

RESOLUTION 10.1 2022

To empower the Chief Fiscal Officer to revise the 2022 Appropriation Budget

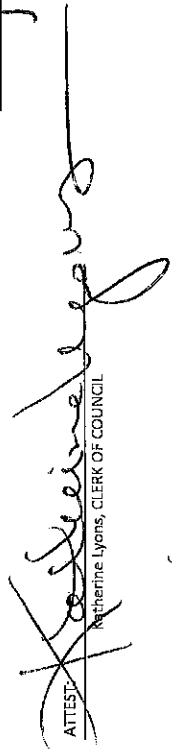
BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF TERRACE PARK, OHIO THAT THE APPROPRIATION BUDGET FOR 2022 BE AMENDED: SECTION 1, THAT THE FOLLOWING AMENDMENT CHANGE OVERALL BUDGET FIGURES AS FOLLOWS:

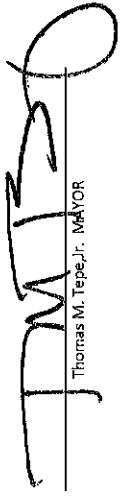
VILLAGE OF TERRACE PARK
 APPROPRIATION BUDGET AMENDMENT RESOLUTIONS
 2022

Account Number	Account Name	Original Appropriation	Add	Decrease	Revised Appropriation	Total Appropriation 2022 General Fund	Total Appropriation Debt Service	Total Appropriation 2022 Special Funds	Total Appropriation Capital Project	Total Appropriation All Funds
2041-750-420	Special Tree Program	\$ 86,543.00	\$ 25,000.00		\$ 111,543.00	\$	\$	\$ 25,000.00	\$	\$ 2,611,784.40
		\$				\$ 2,050,090.87	\$ 146,237.50	\$ 415,456.03	\$	\$ 2,611,784.40
						\$ 2,050,090.87	\$ 146,237.50	\$ 440,456.03	\$ 0	\$ 2,636,784.40

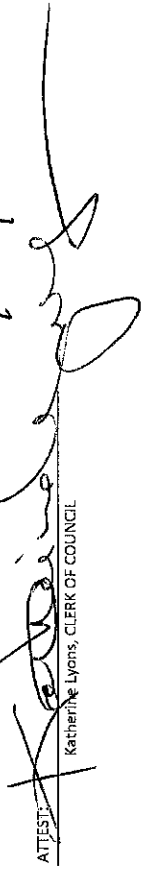
SECTION 2. THAT THE CLERK OF COUNCIL BE, AND SHE HEREBY IS AUTHORIZED AND DIRECTED TO PUBLISH THIS RESOLUTION BY POSTING A COPY THEREOF AT THE FIVE MOST PUBLIC PLACES IN THE VILLAGE HERETOFORE DETERMINED BY COUNCIL.

PASSED THIS 11th DAY OF October 2022

ATTEST: 
 Katherine Lyons, CLERK OF COUNCIL


 Thomas M. Tepe, Jr., MAYOR

I, Katherine Lyons, CERTIFY THAT THIS RESOLUTION WAS POSTED AT THE FIVE VILLAGE BULLETIN BOARDS FOR THE FIFTEEN DAY PERIOD ENDING: 10/26/22

ATTEST: 
 Katherine Lyons, CLERK OF COUNCIL

10-3

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY
THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

Village Council

Rev. Code, Secs. 5705.34

The Council of the Village of TERRACE PARK, Hamilton County,
Ohio, met in REGULAR session on the 11 day of OCTOBER,
20 22, at the office of THE VILLAGE OF TERRACE PARK COMMUNITY BUILDING
with the following members present: MAYOR TOM TEPE

JOHN GASKEY
LAUREN INGEBRITSON
JEFF LEMAY

PAY LINDELL
JUDITH LEHMAN
REGINA SHARP

PAY LINDELL

moved the adoption of the following Resolution:

WHERE AS, This Council in accordance with the provisions of law has previously adopted
a Tax Budget for the next succeeding fiscal year commencing January 1st, 20 23; and

WHERE AS, The Budget Commission of Hamilton County, Ohio, has certified its action
Thereon to this Council together with an estimate by the County Auditor of the rate of each tax
necessary to be levied by this Council and what part thereof is without, and what part within the
ten-mill limitation; therefore be it

