There were 806 cases closed throughout the year. There was 1 case transferred to Warren County Court. At year-end, 248 Mayor's Court cases remain open.

Defendants who failed to appear in court or failed to comply with any court orders were issued warrants, license forfeitures, and/or registration blocks for a total of 32 warrants issued for the year. There were 34 warrants cleared either by the defendant appearing in court to answer to the charges against them or by paying the required monies owed. The new year will start with 57 open warrants, 70 open license forfeitures, and 18 open registration blocks from previous years ranging from 2005 through 2024.

Financially, Mayor's Court brought in revenue of \$ 152,934.35 for the year. The breakdown is:

\$ 122,646.35 to the Village

\$ 29,160.00 to the State

\$ 1,128.00 to Warren County for the ALC Fund

\$ 0.00 for Restitution

Waynesville Mayor's Court utilizes the Attorney General's Office Collection Agency to try to collect monies on cases overdue. The 2024 year started with 96 cases in collections. There was a total of 4 cases sent to collections throughout the year and a total of 2 were closed due to collecting all necessary monies from the AGO Collections. The total amount received was \$685.65.

If you have any questions or would like additional information, please feel free to contact me.

Respectfully Submitted,

Ashley S. Richardson

Police Clerk / Clerk of Courts

pleySpichardson

Code Enforcement

| | | | 10/17/2022 | | Jestier redurred, spoke with property owner and will have | |
|----------|------------|--------------|------------|-----------|---|---------------------------|
| | | | 9/27/2022 | | Letter of the colonial and the colonial | CITCITATE TIO O MAIN OF |
| | | | 9/27/2022 | | Dood Troe | |
| | | | 9/27/2022 | | Siding | 207 S |
| | | | | | Storage, High Weeds | 9/26/2022 207 N M2:5 St |
| | | | 9/27/2022 | | Window Frames, Trees over neighbor's property, Outdoor | 9/26/2022 274 S Main St |
| | | | 9/20/2022 | | Soffitt | 9/19/2022 102 N Main St |
| | | | 11011011 | | Soffit Gutters | |
| | | | 7/19/2022 | | Parking in Grass, Junk Motor Vehicle, Front Steps, | 7/18/2022 552 North St |
| | | | 7/19/2022 | | Cut down tree needs removed | 6/2//2022 825 Franklin Rd |
| | | | 6/13/2022 | | Siding | 6/6/2022 83 N I hird St |
| | | | 6/13/2022 | | Accessory Structures | |
| | | | | | Rubbish on Premises, Weeds | |
| | | | | | Garbage, Storage of Junk, Disabled Vehicles and | |
| | | | 11071 | | Window and Door Frames, Accumulation of Rubbish or | |
| | | | 4/11/2022 | | Exterior of Premises, Exterior Walls, Roofs and Drainage, | 4/4/2022 272 North St |
| | | | 4/11/2022 | | Outdoor Storage | |
| | | | 77071114 | | Working on getting estimates for repairs 05/01/2022 | |
| | | | 4/11/2022 | | Exterior of Premises | 4/4/2022 15 S Third St |
| | | | 4/11/2022 | | Boat parked in grass | |
| | | | 4/11/2022 | | Overhang extensions, Exterior of Premises | 4/4/2022 4/ N I hird St |
| | | | 3/29/2022 | | Accumulation of Rubbish or Garbage, Brush | 3/28/2022 120 N Main St |
| | | | 3/22/2022 | | Outdoor Storage, Accumulation of Rubbish or Garbage | |
| | | | 11011 | | of Junk | |
| | | | 3/22/2022 | | Junk Motor Vehicles, Outdoor Storage, Accumulation | 3/21/2022 262 Edwards Dr |
| | | | | | Front painted | |
| | | 10/24/2022 | 22021417 | | Exterior of Premises, Exterior Walls | |
| | | 10/04/0000 | 2/4/2/22 | | Roofs and Drainage, Sidewalks and Driveways. | 2/2/2022 599 Chapman St |
| | | | 11/16/2021 | | Outdoor Storage, Junk Motor Vehicles | 11/15/2021 575 Royston Dr |
| | | | 120210101 | | Overhang Extensions | |
| | | | 10/5/2021 | | Roofs and Drainage, Weeds, Exterior of Premises | 10/4/2021 127 North St |
| | | | | | Appears repairs have been started 05/02/2022 | |
| | | | | | Plea and Sentencing rescheduled for 5/19/2022 | |
| | | | | | Plea and Sentencing scheduled for 04/21/2022 | |
| | | | | | Pre-trial scheduled for 3rd time on 02/16/2022 | |
| | | | | | Rubbish or Garbage | |
| | | | | | Accumulation of Rubbish or Garbage. Disposal of | |
| | | | | | Handrails and quards Window and Door Eropos | |
| | 2 | | | | Stairways, Decks, Porches and Balconies | |
| | | | | | Exterior of Dremises Boofs and Dreinges, | |
| | | | | | Disabled Vehicles and Rubhish on Premises | |
| | 10/18/2021 | 1,7071716 | 1707/06/0 | 10/0/2021 | Storage, Accessory Structures, Storage of Junk | |
| | | | 0/20/2024 | 10/5/2021 | Home Occupations, Sanitation, Parking Outdoor | 8/30/2021 264 N Main St |
| | | | | | Roofs and Drainage | |
| | | | 0/2//2/02/ | | Windows and Door Frames, Rotting soffit, Brush | |
| | | | 6/21/2021 | | Overhang Extensions, Rotting deck boards. | 6/21/2021 103 N Third St |
| | | | | | Needs condemned. | |
| | | | 101 | | Exterior of Premises, Exterior Walls | |
| Kesolved | Citation | אוות ואסרוכה | 5/25/2021 | | Roofs and Drainage, Sidewalks and Driveways, | 5/17/2021 599 Chapman St |
| | Citati | SEA NOTION | 1c+ Notice | Deadline | Violation (ORD) | Date Address |
| | | | | | | |

