

**GROVE CITY, OHIO COUNCIL  
LEGISLATIVE AGENDA**

*February 01, 2016*

*6:30 Caucus*

*7:00 – Reg. Meet.*

Presentations:

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FINANCE: Mr. Davis

Ordinance C-04-16

Appropriate \$30,000.00 from the Drug Law Enforcement Fund for the Current Expense of Purchasing a Van to be used by the Division of Police for Law enforcement Purposes. Second reading and public hearing.

Ordinance C-05-15

Appropriate \$251,832.53 from the General Fund for the Current Expense of Undergrounding Utility Lines between I-71 and Jackpot Road. Second reading and public hearing.

Ordinance C-06-16

Appropriate \$43,500.00 from the General Fund for the Current Expense of Conducting an Alternative Fuel Feasibility Study with Clean Fuels Ohio. Second reading and public hearing.

Ordinance C-13-16

Appropriate \$4,500.00 from the Community Environment Fund for the Current Expense of Awarding a Grant to The Buckeye Ranch to Install Screening for the previously approved Fence. First reading.

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SAFETY: Ms. Lanese

Ordinance C-07-16

Enact Section 505.18 titled Pet Shops – Restrictions on the Sale of Dogs and Cats in the City. Second reading and public hearing.

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LANDS: Mr. Bennett

Ordinance C-01-16

Repeal and Replace Chapter 903 of the Codified Ordinances titled Parks. Second reading and public hearing.

Ordinance C-08-16

Accept the Annexation of 51.63+ acres located at 1421 Borrer Road in Jackson Township to the City of Grove City. Second reading and public hearing.

Ordinance C-09-16

Accept the Annexation of 0.687+ acres located at 3811 Mayfair Drive in Jackson Township to the City of Grove City. Second reading and public hearing.

Ordinance C-11-16

Approve a Special Use Permit for Outdoor Sales for Speedway #1231 located at 1895 Stringtown Road. Second reading and public hearing.

Ordinance C-12-16

Approve a Special Use Permit for Outdoor Seating for Grove City Brewing Company located at 3946 Broadway. Second reading and public hearing.

Resolution CR-07-16

Appealing the decision of the Board of Zoning Appeals granting Variances for Signage for Drug Mart & Massey's Pizza.

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ON FILE: Minutes of: 01/19 - Council Meetings

Date: 01/12/16  
Introduced By: Mr. Davis  
Committee: Finance  
Originated By: Safety  
Approved: \_\_\_\_\_  
Emergency: X 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: C-04-16  
1st Reading: 01/19/16  
Public Notice: 01/28/16  
2nd Reading: 02/01/16  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-04-16

AN ORDINANCE TO APPROPRIATE \$30,000.00 FROM THE DRUG LAW ENFORCEMENT FUND FOR THE CURRENT EXPENSE OF PURCHASING A VAN TO BE USED BY THE DIVISION OF POLICE FOR LAW ENFORCEMENT PURPOSES

WHEREAS, utilizing the Drug Law Enforcement Fund, the Division of Police desires to purchase a van to be used law enforcement purposes such as surveillance; and

WHEREAS, in addition, the appropriation will be used to outfit the van with the proper equipment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. There is hereby appropriated \$30,000.00 from the unappropriated monies of the Drug Law Enforcement Fund to account number 109000.576000 for current expense of purchasing a van to be used by the Division of Police for law enforcement purposes.

SECTION 2. This ordinance appropriates for Current Expenses and shall therefore go into immediate effect.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

I certify that there is money in the treasury, or is in the process of collection to pay the within ordinance.

\_\_\_\_\_  
Michael A. Turner, Director of Finance

Date: 01/12/16  
Introduced By: Mr. Davis  
Committee: Finance  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency: 30 Days  
Current Expense: XX

No.: C-05-16  
1st Reading: 01/19/16  
Public Notice: 01/21/16  
2nd Reading: 02/01/16  
Passed:      Rejected:  
Codified:      Code No:  
Passage Publication:

## ORDINANCE C-05-16

### AN ORDINANCE TO APPROPRIATE \$251,832.53 FROM THE GENERAL FUND FOR THE CURRENT EXPENSE OF UNDERGROUNDING UTILITY LINES BETWEEN I-71 AND JACKPOT ROAD

WHEREAS, the City is working on the installation of an additional turn lane on Stringtown Road between I-71 and Jackpot Road; and

WHEREAS, as part of this project, the City would like to move the existing aerial power and cable lines underground; and

WHEREAS, the City has obtained a quote from AEP to perform this service in the amount of \$251,832.53; and

WHEREAS, the City intends to finance this entire project later this year through a bond ordinance and those funds will be used to reimburse the general fund for this expenditure.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. There is hereby appropriated \$251,832.53 from the unappropriated monies of the General Fund to account number 100120.541000 for the current expense of undergrounding utility lines between I-71 and Jackpot Road.

SECTION 2. This Ordinance appropriates for current expenses and shall therefore go into immediate effect.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

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Stephen J. Smith, Director of Law

I certify that there is money in the treasury, or is in the process of collection to pay the within ordinance.

\_\_\_\_\_  
Michael A. Turner, Director of Finance

Date: 01/12/16  
Introduced By: Mr. Davis  
Committee: Finance  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency: 30 Days  
Current Expense: XX

No.: C-06-16  
1st Reading: 01/19/16  
Public Notice: 01/21/16  
2nd Reading: 02/01/16  
Passed:      Rejected:  
Codified:      Code No:  
Passage Publication:

## ORDINANCE C-06-16

### AN ORDINANCE TO APPROPRIATE \$43,500.00 FROM THE GENERAL FUND FOR THE CURRENT EXPENSE OF CONDUCTING AN ALTERNATE FUEL FEASIBILITY STUDY WITH CLEAN FUELS OHIO

WHEREAS, the City desires to explore options with alternative fuels for cost savings and to lessen the environmental impact of our current fleet; and

WHEREAS, this Study is being done in partnership with Jackson Township and South-Western City Schools; and

WHEREAS, in 2015, the City was awarded a grant from the Local Government Innovation Fund and this grant will be used to reimburse the General Fund for this Feasibility Study.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. There is hereby appropriated \$43,500.00 from the unappropriated monies of the General Fund to account number 100120.541000 for the Current Expense of conducting an Alternate Fuel Feasibility Study with Clean Fuels Ohio as outlined in the Agreement attached hereto as Exhibit A.