RESOLVED, By the Council of the Village of TERRACE PARK Hamilton County,
Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be
and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the
rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A
SUMMARY OF THE AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY THE BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

	Amount Approved by Budget Commission Inside 10M Limitation	Amount to be Derived from Levies Outside 10M Limitation	Tangible P.P. & P.U.P.P. State Reimbursements	Gross Levy Proceeds	County Auditor's Estimate of the Tax Rate to be Levied		
					Outside	Inside	TOTAL
GENERAL FUND	259,098	1,317,031	0	1,576,129	10.88	1.86	12.74
BOND	0	153,230	0	153,230	1.10	0.00	1.10
X8	0	0	0	0	0.00	0.00	0.00
X7	0	0	0	0	0.00	0.00	0.00
X6	0	0	0	0	0.00	0.00	0.00
X5	0	0	0	0	0.00	0.00	0.00
X4	0	0	0	0	0.00	0.00	0.00
X3	0	0	0	0	0.00	0.00	0.00
X2	0	0	0	0	0.00	0.00	0.00
X1	0	0	0	0	0.00	0.00	0.00
NEW	0	0	0	0	0.00	0.00	0.00
TOTAL	259,098	1,470,261	0	1,729,359	11.98	1.86	13.84

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

CURRENT EXPENSE LEVIES	PERIOD OF TIME	Mills	Fiscal Year
Authorized on: November 2, 2021	5 Years	5.58	675,463
November 3, 2020	5 Years	2.80	338,942
November 6, 2018	5 Years	2.50	302,627
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
January 0, 1900	0	0.00	0
TOTAL		10.88	1,317,031
X8			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Proposed	0	0.00	0
TOTAL		0.00	0
X7			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Election Date	0	0.00	0
TOTAL		0.00	0
X6			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Enter Date of Election	0	0.00	0
TOTAL		0.00	0
X5			
Authorized on:	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
	0	0.00	0
Enter Date of Election	0	0.00	0
TOTAL		0.00	0

and be it further

RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of Hamilton County.

LAUREN INGEBRITSON seconded the Resolution and the roll being called upon

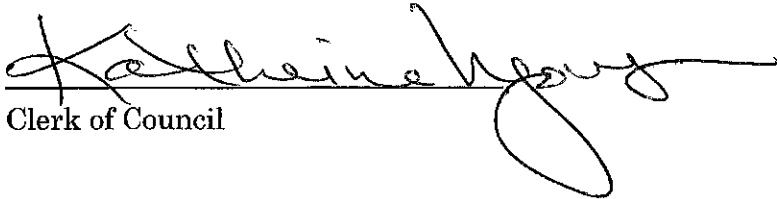
its adoption the vote resulted as follows:

<u>JOHN GASKEY</u>	,	<u>AYE</u>
<u>LAUREN INGEBRITSON</u>	,	<u>AYE</u>
<u>JEFF LEMAY</u>	,	<u>AYE</u>
<u>PAX LINDELL</u>	,	<u>AYE</u>
<u>JUDITH LEHMAN</u>	,	<u>AYE</u>
<u>REGINA SHARP</u>	,	<u>AYE</u>
_____	,	_____

Adopted the 11th day of October, 20 22

Attest:


President of Council


Clerk of Council

CERTIFICATE TO COPY

ORIGINAL ON FILE

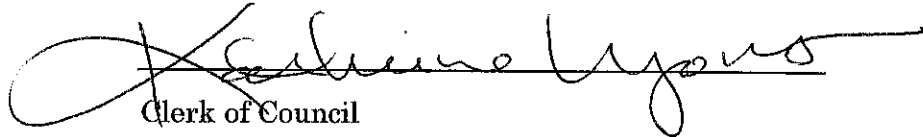
THE STATE OF OHIO, HAMILTON COUNTY,

I, Katherine Lyons, Clerk of Council of the Village of TERRACE PARK, within and for said County, and in whose custody the

files and records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original RESOLUTION 10-3, 2022

ACCEPTING THE AMOUNTS & RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAXES, LEVIES now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof. BY CTY AUDITOR.