Code Enforcement

Code Enforcement

| | | | | | Resolved | |
|---|-------------|-----------|------------------------|------------|--|---|
| | | | | | | |
| | | | | | | |
| | | | 1/15/2025 | 1/31/2025 | Gutters | 1 OZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZ |
| | | | 1/13/2025 | 1/13/2025 | Trash Outside | |
| 147111111111111111111111111111111111111 | | | | 12/9/2024 | Junk vehicles, outdoor storage, accum. of junk | |
| 12/1/2024 | | | 11/24/2024 | 32/1/2024 | Outdoor storage, accum.of junk | 11/24/2024 623 Preston Dr |
| | +202/11/11 | | | | acummulation of junk, outdoor storage, junk vehicle | |
| 1113/2024 | 11/17/2024 | | | | Exterior of premsis, exterior walls, roofs and drainage, | 11/17/2024 120 N Main St |
| 42/0/c/24 | 11/2/2001 | | | | Overtime parking, expired tags | 11/3/2024 577 High St |
| 44/0/000 | | Section 1 | 11/3/2021 | 11/8/2024 | Dead Tree, High Grass | 11/3/2024 577 High St |
| | | | 10/28/2024 | 11/11/2024 | Sidewalk | 10/28/2024 705 Robindale Dr |
| 8/20/20/4 | | | 9/24/2024 | 9/28/2024 | Cut up dead tree | 9/23/2024 577 High St |
| 0/20/20/4 | | | 9/24/2024 | 9/28/2024 | Weeds | |
| 8/30/2024 | | | 8/26/2024 | 8/30/2024 | Weeds | |
| 8/30/2024 | | | VC0C/3C/8 | 8/30/2024 | Weeds | 8/26/2024 137 S Main St |
| 6/20/2016 | | | 8/26/2024 | 8/30/2024 | Weeds | 8/26/2024 185 S Main St |
| 97071619 57071619 | | | 8/12/2024 | 8/12/2024 | Trash outside | 8/12/2024 162 N 4th St |
| 8/1/1/2024 | | | VCUC/2/8 | 75071110 | High Grass/Weeds | 8/5/2024 941 Lytle Rd |
| 8/9/2024 | | | 9/5/15/8 47/17/15/9 | 8/11/2024 | Weeds, bushes | 8/5/2024 148 N Fourth St |
| 8/5/2024 | 4 | 1128/2024 | 112212024 | *COC/U/8 | High Grass | 8/5/2024 196 S Third St |
| 7/28/2024 | | 41000000 | 7/23/2024 | 8/5/2024 | Sidewalks | 7/22/2024 214 High St |
| 8/3/2024 | 4 | 7/30/2024 | 6/24/2024 | 6/28/2024 | Outdoor storage accum of indicated in the | 7/22/2024 791 Royston Dr |
| 6/29/2024 | | | 6/24/2024 | 7/6/2024 | High Grass | 6/24/2024 Vacant Adamsmoor Dr |
| 6/29/2024 | | | 6/4/2024 | 8/2/2024 | Cia cill | 6/24/2024 514 Royston Dr |
| 6/29/2024 | 17 | 6/24/2024 | 6/3/2024 | 6/7/2024 | Weeds | 6/3/2024 21 N 310 St |
| 6/24/2024 | | | 6/3/2024 | 6/7/2024 | Weeds | |
| 5/31/2024 | | | 5/20/2024 | 5/24/2024 | Overgrown tree | 6/3/2024 1215 Anthony Trace |
| ×202024 | | | 5/13/2024 | 5/13/2024 | Trailer parked on street | 5/13/2024 1331 White Rose Dr |
| VCUCISIA NTOTAL | | | 5/6/2024 | 5/6/2024 | Trailer parked on street | 5/6/2024 563 Robindale Dr |
| 7505/1205# | | | 5/6/2024 | 5/10/2024 | | 5/6/2024 650 High St |
| E/27/2024 | | | 5/6/2024 | 5/10/2024 | High Grass, Outdoor Storage, Trash, Bushes | 5/6/2024 630 Hight St |
| OCITOR OF | | | 5/6/2024 | 5/10/2024 | High Grass, Outdoor Storage | 5/5/2024 84 N Main St |
| 7CUC/7C/9 | | | 5/7/2024 | 5/10/2024 | Accessory Structures | 5/5/2024 /U N Main St |
| 5/20/2024 | | | 5/7/2024 | 5/10/2024 | High Grass | |
| 5/13/2024 | | | 5/7/2024 | 5/10/2024 | High Grass | 5/6/2024 65 S Marvins Ln |
| VCUCI915 | | | 5/6/2024 | 5/10/2024 | Broken Storm Door | 5/6/2024 19 N Us Rt 42 |
| 5/20/2024 | | | 5/7/2024 | 5/10/2024 | High Grass | 5/6/2024 Vacant Adamsmoor Dr |
| PSOSING PSOSING | | | 4/30/2024 | 5/3/2024 | Outdoor Storage | 4/29/2024 39 Edwards Dr |
| VCUCIVIS 47071410 | | | 4/30/2024 | 5/3/2024 | High Grass | 4/29/2024 1074 Crede Way |
| VGUGIVIS MZOZINIC | | | 4/30/2024 | 5/3/2024 | High Grass | 4/29/2024 196 S Third St |
| VCUCIVIS NZOZIOIC | | | 4/29/2024 | 5/3/2024 | Couch outside | 4/29/2024 650 High St |
| VCUCISIES | 470711714 | | 4/21/2024 | 5/4/2024 | Driveway | HIZ IIIZUZE O O MAININE LII |
| | 11/11/11/11 | | 17071171 | | 77. | 1 2 3 30 VCUC/VC/V |