SECTION 2. This Ordinance appropriates for current expenses and shall therefore go into immediate effect.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

I certify that there is money in the treasury, or is in the process of collection to pay the within ordinance.

\_\_\_\_\_  
Michael A. Turner, Director of Finance



Clean Fuels Ohio

C-06-16  
Exhibit A

## Local Government Innovation Fund Feasibility Study Services

Prepared For: City of Grove City

Submitted: December 16, 2015

### GRANT SERVICES AGREEMENT

This Alternative Fuel Feasibility Study Services Agreement (the "Agreement"), for Ohio Local Government Innovation Fund (LGIF) related alternative fuel feasibility study analysis and reporting services, is executed this \_\_\_ day of \_\_\_\_\_, 2015 (the "Execution Date"), by and between Clean Fuels Ohio, an Ohio non-profit corporation ("CFO"), and the City of Grove City, (the "Client"), either or both of which may be hereinafter referred to as the Party or Parties, respectively.

### RECITALS

- A. CFO has provided a proposal including scope of services and associated project fees for alternative fuel feasibility study analysis and reporting services, which is attached hereto as Exhibit A and incorporated herein by reference (the "Proposal"). The alternative fuel feasibility study analysis and reporting services offered include assistance are fully detailed in Exhibit A.
- C. The Client desires to retain CFO to perform the alternative fuel feasibility study analysis and reporting services listed below, all on those terms and conditions set forth in this Agreement.

### PROVISIONS

NOW, THEREFORE, for good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound hereby agree as follows:

1. The Client agrees to retain CFO to perform alternative fuel feasibility study analysis and reporting services as described in the attached Proposal and as further set forth herein.
2. Such alternative fuel feasibility study analysis and reporting services include the completion of Grove City's Fleet Performance Project. This project is designed to examine the feasibility and cost-savings potentials of deploying a range of commercially available alternative fuel, advanced vehicle, and efficiency solutions in the major public fleets operating in the greater Grove City area. The project represents a direct partnership between Grove City, South-Western City Schools, and Jackson Township, who together form the core public entities upon which the fleet performance feasibility study will focus.
3. The Client represents that all information it provides to CFO in connection with work performed under this agreement will be complete and accurate and hereby agrees that CFO has the right to disclose any such information for use in the Feasibility Study and Report or otherwise in performing its obligations under this Agreement.
4. This proposal is based on CFO's previous Local Government Innovation Fund project experience. If the parameters of this project change significantly from the anticipated scope, CFO reserves the right to amend this agreement including the Scope of Services and Project Fee(s), subject to the written consent of the parties.
5. The Project Fees will be invoiced monthly, based on percent of completion of project, and due within 30 days of receipt of invoice. *Notwithstanding any other limits on liability stated herein, should The Client fail to pay the full Project Fees by the due dates, CFO reserve the right to charge commercially reasonable interest on the amount due and further reserves the right to bring an action to collect unpaid fees and to recover its costs for such action, including attorney's fees.*
6. CFO will perform the services outlined herein, in a commercially reasonable manner.

7. The parties hereby agree that in the event of a claim for breach of the obligations under this contract, damages shall be limited to the amount of fees owed or received, and in no event will either party be subject to indirect, special and consequential damages.

8. This Agreement shall be construed in all respects to be in accordance with, and any dispute arising hereunder shall be governed by, the substantive and procedural laws of the State of Ohio, except, however, that Ohio's choice of law provisions shall not apply. The Parties hereby irrevocably consent to the exclusive jurisdiction of the courts of the State of Ohio in Franklin County, and the United States District Court for the Southern District of Ohio, Eastern Division, and waive any contention that any such court is an improper venue for enforceability of this Agreement.

9. The term of this Agreement shall commence on the date of execution through December 31<sup>st</sup>, 2016 (the "Term").

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

**CFO:**  
CLEAN FUELS OHIO  
an Ohio non-profit corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**THE CLIENT:**

[ \_\_\_\_\_, ]

a(n) \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**Please Provide:** Contact Information for company's **Fiscal Agent** (person who will process invoices, payments, or provide other financial administration regarding this contract\.)

• Fiscal Agent:	
• Address:	
• Phone:	
• E-mail Address:	

## Exhibit A: Grant Writing Services Scope & Fees

### BACKGROUND

Clean Fuels Ohio (CFO) is a U.S. Dept. of Energy Clean Cities affiliated nonprofit dedicated to promoting the use of cleaner, domestic fuels and efficient vehicles to improve the transportation sector's economic and environmental performance. Headquartered in Columbus, Ohio, our experienced staff have been the "go to" resource for assistance with implementing alternative transportation and efficiency solutions for the past 15 years. Since 2008, CFO has worked with numerous public and private fleets on a variety of projects to achieve economic and environmental results:

- **Securing \$27.3 million for Deployment Projects** including 850 clean, advanced vehicles and 30 locations for electric vehicle charging, eight (8) natural gas stations (CNG, RNG & LNG) and seven (7) propane autogas refueling sites in partnership with dozens of fleets across Ohio.
- **Implementing \$4.45 million in Events & Activities** including educating thousands of fleets through a variety of informational programs and events; officially enrolling over 550 fleets in our Ohio Green Fleet environmental certification program; and formally certifying 76 fleets for environmental leadership who have displaced a combined total of 14,307,431 gallons of petroleum and eliminated over 161,948 tons of carbon dioxide.

Based on this project history and expertise, Clean Fuels Ohio provides individually tailored fleet and industry consulting services, including: 1.) Fleet Analysis & Planning Services; 2.) Technical Project Development & Training; and 3.) Grant Writing & Incentive Procurement.