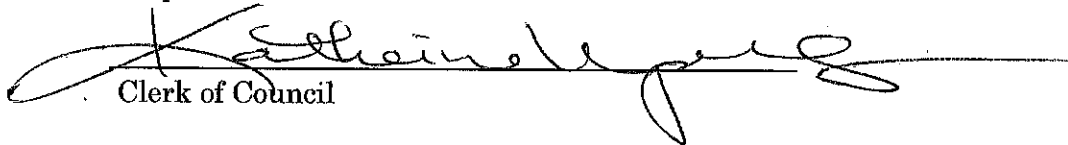
WITNESS my signature, this 11 day of OCTOBER, 2022


Clerk of Council

- 1. A copy of this resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals.

Receipt

Adopted October 11 2022


Clerk of Council

Filed _____ 20 _____

Dusty Rhodes, Hamilton County Auditor

By: Deputy

VILLAGE OF TERRACE PARK
HAMILTON COUNTY, OHIO

RESOLUTION NO. 16-4, 2022

RESOLUTION AUTHORIZING THE PURCHASE OF A
2023 FORD F-150 AT A PRICE OF \$48,490.00

WHEREAS, the Council of the Village of Terrace Park has determined that the Village is in need of a new vehicle for the Fire Department; and

WHEREAS, Lebanon Ford is offering the vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF TERRACE PARK, STATE OF OHIO, that:


SECTION 1: The Council of the Village of Terrace Park hereby authorizes the purchase of a 2023 Ford F-150 from Lebanon Ford.

SECTION 2: The Fiscal Officer is hereby authorized and is directed to pay for the vehicle upon receipt of an invoice from Lebanon Ford in an amount not to exceed \$48,490.00.

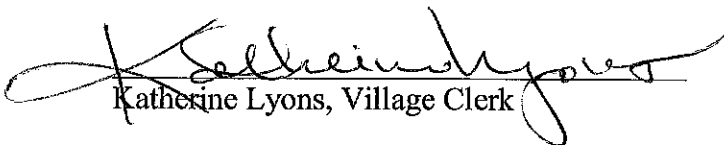
SECTION 4: The three separate readings of this Resolution are hereby waived and this Resolution is hereby adopted as an emergency for the reason that it is essential to the public safety of the Village of Terrace Park that the new Fire Department vehicle be acquired without undue delay.

SECTION 5: The Village Clerk be, and she hereby is authorized and directed to publish this resolution by posting a copy thereof in the five most public places in the Village as heretofore determined by Council.

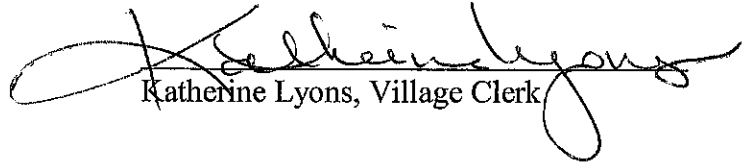
ADOPTED THIS 11th DAY OF October, 2022.


Thomas M. Tepe, Jr., Mayor

Attest:


Katherine Lyons, Village Clerk

I, Katherine Lyons, certify that this Resolution was posted at the five Village Bulletin Boards for the fifteen day period ending 10/26/22.


Katherine Lyons, Village Clerk

**VILLAGE OF TERRACE PARK
HAMILTON COUNTY, OHIO**

ORDINANCE 10-1, 2022

DECLARING THE NECESSITY OF AND PROVIDING FOR CONTROLLING THE BLIGHT AND DISEASE OF SHADE TREES WITHIN PUBLIC RIGHTS-OF-WAY AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS OF TERRACE PARK WHICH INCLUDES ALL TERRITORY WITHIN AND COEXTENSIVE WITH ITS BOUNDARIES, FOR THE YEAR 2023, AUTHORIZING THE OFFICERS OF TERRACE PARK TO DO SUCH WORK FOR THE YEAR 2023, PROVIDING FOR THE LEVYING OF AN ASSESSMENT UPON REAL PROPERTY IN TERRACE PARK FOR THE COST AND EXPENSE OF SUCH WORK

WHEREAS, it is immediately urgent and necessary that the work be authorized for the said shade tree program in said District for the year 2023; and

WHEREAS, the Council of Terrace Park has determined that it is beneficial to all property owners in the Village of Terrace Park to maintain, trim, remove and plant shade trees in and along the streets of the Village; and

WHEREAS, Chapter 727 of the Ohio Revised Code provides for such tree maintenance and planting and assessment levying therefore on an annual basis.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF TERRACE PARK, STATE OF OHIO, that:

Section 1: It is hereby declared necessary and conducive to the public health, convenience and welfare to continue a shade tree program during the year 2023 within the public rights-of-way and streets of the Village of Terrace Park. This tree program is hereby designated for the Village of Terrace Park, which includes all territory within and coexistence with its boundaries for the year 2023;

Section 2. The plans, estimate of cost and schedules heretofore prepared and now on file in the office of the Clerk of this Village be and the same are hereby approved.