Finance Director Report January 21, 2024 Jamie Morley

- ➤ Year-end is well underway. W-2s will be in the mail soon. I will include all the reports for the February 3rd meeting.
- ➤ Interest collected for 2024:
 - o STAR OHIO \$31,103.12
 - SWEEP \$246,829.91 Annual Interest Rate Average of 2.69%
 - o Primary Checking \$4.65
- The Village received \$814,286.34 in municipal income tax for 2024. \$36,675.79 less than 2023.
- ➤ We received notice from Warren County Water and Sewer on January 9th of a sewer rate increase. The monthly minimum will increase from \$14.01 to \$16.29. And from \$4.67 to \$5.43 for an additional 1,000 gallons over the 3,000 gallons minimum. This is the first increase in over 9 years.
- ➤ I am working with Local Government Services and Kitty Crockett to help balance out the year. Once 2024 is closed, I will upload it to Open Checkbook.
- For the February meeting, I would like to review 2024, answer any questions, and address any concerns. I can also give everyone a minifund accounting review if preferred.
- ➤ I will be on vacation from February 3rd to 7th; therefore, I will miss the February 3rd Council meeting.
- ➤ Employees are updating their information in Form Fire. This will help Wade Insurance get quotes for health insurance that must be renewed on May 1, 2025.
- Approximately 590 Administrative Subpoenas will be mailed today to taxpayers who neglected to file a municipal income tax return for your municipality. All of the taxpayers who will receive the subpoenas were first issued a non-filing notice and were given an opportunity to respond before a subpoena was issued.

Thank You,

Jamie Morley
Finance Director/Clerk of Council

ORDINANCE 2024-051

ADOPTING CHAPTER 151 OF THE VILLAGE OF WAYNESVILLE CODIFIED ORDINANCES REGARDING SPECIAL PURPOSE FLOOD DAMAGE REDUCTION

| WHEREAS, Chapter 151 of the Codified Ordinances currently provides for flood hazard |
|--|
| regulations; and |
| WHEREAS, the Council for the Village of Waynesville has determined that it is in the bes |
| interest of the Village to update certain provisions of such regulations as part of its Codified |
| Ordinances. |
| NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville |
| members elected thereto concurring: |
| Section 1. That Chapter 151 of the Village of Waynesville Codified Ordinances is hereby repealed in its entirety and replaced in its entirety with a new Chapter 151, as set forth in Exhibit "A' attached hereto and incorporated herein by reference. All other provisions of the Codified Ordinances shall remain in full force and effect. |
| Section 2. That this Ordinance shall be effective from and after the earliest period allowed by law. |
| Adopted this day of, 2024. |
| |
| Attest: |
| Attest: Clerk of Council Mayor |

SPECIAL PURPOSE FLOOD DAMAGE REDUCTION ORDINANCE – 2024-051 Village of Waynesville, OHIO

SECTION 1.0: GENERAL PROVISIONS

1.1 Statutory Authorization

ARTICLE XVIII, Section 3, of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens. Therefore, the Village Council of Village of Waynesville, State of Ohio, does ordain as follows:

1.2 Findings of Fact

The Village of Waynesville has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, floodproofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.

1.3 Statement of Purpose

It is the purpose of these regulations to promote the public health, safety and general welfare, and to:

- A. Protect human life and health:
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
- G. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
- H. Minimize the impact of development on adjacent properties within and near flood prone areas;
- I. Ensure that the flood storage and conveyance functions of the floodplain are maintained;
- J. Minimize the impact of development on the natural, beneficial values of the floodplain:
- K. Prevent floodplain uses that are either hazardous or environmentally incompatible; and
- L. Meet community participation requirements of the National Flood Insurance Program.