### EXECUTIVE SUMMARY

In September 2015 the Local Government Innovation Fund approved Grove City's Local Government Innovation Program application valued at up to \$45,000 for alternative fuel fleet feasibility studies with area partners. Grove City's Fleet Performance Project is designed to examine the feasibility and cost-savings potentials of deploying a range of commercially available alternative fuel, advanced vehicle, and efficiency solutions in the major public and private sector fleets operating in the greater Grove City area. The project represents a direct partnership between Grove City, South-Western City Schools, and Jackson Township, who together form the core public entities upon which the fleet performance feasibility study will focus. Clean Fuels Ohio has the capacity, experience, and tools to perform in-depth, technical fleet feasibility studies for Grove City, South-Western City Schools, and Jackson Township. Scope of work, deliverables, and costs for each major feasibility study deliverable is provided below.

### PROJECT SCOPE & COST

Clean Fuels Ohio is committed to providing a wide range of customizable services. Clean Fuels Ohio's feasibility studies are designed to examine the opportunities, available options, environmental benefits, total investment costs, and return on investment timeframes and scenarios available to fleets through transitioning to various available alternative fuel options and efficiency technologies. The "Grove City Fleet Performance: Alternative Fuel Options" Project funded by the Ohio Local Government Innovation Fund provides a seamless funding source and perfect opportunity for Grove City area public fleets, including the City, School District, and Jackson Township to examine the cost savings opportunities

available through deploying alternative fuels and efficiency technologies. Clean Fuels Ohio proposes to work with Grove City area fleet partners to create one overarching final report, which contains the following three core components tailored to each specific fleet partner:

**1.) Fleet Specific Vehicle Options Assessments & Feasibility Reports:**

Work with appropriate City, School, and Township personnel to establish key organizational baseline metrics and set targeted, multi-year goals around operational factors relevant to each public partner, such as fleet fuel efficiency goals, emission level reduction goals, fuel use reduction goals, vehicle life cycle/replacement schedules, and operational cost minimization goals. The City, School, and Township, as well as the Local Government Innovation Fund all stress overall cost-effectiveness as the primary metric that will be used in the evaluation of various fuels, technologies, and strategies.

- This work includes in-person meetings, calls, and solicitation of feedback from Department heads and other City, School, and Township staff to fully incorporate all relevant information.
- Work with City, School, and Township staff to review the Key Fleet Performance Indicators outlined in report and update and expand these baselines where necessary.
- Work with City, School, and Township staff throughout the process to establish goals around cost saving measures wherever possible, recognizing that cost savings are a driver for actions.
- Utilize fleet analysis software, tools, and CFO expertise to provide graphical summaries and cost/benefit information on the range of options including vehicles, fuels, technologies, and organizational strategies covering the range of agreed upon, commercially available options.
- Based on input and close collaboration with City, School, and Township staff, develop a detailed report setting forth the City, School, and Township's near and long term goals, cost-benefit assessments of specific vehicle and technology options, as well as strategic recommendations for further review and action where necessary.

❖ **Project Cost:** \$17,500

❖ **Timeline for Final Deliverable:** Three Months from Contract Signing and Data Provision

In addition, crafting an a comprehensive fleet specific vehicle options assessments and feasibility reports, Clean Fuels Ohio will also examine options for any necessary alternative fuel vehicle infrastructure or recommended fleet facility modifications. CFO's feasibility study will examine all available infrastructure options, including publicly available fueling stations in the area, options for installation of jointly leveraged infrastructure by area fleet partners, and options for individual, fleet specific infrastructure. In addition, Clean Fuels Ohio will examine any facilities modification required by national and state codes stemming from the transition to any specific alternative fuel types.

This type of project will be comprised of numerous additional tasks requiring research, data gathering and analysis including: fuel quality inspection, utility pipeline locations/pressures, fleet vehicle operational requirements/usage analysis, identification of additional site development costs (storm water, curbing, etc.), general station capacity specifications (size, amount of storage, types of equipment), and inspection and certification by local authorities having jurisdiction (i.e. fire marshal). This work will also entail market research to assess the number of external fleet vehicles, fuel volumes,

and additional demand any Grove City area station can expect from regional and neighboring fleets. The Alternative fuel station and facilities modification options analysis and reports will include the following:

**2.) Alternative Fuel Station & Facilities Modification Options Analysis & Feasibility Report:**

Work with appropriate City, School, and Township fleet and administrative personnel to provide neutral, third party advise, analysis, and assistance regarding the feasibility of alternative fuel station and facilities modification options for Grove City Area partner fleets. This work includes the following:

- In-person meetings, conference calls with appropriate staff, and solicitation of feedback from other Ohio fleets, CFO project partners, and other key contacts who have experience building various alternative fuel stations and performing code required facility modifications.
- Work with appropriate City, School, and Township staff throughout the process to provide detailed analysis, recommendations, and final report on the following topics:
  - Site Development Options: Including locations, site development costs-benefits, etc.
  - Utility Interfacing: Information on gas quality, line locations, line pressures, etc.
  - Permitting, Zoning, Safety, and Fire Marshal Issues: Including requirements, recommendations, and cost assessments for any required fleet facility modifications
  - Station Options: Size, Capacity, Equipment options, cost-benefit, etc.
  - Fleet Partnerships/Volume Base: Outreach, surveying, and data gathering focused on:
    - Public and private fleets domiciled in close proximity to proposed station(s)
    - Cost, Benefit, and Return on Investment Potential of providing public fueling.
  - Internal/External Fleet Analysis: Analysis of City, School, and Township fleets, and relevant data from any key fleets identified from above activities to generate estimations of near and long-term demand for fuel, and ROI for proposed station(s).
  - Grants, Incentives, and Funding Opportunities: Provide details on available state, federal, local and private funding/financing opportunities.
  - Additional Topics: as needed and agreed upon between Grove City partners and CFO.
- Culminate in the development of a detailed report outlining the various options, cost-benefit scenarios, return on investment timeframes, and recommendations around the construction alternative fuel stations in line with partner operational, budgetary, and environmental goals.

❖ **Project Cost:** \$16,500

❖ **Timeline for Final Deliverable:** Three Months from Contract Signing and Data Provision

**3.) Final Overall Project Cost-Effectiveness & Return on Investment Feasibility Reports:**

Based on all data gathering and analyses outlined above, Clean Fuels Ohio will prepare detailed cost-effectiveness and return on investment projections, utilizing various cost spreads and variables, to present overall recommendation matrices for each fleet partner and fuel specific technology.