Section 3: The work of such shade tree program shall be done as herein set forth and through the proper officers of the Village of Terrace Park and the said officials be and are hereby authorized and directed to purchase required materials, to purchase or rent the necessary tools, machinery, and appliances, to employ the necessary labor to do such work all in accordance with the plans, estimates, and schedules, heretofore prepared, and now on file in the office of the Clerk of this Village for inspection of all persons interested. In addition to said authority and direction, the said officials can contract with other parties for all or any provisions of said plans, estimates and schedules required for the continuation of said tree program.

Section 4. The Village of Terrace Park shall pay two percent (2%) of the total cost and expense of said shade tree program for the year 2023, together with the estimate cost and expense of said shade tree program allocable to intersections, and the balance of said total cost and expense of said tree program for the year 2023 representing \$0.70 per \$1,000.00 of 2023 taxable value of all property in Terrace Park, except property owned by the Federal Government, the State of Ohio, the Village of Terrace Park, the Terrace Park Charitable trust, and public utilities.

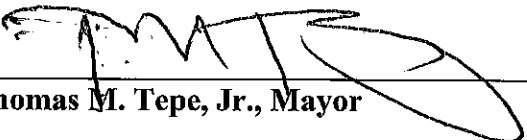
Section 5. Said assessments shall be paid in two installments and they shall be certified by the Treasurer of the Village and Clerk of Village to the Hamilton County, Ohio Auditor for collection at the same time and in the same manner as real property taxes due and payable in December 2022 and June 2023 are collected.

Section 6. Notice of the passage of the Ordinance shall be published in a newspaper of general circulation and at the five most public places as hereto determined by Council.

Section 7. That portion of the cost and expense of said shade tree program not specifically assessed, shall be paid out of a fund provided to pay the Village's portion of the cost and expense of shade tree program.

Section 8. The Village Clerk is hereby authorized and directed to publish this Ordinance by posting a copy thereof in the five most public places in the Village as heretofore determined by Council.

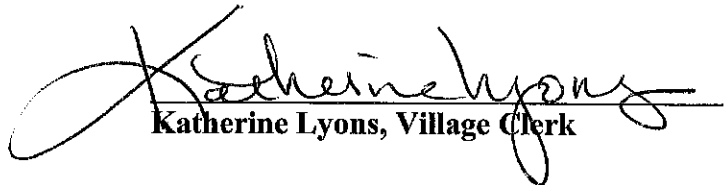
Passed this 11th day of October, 2022.


Thomas M. Tepe, Jr., Mayor

Attest:


Katherine Lyons, Village Clerk

I, Katherine Lyons, certify that this Ordinance was posted at the five Village bulletin boards for the fifteen day period ending 10/26/22


Katherine Lyons, Village Clerk

VILLAGE OF TERRACE PARK
HAMILTON COUNTY, OHIO

ORDINANCE 2-1, 2022

AMENDING SECTIONS 1131.06 (FENCES), 1131.21 (TRAILER PARKING),
AND VARIOUS SECTION OF CHAPTER 1137 (SIGNS) OF THE ZONING
CODE FOR THE VILLAGE OF TERRACE PARK

WHEREAS, the Terrace Park Codified Ordinances provides for regulations for the Terrace
Park Zoning Code; and

WHEREAS, the Planning Commission for the Village of Terrace Park has recommended
approval of certain amendments to the Zoning Code;

WHEREAS, a public hearing has been held, as required by the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Terrace Park,

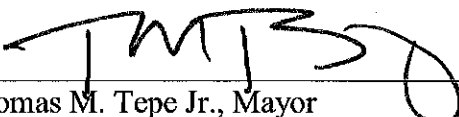
6 members elected thereto concurring:

Section 1. That Sections 1131.06, 1132.21, and various sections of Chapter 1137 of the
Zoning Code of the Village of Terrace Park are hereby amended as set forth in Exhibit A, attached
hereto and incorporated herein by reference.