1.4 Methods of Reducing Flood Loss

In order to accomplish its purposes, these regulations include methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and,
- E. Preventing or regulating the construction of flood barriers, which will unnaturally divert flood, waters or which may increase flood hazards in other areas.

1.5 Lands to Which These Regulations Apply

These regulations shall apply to all areas of special flood hazard within the jurisdiction of the Village of Waynesville as identified in Section 1.6, including any additional areas of special flood hazard annexed by the Village of Waynesville.

1.6 Basis for Establishing the Areas of Special Flood Hazard

For the purposes of these regulations, the following studies and/or maps are adopted:

- A. Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) for Warren County, Ohio and Incorporated Areas, both effective April 23, 2025.
- B. Other studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.
- C. Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the Village of Waynesville as required by Section 4.3 Subdivisions and Other New Developments.

Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the Village of Waynesville Government Center, located at 1400 Lytle Road, Waynesville, Ohio 45068.

1.7 Abrogation and Greater Restrictions

These regulations are not intended to repeal any existing ordinances including subdivision regulations, zoning or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall be followed. These regulations are not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance,

easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

1.8 Interpretation

In the interpretation and application of these regulations, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and,
- C. Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of these regulations may be in conflict with a state or Federal law, such state or Federal law shall take precedence over these regulations.

1.9 Warning and Disclaimer of Liability

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the Village of Waynesville, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

1.10 Severability

Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 2.0: DEFINITIONS

Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application.

Accessory Structure

A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

Appeal

A request for review of the floodplain administrator's interpretation of any provision of these regulations or a request for a variance.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% chance annual flood or one-hundred (100) year flood.

Base (100-Year) Flood Elevation (BFE)

The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the lowest adjacent natural grade elevation plus the depth number (from 1 to 3 feet).

Basement

Any area of the building having its floor subgrade (below ground level) on all sides.

Development

Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Enclosure Below the Lowest Floor

See "Lowest Floor."

Executive Order 11988 (Floodplain Management)

Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

Federal Emergency Management Agency (FEMA)

The agency with the overall responsibility for administering the National Flood Insurance Program.

Fill

A deposit of earth material placed by artificial means.

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1. The overflow of inland or tidal waters, and/or
- 2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM)

Usually the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas.

Flood Insurance Rate Map (FIRM)

An official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.

Flood Insurance Risk Zones

Zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

Zone A:

Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are not determined.

Zones A1-30 and Zone AE:

Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are determined.

Zone AO:

Special flood hazard areas inundated by the 100-year flood in any given year; with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined. Zone AH:

Special flood hazard areas inundated by the 100-year flood in any given year; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.

Zone A99:

Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under construction; no base flood elevations are determined.

Zone B and Zone X (shaded):

Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than 1 foot or with contributing drainage area less than 1 square mile; and areas protected by levees from the base flood.

Zone C and Zone X (unshaded):

Areas determined to be outside the 500-year floodplain.

Flood Insurance Study (FIS)

The official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.

Floodproofing

Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood Protection Elevation

The Flood Protection Elevation, or FPE, is the base flood elevation plus one [1] foot of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the floodplain administrator.

Floodway

A floodway is the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community.

The floodway is an extremely hazardous area, and is usually characterized by any of the following: Moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

Freeboard

A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

Historic structure

Any structure that is:

- 1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
- 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- 3. Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.
- 4. Individually listed on the inventory of historic places maintained by Village of Waynesville's historic preservation board, which program is certified by the Ohio Historic Preservation Office.

Hydrologic and hydraulic engineering analysis

An analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

Letter of Map Change (LOMC)

A Letter of Map Change is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMCs are broken down into the following categories:

Letter of Map Amendment (LOMA)

A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.

Letter of Map Revision (LOMR)

A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

Conditional Letter of Map Revision (CLOMR)

A comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

Lowest floor

The lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an "enclosure below the lowest floor" which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

Manufactured home

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 4781 of the Ohio Revised Code.

Manufactured home park

As specified in the Ohio Adm. Code 4781-12-01(K), a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is

subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land used solely for the storage or display for sale of manufactured homes.

Mean sea level

For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

National Flood Insurance Program (NFIP)

The NFIP is a Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the Federal government will make flood insurance available within the community as a financial protection against flood loss.

New construction

Structures for which the "start of construction" commenced on or after the effective date of a floodplain regulation adopted by the Village of Waynesville and includes any subsequent improvements to such structures.

For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM [August 1, 1980], and includes any subsequent improvements to such structures.

Person

Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies. An agency is further defined in the Ohio Rev. Code §111.15(A)(2) as any governmental entity of the state and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or university, community college district, technical college district, or state community college. "Agency" does not include the general assembly, the controlling board, the adjutant general's department, or any court.

Recreational vehicle

A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Registered Professional Architect

A person registered to engage in the practice of architecture pursuant to Ohio Rev. Code §4703.01 and 4703.19.

Registered Professional Engineer

A person registered as a professional engineer pursuant to Ohio Rev. Code Chapter 4733.

Registered Professional Surveyor

A person registered as a professional surveyor pursuant to Ohio Rev. Code Chapter 4733.