❖ **Project Cost:** \$9,500

❖ **Timeline for Final Deliverable:** Three Months from Contract Signing and Data Provision

□ **Total Project Cost:** \$43,500

**Staff Expertise and Qualifications:**

Over the last decade, CFO has grown significantly in staff resources, expertise, and technical capacity. With increasing technology availability and rapidly improving business cases around many alternative fuel and vehicle efficiency solutions, Clean Fuels Ohio's expertise and consulting services are in higher demand than ever before. Our Executive Director, Sam Spofforth, has ten years of direct fleet experience, helping fleets adopt technologies, implement projects, and create green fleet management plans. Spofforth was named the US DOE Clean Cities regional coordinator of the year in 2004, national coordinator of the year in 2007, and adopted into the US DOE Clean Cities Program "Hall of Fame" in 2011. Spofforth has also worked directly with the City of Columbus, the Mayor's Environmental Steward, and City of Columbus Fleet Management to develop a "Green Fleet Action Plan" adopted by the City in 2008. This plan, which the City continues to diligently implement, has earned Columbus numerous awards and recognition as the #1 Government Green Fleet in America by the 100 Best Fleets Program.

Clean Fuels Ohio Program Director, Andrew Conley, has worked with hundreds of fleets across the state to develop vehicle and station projects, conduct fleet emissions and efficiency analyses, draft proposals for competitive funding, and create educational programs and materials including workshops, fuel and technology trainings, and printed informational resources such as Clean Fuels Ohio's 6R's of Diesel Cleanup Handbook. Conley has also led CFO's Ohio Green Fleets program since its launch in August 2008, Ohio Green Fleets program has engaged hundreds of fleets across the state in workshops, seminars and individual meetings. This work has resulted in 67 certified Ohio Green fleets and the active enrollment of more than 400 public and private organizations—all of who have provided fleet data and begun the process of earning Ohio Green Fleet certification. The 67 certified Ohio Green Fleets have displaced a combined total of 10,973,957 gallons of petroleum and eliminated over 1139.6 tons of nitrogen oxide (NOx), 104 tons of particulate matter (PM 2.5), 41.9 tons of volatile organic compounds (VOCs) and 143,150 tons of carbon dioxide.

Clean Fuels Ohio has been a designated U.S. DOE Clean Cities coalition since 2002, and has been awarded numerous honors for work with fleets to deploy cleaner, more efficient vehicles, technologies, and alternative fuels. CFO was honored to be named a "Clean Air Champion" in by Mid-Ohio Regional Planning Commission in 2007. In 2008, General Motors selected CFO as their top "Clean Cities Rewards" winner. We also earned "Outstanding Project" award from Ohio Environmental Education Fund in 2008. Clean Fuels Ohio was selected as the Clean Cities Coalition of the Year in 2008, and has received numerous other awards and recognition for our work to green vehicle fleets. In addition, CFO was selected by the Environmental Education Council of Ohio for their 2010 Ohio Alliance for the Environment Award.

**Contact Information:**

**Andrew Conley, Program Director**  
**Clean Fuels Ohio**  
 530 W. Spring St, Suite 250  
 Columbus, OH 43215  
 P: (614) 884-7336  
[Andrew@CleanFuelsOhio.org](mailto:Andrew@CleanFuelsOhio.org)

**Sam Spofforth, Executive Director**  
**Clean Fuels Ohio**  
 530 W. Spring St, Suite 250  
 Columbus, OH 43215  
 P: (614) 884-7336  
[Sam@CleanFuelsOhio.org](mailto:Sam@CleanFuelsOhio.org)

Date: 01/26/16  
Introduced By: Mr. Davis  
Committee: Finance  
Originated By: Mayor Stage  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: XX

No. : C-13-16  
1st Reading: 02/01/16  
Public Notice: 02/05/16  
2nd Reading: 02/16/16  
Passed:      Rejected: \_\_\_\_\_  
Codified:      Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-13-16

AN ORDINANCE TO APPROPRIATE \$4,500.00 FROM THE COMMUNITY ENVIRONMENT FUND FOR THE CURRENT EXPENSE OF AWARDING A GRANT TO THE BUCKEYE RANCH TO INSTALL SCREENING FOR THE PREVIOUSLY APPROVED FENCE

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WHEREAS, on December 21, 2015, the Board of Zoning Appeals granted a variance for a 12' fence for the Buckeye Ranch located at 5665 Hoover Road; and

WHEREAS, on January 19, 2016, Council upheld the variance for the fence; and

WHEREAS, at the hearing on January 19, 2016, questions were raised regarding the appearance of the fence and the impact it would have the surrounding area; and

WHEREAS, this grant will enable the Buckeye Ranch to install fifteen (15) eight foot (8') pine trees to further screen the fence.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. There is hereby appropriated \$4,500.00 from the unappropriated monies of the Community Environment Fund to account number 113000.541099 for current expense of awarding a grant to the Buckeye Ranch to install screening for the previously approved fence.

SECTION 2. This ordinance shall go into effect at the earliest opportunity provided by law.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

I certify that there is money in the treasury, or is in the process of collection to pay the within ordinance.

\_\_\_\_\_  
Michael A. Turner, Director of Finance

Date: 01/12/16  
Introduced By: Ms. Lanese  
Committee: Safety  
Originated By: Mr. Berry  
Approved: \_\_\_\_\_  
Emergency: 30 Days: X  
Current Expense: \_\_\_\_\_

No.: C-07-16  
1st Reading: 01/19/16  
Public Notice: 01/21/16  
2nd Reading: 02/01/16  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-07-16

### AN ORDINANCE TO ENACT SECTION 505.18 TITLED PET SHOPS - RESTRICTIONS ON THE SALE OF DOGS AND CATS IN THE CITY

WHEREAS, the commercial and retail sale of dogs and cats (companion animals) contributes to the proliferation of homeless or unwanted animals that are often poorly treated and/or end up in the public animal shelters, humane societies and animal welfare rescue organizations; and

WHEREAS, the need exists to regulate pet shops, retail businesses and other commercial establishments that sell companion animals; and

WHEREAS, Ohio Revised Code Chapter 956 "Regulations & Licensing of Dog Kennels", and Ohio Administration Code Chapter 901:1-6 "High Volume Dog Breeders" illustrate Ohio's trend of promoting the humane treatment of animals by regulating animal breeders to prevent the proliferation of inhumanely bred animals; and

