

VILLAGE OF TERRACE PARK
HAMILTON COUNTY, OHIO

RESOLUTION 2-1, 2022

**AUTHORIZING CONTINUING INSURANCE COVERAGE FOR THE VILLAGE OF
TERRACE PARK UNDER THE OHIO GOVERNMENT RISK MANAGEMENT PLAN
AND AUTHORIZING PAYMENT OF PREMIUM IN AN AMOUNT
NOT TO EXCEED \$27,410.00 AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Terrace Park desires to maintain insurance coverage for the Village with Hylant Administrative Services, Inc. for the period of February 14, 2022 to February 14, 2023.

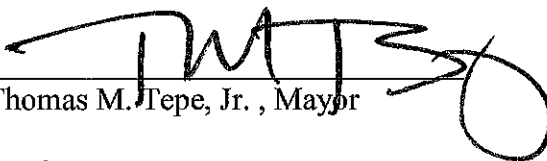
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
VILLAGE OF TERRACE PARK, STATE OF OHIO**

SECTION 1. The Fiscal Officer is hereby authorized and directed to pay the annual premium for insurance coverage under the Ohio Government Risk Management Plan to Hylant Administrative Services in an amount not to exceed \$27,410.00.

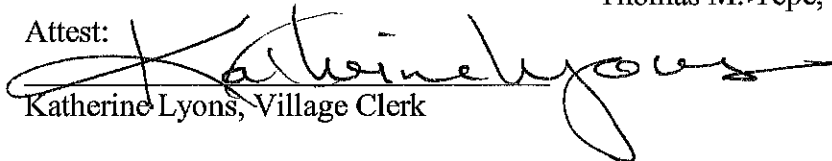
SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare in order to provide adequate insurance coverage for the Village.

SECTION 3. That 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.

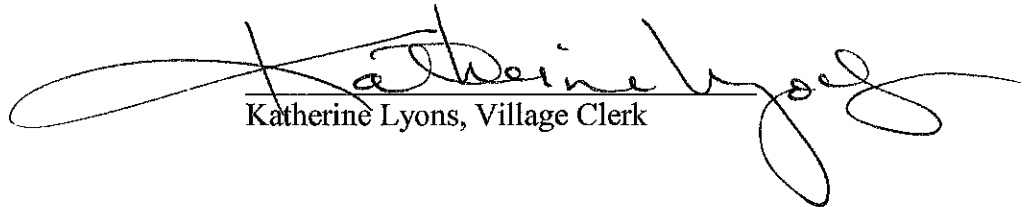
PASSED: 2/8, 2022


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 2/23/22.


Katherine Lyons, Village Clerk

VILLAGE OF TERRACE PARK, HAMILTON COUNTY, OHIO

RESOLUTION NO. 2-2, 2022

**RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES
DURING THE YEAR 2022 PURSUANT TO OHIO REVISED CODE, SECTION 321.34**

WHEREAS, the Ohio Revised Code allows a local taxing authority to request payment from the County Auditor of funds derived from taxes or other sources to the County treasurer, which may be held on account of a location subdivision.

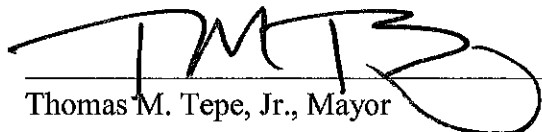
NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Terrace Park, Ohio, that:

SECTION 1. The Auditor and the Treasurer of Hamilton County, in accordance with Ohio revised Code 321.34, be required to draw and pay to the Village of Terrace Park, upon the written request of the Chief Fiscal Officer, to the County Auditor, funds due in any settlement of 2022 derived from taxes or other sources, payable to the account of the Village of Terrace Park, and lawfully applicable for purposes of the current fiscal year.

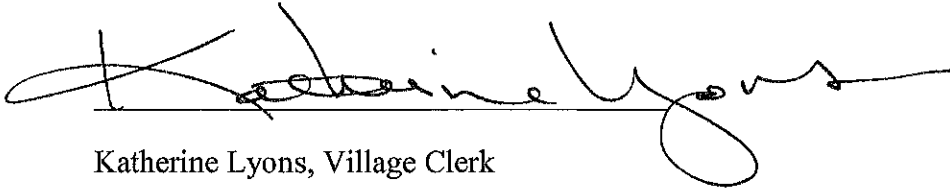
SECTION 2. The Clerk of the Village of Terrace Park be, and hereby is, directed to transmit a certified copy of this resolution to the Auditor of Hamilton County, Ohio.