Special Flood Hazard Area

Also known as "Areas of Special Flood Hazard", it is the land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1-30, or A99. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal state or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

Start of construction

The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

Structure

A walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

<u>Substantial Damage</u>

Damage of any origin sustained by a structure whereby the cost of restoring the structure to the 'before damaged' condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction"

of the improvement. This term includes structures, which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include:

- 1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- 2. Any alteration of a "historic structure," provided that the alteration would not preclude the structure's continued designation as a "historic structure".

Variance

A grant of relief from the standards of these regulations.

Violation

The failure of a structure or other development to be fully compliant with these regulations.

SECTION 3.0: ADMINISTRATION

3.1 Designation of the Floodplain Administrator

The Village Manager is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

3.2 Duties and Responsibilities of the Floodplain Administrator

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- A. Evaluate applications for permits to develop in special flood hazard areas.
- B. Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
- C. Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.
- D. Inspect buildings and lands to determine whether any violations of these regulations have been committed.
- E. Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, floodproofing certificates, variances, and records of enforcement actions taken for violations of these regulations.
- F. Enforce the provisions of these regulations.
- G. Provide information, testimony, or other evidence as needed during variance hearings.
- H. Coordinate map maintenance activities and FEMA follow-up.
- I. Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.

3.3 Floodplain Development Permits

It shall be unlawful for any person to begin construction or other development activity including but not limited to filling, grading, construction, alteration, remodeling, or expanding any structure; or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area, as established in Section 1.6, until a floodplain development permit is obtained from the Floodplain Administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

3.4 Application Required

An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area. Such application shall be made by the owner of the property or his/her authorized agent, herein referred to as the applicant, prior to the actual commencement of

such construction on a form furnished for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development's location. Such applications shall include, but not be limited to:

- A. Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
- B. Elevation of the existing, natural ground where structures are proposed.
- C. Elevation of the lowest floor, including basement, of all proposed structures.
- D. Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.
- E. Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable:
 - 1. Floodproofing certification for non-residential floodproofed structure as required in Section 4.5.
 - 2. Certification that fully enclosed areas below the lowest floor of a structure <u>not</u> meeting the design requirements of Section 4.4(E) are designed to automatically equalize hydrostatic flood forces.
 - 3. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section 4.9(C).
 - 4. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where the Federal Emergency Management Agency has provided base flood elevations but no floodway as required by Section 4.9(B).
 - 5. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section 4.9(A).
 - 6. Generation of base flood elevation(s) for subdivision and other new developments as required by Section 4.3.
- F. A Floodplain Development Permit Application Fee set by the Schedule of Fees adopted by the Village of Waynesville.

3.5 Review and Approval of a Floodplain Development Permit Application

A. Review

1. After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have been met. No

floodplain development permit application shall be reviewed until all information required in Section 3.4 has been received by the Floodplain Administrator.

2. The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.

B. Approval

Within thirty (30) days after the receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If the Floodplain Administrator is satisfied that the development proposed in the floodplain development application conforms to the requirements of this ordinance, the Floodplain Administrator shall issue the permit. All floodplain development permits shall be conditional upon the commencement of work within 180 days. A floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.

3.6 Inspections

The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.

3.7 Post-Construction Certifications Required

The following as-built certifications are required after a floodplain development permit has been issued:

- A. For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a *Federal Emergency Management Agency Elevation Certificate* completed by a registered professional surveyor to record as-built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.
- B. For all development activities subject to the standards of Section 3.11(A), a Letter of Map Revision.
- C. For new or substantially improved nonresidential structures that have been floodproofed in lieu of elevation, where allowed, the applicant shall supply a completed *Floodproofing Certificate for Non-Residential Structures* completed by a registered professional engineer or architect together with associated documentation.

3.8 Revoking a Floodplain Development Permit

A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted

thereon. In the event of the revocation of a permit, an appeal may be taken to the Appeals Board (Variance Board for Counties) in accordance with Section 5 of these regulations.

3.9 Exemption from Filing a Development Permit

An application for a floodplain development permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$2500.

3.10 State and Federal Development

- A. Development that is funded, financed, undertaken, or preempted by state agencies shall comply with minimum NFIP criteria.
- B. Before awarding funding or financing or granting a license, permit, or other authorization for a development that is or is to be located within a 100-year floodplain, a state agency shall require the applicant to demonstrate to the satisfaction of the agency that the development will comply with minimum NFIP criteria and any applicable local floodplain management resolution or ordinance as required by Ohio Revised Code Section 1521.13. This includes, but is not limited to:
 - 1. Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Commerce and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 4781-12.
 - 2. Major utility facilities permitted by the Ohio Power Siting Board under Section 4906 of the Ohio Revised Code.
 - 3. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Section 3734 of the Ohio Revised Code.
- C. Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 Floodplain Management.
 - 1. Each federal agency has a responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget request reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of EO 11988.