Section 2. That all other provisions of the Zoning Code and Zoning Map not specifically
amended herein shall remain in full force and effect.


Section 3. That this ordinance shall take effect and be in force from and after the earliest
period allowed by law.

Passed this 1st Day of March, 2022.

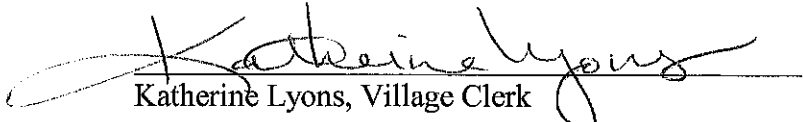


Thomas M. Tepe Jr., Mayor

Attest:


Katherine Lyons, Village Clerk

I, Katherine Lyons, certify that this Ordinance was posted at the five Village bulletin boards for the fifteen day period ending March 16 2022


Katherine Lyons, Village Clerk

Fences

- A. In Rear Yards;
1. In the Rear Yard on an interior lot, no fence may exceed six (6) feet in height.
 2. In the Rear Yard on a corner lot, that portion of any fence that is substantially parallel to the rear lot line, may be constructed up to six (6) feet in height. That portion of any fence that is not substantially parallel to the rear lot line, may not exceed four (4) feet in height, and must be at least 30 percent open, except a fence substantially parallel to, and within two (2) feet of, the side lot line in the Rear Yard, in which case, the fence may be constructed up to six (6) feet in height.
- B. In Front Yards, no fence may exceed four (4) feet in height and must be at least 30 percent open.
- C. In Side Yards:
1. That portion of any fence that, is substantially parallel to the nearest side lot line, may be constructed up to six (6) feet in height.
 2. That portion of any fence that is not substantially parallel to the nearest side lot line, may not exceed four (4) feet in height, and must be at least 30 percent open.
- D. For purposes of this Section, "30 percent open" shall be determined by viewing the fence from a position perpendicular to the plane of the fence. Viewed from that angle (90° from the plane), 30 percent of the total area of the fence must permit the direct passage of light and air. The "area" of the fence is calculated by multiplying the overall height of the fence times its length. If only a portion of a fence is required to be open (such as a fence that continues from a side yard to a front yard), only that portion of the fence required to be open shall be included in the calculation of area. In addition, that portion of the length of a fence which must be open shall be reasonably uniform throughout in the placement of required open areas. ([Exact wording from 1131.06 F. 2 for Side Yards, extracted to be applicable for all yards.]
- E. The finished or decorative side of any fence shall face the adjoining property.
- F. Fences shall not contain an electric charge.
- G. Barbed wire, razor wire, or any other type of anti-climbing wire shall only be used in the non-residential areas.
- H. For any fence that is erected on a berm, mound, or any other elevation, the height of that fence must be measured from the base of that berm, mound, or other elevation.

3. Parking Trailers in Rear Yard Only

I recommend adding a section to Chapter 1131 - Miscellaneous Provisions restricting the parking of trailers designed to carry materials, goods, or objects. I feel such trailers should be parked only in a Rear Yard except for when being used in an active home improvement project.

Last winter, I was troubled by such a trailer parked in the front driveway at 715 Franklin for many months. When I looked at the Zoning Code, it was not prohibited. As another example, such a trailer has been parked in a Front Yard at 500 Miami during the last week of August 2021, picture attached. To note, the Village has an ordinance that prohibits such trailers from being parked in the Village Right-of-way overnight.

I recommend amending the Zoning Code as follows to address this concern (The new section would need to be added to the index too):

Section 1131.21 Trailer Parking Restriction (Add to index too)

Trailers designed to carry materials, goods, or objects may be parked only in a Rear Yard except for when being used in an active home improvement project.

4. Correcting Typos in Chapter 1137 Signs

I have become aware that in this chapter, there are references to Section 1137.04 which should actually be references to Section 1137.02. Accordingly, below are the necessary corrections. (The strikeout of the "4" is not very discernible.)