SECTION 3. Council hereby waives the three separate readings of this Resolution according to law. Furthermore, the Council hereby adopts this Resolution as an emergency for the reason that it is necessary to make such request in a timely manner in order to maintain the continuity of public efficiency.

Passed this 2nd day of February, 2022.

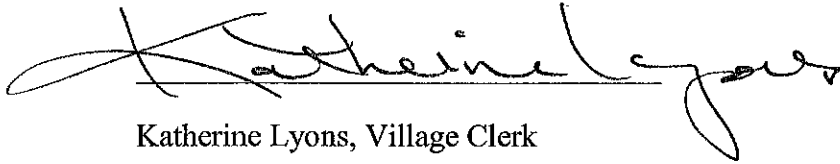

Thomas M. Tepe, Jr., Mayor

Attest:

A handwritten signature in black ink, appearing to read "Katherine Lyons", written over a horizontal line.

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 2/23/22

A handwritten signature in black ink, appearing to read "Katherine Lyons", written over a horizontal line.

Katherine Lyons, Village Clerk

RESOLUTION 2-3, 2022
To empower the Chief Fiscal Officer to Revise the 2022 Appropriation Budget

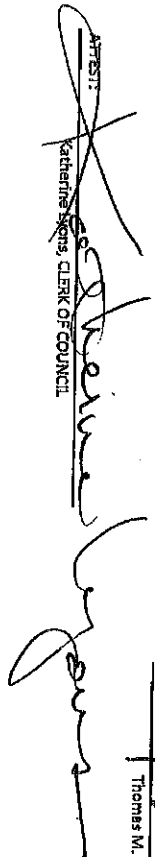
BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF TERRACE PARK, OHIO THAT THE APPROPRIATION BUDGET FOR 2022 BE AMENDED: SECTION 4; THAT THE FOLLOWING AMENDMENT CHANGE OVERALL BUDGET FIGURES AS FOLLOWS:


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 Projct	Total Appropriation All Funds
2011-820-420	Street Construction Mtn Repair	\$ -	\$ 104,000.00		\$ 104,000.00	\$ 2,050,090.87	\$ 146,237.50	\$ 285,256.03	\$ -	\$ 2,481,584.40
2152-730-420	American Rescue Plan Act	\$ -	\$ 21,200.00		\$ 21,200.00			\$ 104,000.00	\$ -	\$ 21,200.00
						\$ 126,200.00				\$ 126,200.00
						\$ 2,050,090.87	\$ 146,237.50	\$ 389,256.03	\$ -	\$ 2,481,584.40

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.

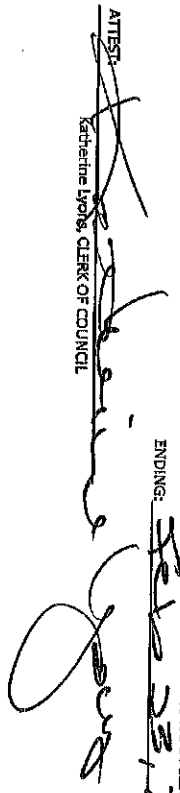
PASSED THIS 8th DAY OF February 2022

ATTEST: 
Katherine Spotts, 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: Feb 23, 2022

ATTEST: 
Katherine Lyons, CLERK OF COUNCIL

VILLAGE OF TERRACE PARK
HAMILTON COUNTY, OHIO

RESOLUTION 2-4, 2022

AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH J.K. MUERER FOR THE ELM AVENUE REPAIR AND RESURFACING PROJECT AT A COST NOT TO EXCEED \$66,039.70 AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Terrace Park desires to continue to maintain the integrity of the streets in the Village in a manner that permits motor vehicles to operate in a proper and safe manner, and

WHEREAS, the Village of Terrace Park Council has received bids for the Elm Avenue Repair and Resurfacing Project; and

WHEREAS, J.K. Muerer submitted the lowest and best bid for said project.

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

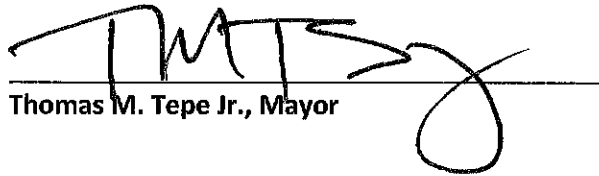
Section 1. It is hereby determined that J.K. Muerer has submitted the lowest and best bid for Elm Avenue Repair and Resurfacing Project. The Village Administrator is hereby authorized and directed to enter into a contract with J.K. Muerer on the terms and conditions as provided for in the specifications.