3.11 Map Maintenance Activities

To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that the Village of Waynesville's flood maps, studies and other data identified in Section 1.6 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

A. Requirement to Submit New Technical Data

- 1. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:
 - a. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;

- b. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area:
- c. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
- d. Subdivision or other new development proposals requiring the establishment of base flood elevations in accordance with Section 4.3.
- 2. It is the responsibility of the applicant to have technical data, required in accordance with Section 3.11(A), prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.
- 3. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 - a. Proposed floodway encroachments that increase the base flood elevation; and
 - b. Proposed development which increases the base flood elevation by more than one foot in riverine areas where FEMA has provided base flood elevations but no floodway.
- 4. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 3.11(A)(1).

B. Right to Submit New Technical Data

The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the Village Manager of the Village of Waynesville, and may be submitted at any time.

C. Annexation / Detachment

Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the Village of Waynesville have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the Village of Waynesville's Flood Insurance Rate Map accurately represent the Village of Waynesville boundaries, include within such notification a copy of a map of the Village of Waynesville suitable for reproduction, clearly showing the new corporate limits or the new area for which the Village of Waynesville has assumed or relinquished floodplain management regulatory authority.

3.12 Data Use and Flood Map Interpretation

The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

- A. In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.
- B. Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a <u>reduced</u> floodway width and/or <u>lower</u> base flood elevations. Other sources of data, showing <u>increased</u> base flood elevations and/or <u>larger</u> floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.
- C. The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 5.0, Appeals and Variances.
- D. Where an existing or proposed structure or other development is affected by multiple flood zones, by multiple base flood elevations, or both, the development activity must comply with the provisions of this ordinance applicable to the most restrictive flood zone and the highest base flood elevation affecting any part of the existing or proposed structure; or for other developments, affecting any part of the area of the development.

3.13 Use of Preliminary Flood Insurance Rate Map and/or Flood Insurance Study Data

A. Zone A:

- 1. Within Zone A areas designated on an effective FIRM, data from the preliminary FIRM and/or FIS shall be reasonably utilized as best available data.
- 2. When all appeals have been resolved and a notice of final flood elevation determination has been provided in a Letter of Final Determination (LFD), BFE and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development.

B. Zones AE, A1-30, AH, and AO:

- 1. BFE and floodway data from a preliminary FIS or FIRM restudy are not required to be used in lieu of BFE and floodway data contained in an existing effective FIS and FIRM. However,
 - a. Where BFEs increase in a restudied area, communities have the responsibility to ensure that new or substantially improved structures are protected. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data in instances where BFEs increase and floodways are revised to ensure that the health, safety, and property of their citizens are protected.
 - b. Where BFEs decrease, preliminary FIS or FIRM data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.
- 2. If a preliminary FIRM or FIS has designated floodways where none had previously existed, communities should reasonably utilize this data in lieu of applying the

encroachment performance standard of Section 4.9(B) since the data in the draft or preliminary FIS represents the best data available.

C. Zones B, C, and X:

1. Use of BFE and floodway data from a preliminary FIRM or FIS are not required for areas designated as Zone B, C, or X on the effective FIRM which are being revised to Zone AE, A1-30, AH, or AO. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety, and property of their citizens are protected.

3.14 Substantial Damage Determinations

Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, *etc.* After such a damage event, the Floodplain Administrator shall:

- A. Determine whether damaged structures are located in special flood hazard areas;
- B. Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
- C. Require owners of substantially damaged structures to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.

Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims.

SECTION 4.0: USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION

The following use and development standards apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Section 1.6, 3.12(A), or 3.13:

4.1 Use Regulations

A. Permitted Uses

All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by the Village of Waynesville are allowed provided they meet the provisions of these regulations.

4.2 Water and Wastewater Systems

The following standards apply to all water supply, sanitary sewerage and waste disposal systems in the absence of any more restrictive standard provided under the Ohio Revised Code or applicable state rules:

- A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
- B. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- C. On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

4.3 Subdivisions and Other New Developments

- A. All subdivision proposals and all other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
- B. All subdivision proposals and all other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- C. All subdivision proposals and all other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and
- D. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
- E. The applicant shall meet the requirement to submit technical data to FEMA in Section 3.11(A)(1)(d) when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 4.3(D).

4.4 Residential Structures

The requirements of Section 4.4 apply to new construction of residential structures and to substantial improvements of residential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 3.13.

- A. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring (4.4(A)) and construction materials resistant to flood damage (4.4(B)) are satisfied.
- B. New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
- C. New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- D. New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. Where flood protection elevation data are not available, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.
- E. New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings to allow the automatic equalization of hydrostatic pressure may have an enclosure below the lowest floor provided the enclosure meets the following standards:
 - 1. Be used only for the parking of vehicles, building access, or storage; and
 - 2. be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
 - 3. have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- F. Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

G. Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of Section 4.4.

4.5 Nonresidential Structures

The requirements of Section 4.5 apply to new construction and to substantial improvements of nonresidential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 3.13.