WHEREAS, prohibiting the unregulated sale of companion animals in pet shops, retail businesses or other commercial establishments may lower the sale of dogs and cats from inhumane "puppy mills" and "kitten factories," and may lower the shelter animal euthanasia rate, and lead to a greater adoption rate of shelter animals; and

WHEREAS, the City seeks to prohibit the sale of companion animals in pet shops, retail businesses and commercial establishments unless the animals are obtained from a legitimate animal shelter or animal control agency, humane society, or non-profit rescue organization and the animals are spayed or neutered.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Section 505.18 is hereby enacted as follows:

#### **505.18 PET SHOPS - RESTRICTIONS ON THE SALE OF DOGS AND CATS IN THE CITY**

- (a) (1) For purposes of this Section, a commercial establishment, defined as any for-profit business enterprise, including a sole proprietorship engaged in retail or wholesale commerce related to dogs or cats, including grooming parlors, canine day care and boarding facilities.
- (2) As used herein, the phrase "pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers a dog or cat for consideration" shall not include within its scope any city or county animal shelter or animal control agency, a humane society, or a Non-Profit Rescue Organization. For purposes of this Section, a Non-Profit Rescue Organization is defined as any non-profit corporation that is exempt from taxation under Internal Revenue Code Section 501(c)(3), whose mission and practice is

in whole or in significant part the rescue and placement of dogs or cats; or any non-profit organization that is not exempt from taxation under Internal Revenue Code Section 501(c)(3) but is currently an active rescue partner with a City or County shelter or humane society, whose mission is in whole or in significant part the rescue and placement of dogs or cats.

(3) For purposes of this Section, a "Certificate of Source" is defined as any document from the source city or county animal shelter or animal control agency, humane society, or non-profit rescue organization declaring the source of the dog or cat on the premises of the pet shop, retail business or other commercial establishment.

(4) As used in this Section "exchange" shall mean an action in which the ownership of one live cat or one live dog is conveyed from a pet shop, retail business or commercial establishment to a different person or entity.

(5) This Section shall not apply to the display, offer for sale, delivery, bartering, auction, giving away, transfer, or sale of dogs or cats from the premises of which they were bred and reared.

(6) Nothing in this Section shall prevent the owner, operator or employees of a pet shop, retail business, or other commercial establishment located in the City from providing space and appropriate care for animals owned by an animal shelter or animal control agency, humane society or non-profit rescue organization and maintaining those animals at the pet shop, retail business or other commercial establishment for the purpose of public adoption.

(b) (1) Except for any pet shops, retail businesses, and commercial establishments that were both operational and in the business of selling, bartering or otherwise transferring for consideration live dogs and cats on or before March 1, 2016, it shall be unlawful for any person to display, offer for sale, deliver, barter, auction, broker, give away, transfer or sell any live dog or cat in any pet shop, retail business or other commercial establishment located in the City, unless the dog or cat was obtained from a city or county animal shelter or animal control agency, a humane society, or a non-profit rescue organization. All pet shops, retail businesses or other commercial establishments selling dogs or cats shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement, code compliance officials or any other City employee charged with enforcing the provisions of this Section.

(2) No pet shop, retail business, and commercial establishment that sells, barters or otherwise transfers for consideration live dogs and cats:

(A) Shall import or cause to be imported into this City, or offer for sale or resale, a dog or cat unless they are at least eight (8) weeks old and have their deciduous (baby) teeth visibly present.

(B) Shall sell or offer for sale a dog, unless the dog has been inoculated against distemper, hepatitis, and leptospirosis, para influenza, rabies and, if indicated, has been treated for external and internal parasites, not less than 7 days before the dog's entry into this City. The dog shall be accompanied by a health certificate signed by a veterinarian including records of the dog's medication, immunization and a spay/neuter certificate.

(C) Shall not sell or offer for sale a cat, unless the cat has been inoculated against feline panleukopenia (cat distemper), rhinotracheitis and calici viruses, rabies and, if indicated, has been treated for external and internal parasites, not less than 7 days prior to the cat's entry into this City. The cat shall be accompanied by a health certificate signed by a veterinarian, including records of the cat's medication, immunization and spay/neuter certificate.

(c) Any pet shop, retail business, and commercial establishment that was both operational and in the business of selling, bartering or otherwise transferring for consideration live dogs and cats on or before March 1, 2016 must register with the City on or before April 1, 2016 by delivering to the City a written statement that contains at least the following information: name of the owner of the pet shop, retail business, or commercial establishment; name and address of the contact person for that pet shop, retail business, or commercial establishment; street address of the pet shop, retail business, or commercial establishment; date when the pet shop, retail business, or commercial establishment began operation. The owner of the registering pet shop, retail business, or commercial establishment shall notify the City in writing within thirty (30) days with updated information if any of the information required herein changes.

(d) For pet shops, retail businesses, and commercial establishments that were both operational and in the business of selling, bartering or otherwise transferring for consideration live dogs and cats on or before March 1, 2016, and that have registered as required by subsection (c) of this Section, the following provisions apply:

- (1) Any dog or cat sold, bartered or otherwise transferred shall be spayed or neutered from the effective date of this Section.
- (2) Any pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers for consideration shall implant or cause to be implanted an identification microchip in any dog or cat exchanged prior to an exchange.
- (3) Any pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers for consideration, shall provide the recipient of a dog or cat the following information, in writing, at the time of the exchange:
  - A. The breeder's name, address, and USDA and state license number, where applicable;
  - B. The date of the dog or cat's birth, if known, and the date that the pet trader received the dog or cat;
  - C. The breed, sex, color and any identifying marks at the time of the exchange, if any;
  - D. A record of each inoculation and worming treatment administered, if any, to the dog or cat, including the date of administration and type of vaccine or worming treatment;
  - E. A record of veterinarian treatment or medication received by the dog or cat while in possession of the pet trader;
  - F. A document signed by a licensed veterinarian stating that the dog or cat is disease and illness free and has no congenital or hereditary condition that adversely affects the health of the dog or cat at the time of the exchange: or, describes any known disease, illness or congenital or hereditary condition that adversely affects the health of the dog or cat.

The pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers a dog or cat for consideration must sign the disclosure and certify the accuracy of the information contained thereon. A copy of the certified disclosure must be kept by the pet shop, retail business, and commercial establishment that sells, barter or otherwise

transfers a dog or cat for consideration for a period of not less than two years from the date of the exchange. The pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers a dog or cat for consideration must make each certified disclosure available for inspection or copying by any officer of the Franklin County Dog Shelter or other law enforcement officer upon request and must submit all certified disclosures annually, and no later than May 1 of each year, to the Director of Safety, or his designee.

(4) Any pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers for consideration shall display on each cage a label identifying the sex and breed of each animal kept in the cage, the date and place of birth of each animal, including the breeders name and address, and the name and address of the veterinarian attending to the animal and the date of initial examination of the animal.

(5) No pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers a dog or cat for consideration shall sell, barter, auction or otherwise transfer a dog or cat to a person that has not reached the age of eighteen years as verified by valid photo identification.

(6) No pet shop, retail business, and commercial establishment that sells, barter or otherwise transfers a dog or cat for consideration shall sell barter, auction or otherwise transfer a dog or cat to a person that has been produced from a High Volume Breeder, received from a distributor or corporation that buys from a High Volume Breeder.

(A) A "High Volume Breeder" means an establishment that keeps, houses, and maintains adult breeding dogs that produce at least nine litters of puppies in any given calendar year and, in return for a fee or other consideration, sells sixty or more adult dogs or puppies per calendar year.

(7) This Section shall not apply to the display, offer for sale, delivery, bartering, auction, giving away, transfer, or sale of dogs or cats from the premises of which they were bred and reared.

(8) Nothing in this Section shall prevent the owner, operator, or employees of a pet shop, retail business, or other commercial establishment located in the City from providing space and appropriate care for animals owned by an animal shelter or animal control agency, humane society, or non-profit rescue organization and maintaining those animals at the pet shop, retail business, or other commercial establishment for the purpose of public adoption.

(e) A violation of this Section shall constitute a misdemeanor in the fourth degree.

SECTION 2. For reasons stated in the preamble this ordinance is hereby declared an emergency measure and shall go into immediate effect.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:  
Effective:

\_\_\_\_\_  
Richard L. Stage, Mayor

Date: 12/29/15  
Introduced By: Mr. Bennett  
Committee: Lands  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency:     30 Days: X  
Current Expense:                     

No. : C-01-16  
1st Reading: 01/04/16  
Public Notice: 01/07/16  
2nd Reading: 01/19/16  
Passed:     Rejected:      
Codified:     Code No:      
Passage Publication:    

*Postponed  
to 2/11/16*

## ORDINANCE C-01-16

### AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 903 TITLED PARKS

WHEREAS, it is necessary for the City to update the Park provisions in the Code; and

WHEREAS, the City has completed a comprehensive review of Chapter 903; and

WHEREAS, the last comprehensive review of Chapter 903 occurred in 1999.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Chapter 903 titled Parks is hereby repealed and replaced as attached hereto in Exhibit "A".

SECTION 5. This ordinance shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Ted A. Berry, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

C-01-16  
**Exhibit "A"**  
CHAPTER 903  
**Parks**

- |   |  |
|---|--|
| 903.01 Definitions  | 903.17 Dumping, defacement, destruction, removal or disturbance of property, equipment or natural features |
| 903.02 Hours of operation   | 903.18 Gambling  |
| 903.03 Fees for use of shelter house/pavilions                                  | 903.19 Climbing of fences, shelters and other structures   |
| 903.04 Traffic; off-road vehicles   | 903.20 Hunting/trapping/collecting or molesting wildlife   |
| 903.05 Intoxication   | 903.21 Solicitation  |
| 903.06 Pets   | 903.22 Enforcement   |
| 903.07 Horseback riding   | 903.23 Additional rules and regulations  |
| 903.08 Camping  | 903.24 Metal detecting   |
| 903.09 Swimming, wading and boating   | 903.25 Aerosol paint cans and hazardous materials  |
| 903.10 Golf   | 903.26 Erecting and attaching signs  |
| 903.11 Public address devices, radios, amplified sound, and musical instruments | 903.27 Inflatable amusement devices  |
| 903.12 Engine powered miniature models, unmanned aircraft systems, and toys     | 903.28 Smoking prohibition; smoke free zones   |
| 903.13 Snowmobiles/sledding/skiing & ice skating                                | 903.99 Penalty   |
| 903.14 Fires  |  |
| 903.15 Indecent language – lewd conduct   |  |
| 903.16 Fireworks, firearms & weapons  |  |

CROSS REFERENCES

- Park Board – see CHTR., Art. IV, 4.03; ADM. 157.01 et seq.  
Power to regulate vehicle speed in parks – see Ohio R.C. 4511.07  
Department of Parks and Recreation – see ADM. 145.01 et seq.  
Disorderly conduct and peace disturbance – see GEN. OFF. 509.01 et seq.  
Provisions for drug control – see GEN. OFF. 513.01 et seq.  
Provisions for liquor control – see GEN. OFF. 529.01 et seq.  
Destruction of trees – see GEN. OFF. 541.06  
Animals – see GEN. OFF. 505.01 et seq.

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**903.01        DEFINITIONS.**

As used in this chapter:

- (a) "Animal or animals" means and includes, but is not limited to, quadrupeds, birds, fish, reptiles, amphibians, crustaceans, mollusks and insects.
- (b) "City-owned property" means any real property and public parkland owned by the City, not including easements held or used by the City.
- (c) "Director" means the Director of Parks and Recreation as defined in Section 145.02 of the Codified Ordinances and his/her designee.
- (d) "Fish or fishing" means taking or attempting to take fish by any method, and all other acts such as placing, setting, drawing or using any device commonly used to fish whether resulting in such taking or not.
- (e) "Geocaching" means the recreational hunting for and finding of a hidden object by means of GPS coordinates posted on a website.
- (f) "Inflatable" means an amusement device, used to bounce or otherwise play on that incorporates a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape, and stability by tensioning from internal air pressure.