CHAPTER 1137

SIGNS

1137.01 Purpose

It has never been the intent of the Village of Terrace Park to infringe on the rights of property owners and occupiers to display messages protected by the First Amendment. Therefore this Chapter is adopted in order to clarify the existing regulations and to remove any doubt that it is the public's right to receive and display First Amendment protected messages, including, but not limited to, religious, political, economic, social and philosophical messages. It is the further purpose to reaffirm that an expedient appeal process exists that addresses these First Amendment Issues.

First Amendment Safeguards

In order to safeguard the protections offered by the First Amendment of the United States Constitution, the following regulations shall apply and shall be paramount and preemptive of any other sign regulation:

- A. Every parcel in the zoning districts shall be permitted to display one (1) two-sided or one (1) one-sided sign containing any Free Speech Message for each street that abuts the property. Each side of the sign(s) shall not exceed six (6) square feet in area. Such sign shall not require a building or zoning certificate. However, each sign must be kept in good and safe condition. In no event shall such sign(s) be erected in the right-of-way.
- B. At any time that the Hamilton County Board of Elections has identified a candidate or issue that will be placed on the ballot at the next general or special election, one (1) additional sign may be erected for each candidate or issue that the occupant wishes to support or oppose. One (1) additional sign shall be permitted for each street that abuts the property. Such political signs shall still be subject to the dimensional regulations set forth in Section 1137.02 (A). These signs must be removed no later than the first Friday that occurs after the election.
- C. Signs permitted to be displayed by Sections 1137.02 (A) and (B) shall not be placed any closer than five (5) feet from any side or rear property line. However, there shall be no minimum setback requirement from any property line that is also the right-of-way line of a public or private street.
No such signs shall be permitted in the right-of-way. Any sign placed in the right-of-way may be removed and stored by the Village of Terrace Park without prior notice. It is the responsibility of the property owner to properly identify the location of a right-of-way line. Failure to remove a sign from the right-of-way shall not waive the Village's future right to remove such sign or any other sign placed in the right-of-way.
- D. All signs must be maintained in good and safe condition. If the sign permitted in Sections 1137.02 (A) and (B) are not maintained in good and safe condition, notice shall be sent to the property owner by regular mail. The property owner shall have seven (7) days from the date of mailing indicated on the notice to restore or replace the sign to a good and safe condition. If the sign is not restored to a good and safe condition within seven (7) days, and the owner or occupant of the property has not filed an appeal from the notice, then the owner and/or occupant shall be in violation of this Chapter and guilty of a minor misdemeanor. Each day that the sign remains in violation of the notice to remove is a separate violation. No additional notices shall be required.
- E. Every parcel that is permitted to display a sign containing a commercial message or other permitted message pursuant to the Zoning Ordinance shall be permitted to display a Free Speech Message in lieu of the permitted commercial or other permitted message. However, this provision shall not apply to existing signs displaying a message necessary for public safety, such as messages directing vehicular or pedestrian flow, parking restriction signs, or fire lane signs. Whether a sign displays a commercial message or a Free Speech Message, each sign shall still be subject to the dimensional regulations imposed in each zoning district, including, but not limited to, size, height, area and setback. Signs with the Free Speech Message displayed in lieu of a commercial message shall be permitted in addition to signs displaying the Free Speech Message permitted by Sections 1137.02 (A) and (B).

1137.03 Conflict with Existing Provisions

In furtherance of the purpose of this Chapter, if there is any conflict between the provisions of this Chapter with any other provision of the Zoning Ordinance, including those provisions regulating signs, and such conflict could be construed to infringe on Free Speech Messages, the provisions of this Chapter shall control.

1137.04 Signs Not A Principal Use

Signs shall be considered and accessory use and regulated as an accessory use pursuant to underlying zoning district regulations. However, signs authorized by Sections 1137.02 (A) and (B) shall be permitted to be displayed by the owner on undeveloped lots.

1137.05 Signs Requiring a Zoning Certificate

Signs authorized by Sections 1137.02 (A) and (B) and real estate signs permitted by the Zoning Ordinance are exempt from obtaining a Zoning Certificate. However, all signs displaying a commercial message, including signs permitted by Section 1137.02 (E), must apply for and receive a Zoning Certificate from the Village Building Official and a Building Permit from the County Building Department before commencing construction.