- A. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of Section 4.4 (A) (C) and (E) (G).
- B. New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:
 - 1. Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
 - 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
 - 3. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 4.5(B)(1) and (2).
- C. Where flood protection elevation data are not available the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade

4.6 Accessory Structures

Structures that are 600 square feet or less which are used for parking and storage only are exempt from elevation or dry floodproofing standards within zones A, A1-30, AE, AO, and AH designated on the community's FIRM. Such structures must meet the following standards:

- A. They shall not be used for human habitation;
- B. They shall be constructed of flood resistant materials;
- C. They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
- D. They shall be firmly anchored to prevent flotation;
- E. Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the level of the flood protection elevation; and
- F. They shall meet the opening requirements of Section 4.4(E)(3);

4.7 Recreational Vehicles

Recreational vehicles on sites within zones A, A1-A30, AE, AO, or AH must meet at least one of the following standards:

- A. They shall not be located on sites in special flood hazard areas for more than 180 days, or
- B. They must be fully licensed and ready for highway use, or
- C. They must be placed on the site pursuant to a floodplain development permit issued under Sections 3.3 and 3.4, and meet all standards of Section 4.4.

4.8 Gas or Liquid Storage Tanks

A. Within zone A, A1-A30, AE, AO, or AH, new or substantially improved above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.

4.9 Assurance of Flood Carrying Capacity

Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:

A. Development in Floodways

- 1. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
- 2. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:
 - a. Meet the requirements to submit technical data in Section 3.11(A);
 - b. An evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
 - c. Certification that no structures are located in areas that would be impacted by the increased base flood elevation;
 - d. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
 - e. Concurrence of the Village Manager of the Village of Waynesville and the Chief Executive Officer of any other communities impacted by the proposed actions.

B. Development in Riverine Areas with Base Flood Elevations but No Floodways

1. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than 1.0

(one) foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or,

- 2. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:
 - a. An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible:
 - b. Section 4.9(A)(2), items (a) and (c)-(e).

C. Alterations of a Watercourse

For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the "bankfull stage." The field determination of "bankfull stage" shall be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique or other applicable publication available from a Federal, State, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:

- 1. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.
- 2. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.
- 3. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with the Village of Waynesville specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.
- 4. The applicant shall meet the requirements to submit technical data in Section 3.11(A)(1)(c) when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

SECTION 5.0: APPEALS AND VARIANCES

5.1 Appeals Board Established

- A. The Zoning Board of Appeals, appointed by the Village Council as dictated by the Village Charter, is hereby appointed to serve as the Appeals Board for these regulations.
- B. A chairperson shall be elected by the members of the Appeals Board. Meetings of the Appeals Board shall be held as needed and shall be held at the call of the Chairperson, or in his absence, the Acting Chairperson. All meetings of the Appeals Board shall be open to the public except that the Board may deliberate in executive sessions as part of quasi-judicial hearings in accordance with law. The Appeals Board shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of all official actions. Records of the Appeals Board shall be kept and filed in the Village of Waynesville Government Center, located at 1400 Lytle Road, Waynesville, Ohio 45068..

5.2 Powers and Duties

- A. The Appeals Board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of these regulations.
- B. Authorize variances in accordance with Section 5.4 of these regulations.

5.3 Appeals

Any person affected by any notice and order, or other official action of the Floodplain Administrator may request and shall be granted a hearing on the matter before the Appeals Board provided that such person shall file, within [10] days of the date of such notice and order, or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator's decision. Such appeal shall be in writing, signed by the applicant, and be filed with the Floodplain Administrator. Upon receipt of the appeal, the Floodplain Administrator shall transmit said notice and all pertinent information on which the Floodplain Administrator's decision was made to the Appeals Board.

Upon receipt of the notice of appeal, the Appeals Board shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.

5.4 Variances

Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. The Appeals Board shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owning to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship.

A. Application for a Variance

1. Any owner, or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Floodplain Administrator, who upon receipt of the variance shall transmit it to the Appeals Board.

- 2. Such application at a minimum shall contain the following information: Name, address, and telephone number of the applicant; legal description of the property; parcel map; description of the existing use; description of the proposed use; location of the floodplain; description of the variance sought; and reason for the variance request.
- 3. All applications for a variance shall be accompanied by a variance application fee set in the schedule of fees adopted by the Village of Waynesville.

B. Notice for Public Hearing

The Appeals Board shall schedule and hold a public hearing within thirty (30) days after the receipt of an application for a variance from the Floodplain Administrator. Prior to the hearing, a notice of such hearing shall be given in one (1) or more newspapers of general circulation in the community at least ten (10) days before the date of the hearing.

C. Public Hearing

At such hearing the applicant shall present such statements and evidence as the Appeals Board requires. In considering such variance applications, the Appeals Board shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of these regulations and the following factors:

- 1. The danger that materials may be swept onto other lands to the injury of others.
- 2. The danger to life and property due to flooding or erosion damage.
- 3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- 4. The importance of the services provided by the proposed facility to the community.
- 5. The availability of alternative locations for the proposed use that are not subject to flooding or erosion damage.
- 6. The necessity to the facility of a waterfront location, where applicable.
- 7. The compatibility of the proposed use with existing and anticipated development.
- 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
- 9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- 10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
- 11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Variances shall only be issued upon:

- 1. A showing of good and sufficient cause.
- 2. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or

inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.

- 3. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.
- 4. A determination that the structure or other development is protected by methods to minimize flood damages.
- 5. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Upon consideration of the above factors and the purposes of these regulations, the Appeals Board may attach such conditions to the granting of variances, as it deems necessary to further the purposes of these regulations.