- (g) "Motor vehicle" means any vehicle propelled or drawn by power other than muscular power.
- (h) "Officer" means any Division of Police Officer.
- (i) "Park" means any public land, controlled or operated by the Parks and Recreation Department of the City of Grove City, Ohio, for recreational open space or similar and related purposes.
- (j) "Park waters" means any lake, pond, reservoir, stream, pool, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial, located in or adjoining a park.
- (k) "Person" means any individual, company, partnership, corporation or association or any combination of individuals, or any employee, agent or officer thereof.
- (l) "Public parks leased or owned by the City" shall mean any place or area within Grove City upon which the public is invited or upon which the public is permitted and where children gather for play, including more limited areas used by the public such as restrooms, shelter houses and pavilions.
- (m) "Recreational trail" means a public trail that is used for hiking, bicycling, ski touring, canoeing, or other nonmotorized form of recreational travel that interconnects City parks, wildlife areas, nature preserves, scenic rivers, or other places of scenic or historic interest.
- (n) "Smoke" means burning, including the inhaling or exhaling of any lighted cigar, cigarette, pipe, weed, plant, electronic cigarette or cigar, vaporizer or other burning substance.
- (o) "Smoke Free Zone" means an area located within a public park leased or owned by the City, which has been designated by the City as smoke free, including, but not limited to, playgrounds, restrooms, shelter houses and/or pavilions or other areas as may be determined by City Council from time to time.
- (p) "Smoking materials" means any cigar, cigarette, pipe, weed, plant, or other smoking equipment in any form.
- (q) "Vehicle" means every conveyance with wheels, treads, or other means of locomotion power.

**903.02 HOURS OF OPERATION.**

No person, except in an emergency or with a special permit issued by the Director, shall enter, remain in, stop or park a motor vehicle in the park except during the hours designated by the Director. Such hours shall be conspicuously posted at the entrance to each park.

**903.03 FEES FOR USE OF PARK FACILITIES.**

- (a) A fee may be charged for the reserved use of park facilities and, if required, shall be payable at the time of reservation.
- (b) The Director shall establish rules, regulations and procedures for the reservation and use of park facilities.
- (c) The Director shall approve the use of any food truck or vending device at any park facility.

**903.04 TRAFFIC; OFF-ROAD VEHICLES.**

- (a) No person shall drive or operate any motorized vehicle within a park, except on and within the streets or roadways provided for such vehicle or if done in compliance with the American with Disabilities Act.
- (b) No person shall operate a vehicle in excess of fifteen (15) miles per hour.
- (c) No person shall operate farm machinery or construction equipment or drive a truck, tractor or other vehicle, which is at the time used for transportation of goods or materials, over any park street, roadway or path without a permit from the Director.
- (d) No person shall clean, wash or repair any vehicle in or upon the parking lot and/or park.
- (e) Vehicles in parks in violation of these rules and regulations may be removed or cause to be removed to a location, in or outside of a park, where they may be kept until the owner or owner's

representative obtains an order from the Director releasing such vehicle to the owner or owner's representative. The City shall not be responsible for any fee, charge or damage arising from such impoundment.

**903.05 INTOXICATION.**

(a) No person in a park shall be intoxicated or be under the influence of any intoxicating liquor or alcoholic beverage, pursuant to Section 529.01 of the Codified Ordinances.

(b) No person shall use, consume, carry or bring any intoxicating liquor, alcoholic beverage in or upon any park.

**903.06 PETS.**

(a) No person shall bring to a park any pet, except domestic dogs or cats which must be controlled at all times and secured to a leash not more than six (6) feet in length, pursuant to Section 505.01(d) of the Codified Ordinances. This prohibition shall not apply to any dogs in a designated City Dog Park off-leash area or at any City sponsored event where it is specifically authorized.

(b) Persons shall clean up after their dog(s) and must carry a device for this purpose, pursuant to Section 505.09(a) of the Codified Ordinances.

**903.07 HORSEBACK RIDING.**

No person shall ride or bring into a park any horse, mule or pony without a written permit from the Director.

**903.08 CAMPING.**

No person shall maintain a tent, camper or other temporary sleeping place within a park without a written permit from the Director.

**903.09 SWIMMING, BATHING, WADING AND BOATING.**

Wading, swimming, bathing, boating or entering into any of the lakes, ponds, reservoirs, quarries, fountains or any other water repository is strictly prohibited without the express permission of the Director, except within those recreational facilities designated for such purposes by the Director.

**903.10 GOLF.**

No person shall hit a golf ball or practice golf except in areas designated by the Director.

**903.11 PUBLIC ADDRESS DEVICES, RADIOS, AMPLIFIED SOUND, AND MUSICAL INSTRUMENTS.**

No person shall cause a public address device, radio, amplified sound or any musical instrument or device to be used in a park at a volume audible beyond his/her immediate area without a specific written permit from the Director.

**903.12 ENGINE POWERED MINIATURE MODELS, UNMANNED AIRCRAFT SYSTEMS AND TOYS.**

No mechanical and/or motorized miniature models or toy airplanes, unmanned aircraft systems, chemically powered rockets, boats, cars, sirens, or other noise making devices are permitted to be launched, landed or operated within the confines of a park, except in areas designated by the Director.

**903.13 SNOWMOBILES, SLEDDING, SKIING AND ICE SKATING.**

No person shall operate a motorized vehicle which is designed to travel on snow or ice-covered surfaces within a park other than in areas designated by the Director as snowmobile areas. Sledding, skiing and ice skating are prohibited except in areas designated for that purpose by the Director.

**903.14 FIRES.**

- (a) No person shall start or maintain a fire except in a place or at a site designated for this purpose.
- (b) No person shall start a fire in a park except for small fires for cooking in park grills and privately owned grills in a place or at a site designated for this purpose.
- (c) Fires permitted in (a) and (b) above shall comply with Section 1513.03(b) of the Codified Ordinances.
- (d) No person in a park shall build a fire at a time period when the Director has prohibited the building of fires.

**903.15 INDECENT LANGUAGE – LEWD CONDUCT.**

No person shall use any abusive, profane or indecent language or engage in any lewd or obscene conduct or any other conduct that may annoy others.