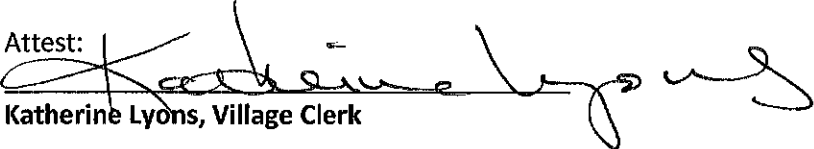
Section 2. The Village Administrator is hereby directed by Council to enter into an agreement with J.K. Muerer for an amount not to exceed \$66,039.70.

Section 3. The three separate readings required by law are hereby waived. This Resolution shall be acted upon as an emergency in order to preserve safe pedestrian and vehicular traffic and shall become effective immediately.

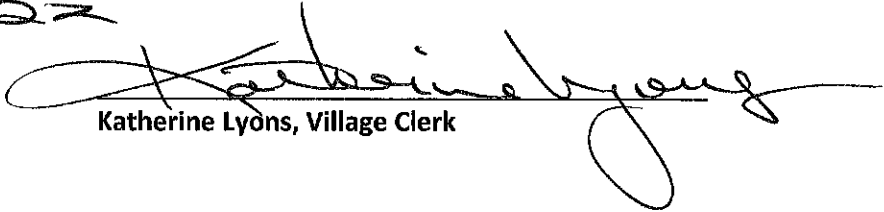
Section 4. The Village Clerk Katherine Lyons, and she hereby is authorized and directed to publish this Resolution by posting a copy thereof in the five most public places in the Village as heretofore determined by Council.

Passed this 8th Day of February 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 Feb 23, 2022


Katherine Lyons, Village Clerk

VILLAGE OF TERRACE PARK
HAMILTON COUNTY, OHIO

RESOLUTION 2-5, 2022

**APPOINTING LAUREN INGBRITSON AND JEFF LEMAY TO THE VOLUNTEER FIREFIGHTERS'
DEPENDENTS FUND BOARD**

WHEREAS, the Council of the Village of Terrace Park, Ohio, has determined that Lauren Ingebritson and Jeff Lemay have the qualifications to become members of the Volunteer Firefighters Dependents Fund board.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF TERRACE PARK,
OHIO THAT:**

SECTION 1. That Lauren Ingebritson and Jeff Lemay are hereby appointed as members of the Volunteer Firefighters Dependents Fund board for the term ending December 31, 2022.

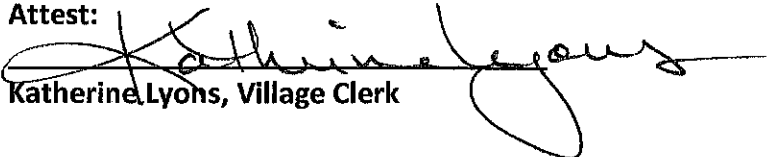
SECTION 2. Council hereby waives the three separate readings of this resolution and hereby advances it to the third and final reading.

SECTION 3. That the Village Clerk be, and she hereby is directed to publish this Resolution by posting a copy thereof at the five most public places in the Village of Terrace Park as heretofore determined by Council.

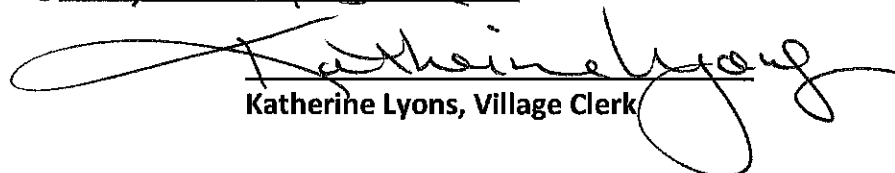
PASSED: 2/8, 2022


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 2/23/22.


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,

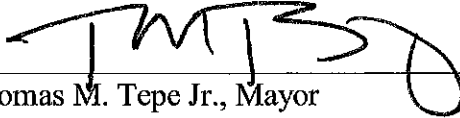
6 members elected thereto concurring:

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.

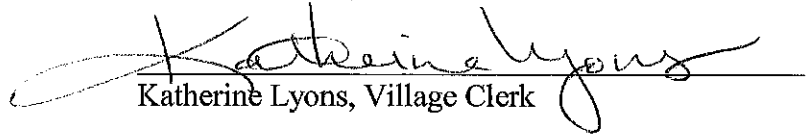


Thomas M. Tepe Jr., Mayor

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 an 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.