D. Other Conditions for Variances

- 1. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 2. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in Section 5.4(C)(1) to (11) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- 3. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

5.5 Procedure at Hearings

- 1. All testimony shall be given under oath.
- 2. A complete record of the proceedings shall be kept, except confidential deliberations of the Board, but including all documents presented and a verbatim record of the testimony of all witnesses.
- 3. The applicant shall proceed first to present evidence and testimony in support of the appeal or variance.
- 4. The administrator may present evidence or testimony in opposition to the appeal or variance.
- 5. All witnesses shall be subject to cross-examination by the adverse party or their counsel.
- 6. Evidence that is not admitted may be proffered and shall become part of the record for appeal.
- 7. The Board shall issue subpoenas upon written request for the attendance of witnesses. A reasonable deposit to cover the cost of issuance and service shall be collected in advance.

8. The Board shall prepare conclusions of fact supporting its decision. The decision may be announced at the conclusion of the hearing and thereafter issued in writing or the decision may be issued in writing within a reasonable time after the hearing.

5.6 Appeal to the Court

Those aggrieved by the decision of the Appeals Board may appeal such decision to the Warren County Court of Common Pleas, pursuant to Ohio Rev. Code Chapter 2506.

SECTION 6.0: ENFORCEMENT

6.1 Compliance Required

- A. No structure or land shall hereafter be located, erected, constructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulations and all other applicable regulations which apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a development permit as stated in Section 3.9.
- B. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Section 6.3.
- C. Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section 6.3.

6.2 Notice of Violation

Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, they shall give notice of such violation to the person responsible therefore and order compliance with these regulations as hereinafter provided. Such notice and order shall:

- A. Be put in writing on an appropriate form;
- B. Include a list of violations, referring to the section or sections of these regulations that have been violated, and order remedial action, which, if taken, will effect compliance with the provisions of these regulations;
- C. Specify a reasonable time for performance;
- D. Advise the owner, operator, or occupant of the right to appeal;
- E. Be served on the owner, occupant, or agent in person. However, this notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.

6.3 Violations and Penalties

Violation of the provisions of these regulations or failure to comply with any of its requirements shall be deemed to be a strict liability offense, and shall constitute a fourth degree misdemeanor. Any person who violates these regulations or fails to comply with any of its requirements shall upon conviction thereof be fined or imprisoned as provided by the laws of the Village of Waynesville. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Village of Waynesville from taking such other lawful action as is necessary to prevent or remedy any violation. The Village of Waynesville shall prosecute any violation of these regulations in accordance with the penalties stated herein.

SECTION 7.0: ADOPTION

| | This Ordinance shall take effect from replaces Ordinance Number | and after the earliest period allowed by law and , which is hereby repealed. |
|----------------------|---|--|
| PASSEI | D: | |
| 1st Read | ing: | · |
| 2 nd Read | ling: | *************************************** |
| 3 rd Read | ing: | |
| | | |
| | Clerk | |
| | Clork | |
| | President of Council | |
| | Certification | |

ORDINANCE 2024-052

AMENDING THE SCHEDULE OF FEES AND CHARGES FOR THE VILLAGE OF WAYNESVILLE REGARDING FILING FEES FOR PLEAS IN ABSENTIA IN MAYOR'S COURT AND DECLARING AN EMERGENCY

| nd | | | |
|--|--|--|--|
| | | | |
| es | | | |
| to certain fees. | | | |
| le, | | | |
| | | | |
| le be | | | |
| Section 2. That this Fee Schedule shall be available for public inspection in the office of the Village Clerk. | | | |
| Section 3. That this Ordinance is hereby declared to be an emergency measure necessary or the preservation of the public peace, health, safety, and general welfare and shall be effective mmediately upon its adoption. The reason for said declaration of emergency is the need to have new fee schedule effective on January 1, 2025. | | | |
| | | | |
| | | | |
| | | | |



Village of Waynesville

Finance Committee Meeting

December 16, 2024 at 6:00 pm

Committee Members Present: Mr. Colvin, Mrs. Miller

Staff Present: Jamie Morley

The meeting was called to order at 6:01 pm. The minutes were approved.

Mr. Colvin requested that Ms. Morley provide paper copies of the reports.

Ms. Morley reported that the proposed raise in Police and Fire retirement is probably not going to pass in the Ohio Legislature this session. The Ohio House bill to make water bills the responsibility of the tenant will require us to pass legislation, but it probably won't pass this session either.

Mr. Colvin inquired how Jamie's meeting with Local Government Services went. Ms. Morley answered that it didn't happen due to their difficulty scheduling. Mr. Colvin suggested we might pay Ms. Crockett for consulting to resolve the issues. The balance is off by \$147.19.

There was some general discussion of revenue. The General Fund expectation is \$1,250,000. Actual Revenue is \$1,470,000. YTD expenditures are \$700,000 for the general fund and \$4.5 million for all funds. We expect reimbursements of \$500,000 for the Third St. grant.

We are putting away \$80,000 yearly for the Main St. concrete work.

Mr. Colvin moved to adjourn at 6:31

2 ayes.