**903.16 FIREWORKS AND WEAPONS.**

(a) No person, other than law enforcement officers, shall carry an air or gas gun, a bow, crowbar or other missile throwing device within a park, or discharge any firearms, fireworks, explosive substances, or air or gas guns into or over a park or bring into a park any switchblade, hunting knife, dagger, metal knuckles, slingshots, or other weapon. This prohibition shall not apply to any knife with a blade shorter than three (3) inches in length.

(b) The foregoing provisions of this section do not apply to firearms as defined by Ohio R.C. 2923.11, and nothing in this section shall be construed as a limitation on an individual's right to keep and bear arms under Federal or State law.

**903.17 DUMPING, DEFACEMENT, DESTRUCTION, REMOVAL OR DISTURBANCE OF PROPERTY, EQUIPMENT, OR NATURAL FEATURES.**

(a) No person shall dump within a park any material of any kind, including, but not limited to, earth, stones, concrete, wood, paper, rubbish, tin cans, bottles, discarded household articles, tree trimmings or grass clippings.

(b) No person shall injure, deface, destroy, disturb, or remove any part of a building sign, equipment or other property of a park, nor shall any tree, flower, shrub or other vegetation, or fruit or seed thereof, or rock or mineral be removed, injured, destroyed or disturbed, pursuant to Section 541.07 of the Codified Ordinances.

(c) Geocaches for geocaching may be placed in the park subject to prior permission of the Director and compliance with subsection (b).

**903.18 GAMBLING.**

No person shall engage in, promote, solicit or procure participants for any game which is played for money or other thing of value, or engage in any form of gambling or game of chance within a park.

**903.19 CLIMBING ON FENCES, SHELTERS AND OTHER STRUCTURES.**

No person shall climb, walk, stand or sit upon any fences, shelters, poles, fountains, walls or other structures within a park.

**903.20 HUNTING, TRAPPING, OR COLLECTING WILDLIFE.**

No person shall hunt, collect, pursue with dogs, trap or in any way molest any wild bird or other animal, or rob or molest any nest or den, or take the eggs or young of any bird or other animal found within a park, pursuant to Section 505.11 of the Codified Ordinances.

**903.21 SOLICITATION.**

No person shall sell, beg, hock, peddle, offer or solicit for sale any goods or merchandise within a park without the applicable licenses and written permission of the Director.

**903.22 ENFORCEMENT.**

(a) No person shall fail or refuse to comply with any posted restrictions or directives or with any reasonable order relating to this Chapter, or with any order lawfully given by an Officer, Director.

(b) Officer and/or Director may order any person violating any provisions of these rules and regulations to leave the park. No person shall fail to obey such an order.

**903.23 ADDITIONAL RULES AND REGULATIONS.**

The Director shall make and enforce such additional rules and regulations as are necessary for the proper management of parks and their facilities.

**903.24 METAL DETECTING.**

No person in a park shall have in their possession, operate or use any metal detector of any kind or form.

**903.25 AEROSOL PAINT CANS AND HAZARDOUS MATERIALS.**

No person in a park except an Officer and/or Director shall carry on or about his or her person any hazardous materials including a container capable of propelling paint or other hazardous material by means of a gaseous or liquid charge without having first obtained written permission from the Director. Personal protection devices such as mace, pepper spray, or similar devices may be excluded from this provision provided they are used only in the appropriate situation for their intended purpose.

**903.26 ERECTING AND ATTACHING SIGNS.**

No person in a park shall erect a sign or attach a sign to property owned or controlled by the City, nor shall any person display any placard, notice, advertisement, circular, banner, or statement of any kind or sign other than a permanent sign on a vehicle without a permit from the Director.

**903.27 INFLATABLE AMUSEMENT DEVICES.**

(a) No person shall provide an inflatable in City parks without prior approval from the Director, proof of insurance with the City named as an additional insured, a map of where the inflatable will be erected and compliance with Ohio Administrative Code 901:9-1-06.1.

(b) Use of inflatable amusement devices other than by owners are prohibited in City parks.

**903.28 SMOKING PROHIBITION; SMOKE FREE ZONES.**

(a) It shall be unlawful to smoke or carry lighted cigarettes, pipes, cigars, other tobacco products or smoking materials within all areas of public parks leased or owned by the City, which have been wholly designated as smoke free zones.

(b) Strict liability is intended for a violation of this section.

**903.99 PENALTY.**

(a) Whoever violates any provision set forth in Section 903.02 through 903.04, 903.06 through 903.11, 903.15, 903.19, 903.20, 903.24 and 903.28 shall be guilty of a minor misdemeanor for the first offense and guilty of a misdemeanor in the fourth degree for any subsequent offense within a twelve (12) month period.

(b) Whoever violates any provision of Section 903.05 and 903.17(b) shall be guilty of a misdemeanor of the fourth degree for the first offense and guilty of a misdemeanor in the third degree for any subsequent offense within a twelve (12) month period.

(c) Whoever violates any provision of Section 903.21 shall be guilty of a misdemeanor of the second degree for the first offense and guilty of a misdemeanor in the first degree for any subsequent offense within a twelve (12) month period.

(d) Whoever violates any provision of Section 903.12 through 903.14, 903.16, 903.17(a), 903.18 and 903.25 shall be guilty of a misdemeanor of the first degree.

(e) In addition to the penalties set forth above, violations of this Chapter may result in the following penalties:

- (1) 1<sup>st</sup> offense – 30 days banned from the park
- (2) 2<sup>nd</sup> offense – 60 days banned from the park
- (3) 3<sup>rd</sup> offense – 1 year banned from the park
- (4) 4<sup>th</sup> offense – banned for life.

Date: 01/13/16  
Introduced By: Mr. Bennett  
Committee: Lands  
Originated By: Co. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: X  
Current Expense: \_\_\_\_\_

No. : C-08-16  
1st Reading: 01/19/16  
Public Notice: 01/21/16  
2nd Reading: 02/01/16  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE NO. C-08-16

### AN ORDINANCE TO ACCEPT THE ANNEXATION OF 51.63+ ACRES LOCATED AT 1421 BORROR ROAD IN JACKSON TOWNSHIP TO THE CITY OF GROVE CITY

---

WHEREAS, a petition for the annexation of 51.63+ acres, more or less, in Jackson Township was duly filed by Diane S. Peurach, Trustee; and

WHEREAS, said petition was considered by the Board of County Commissioners of Franklin County, Ohio on November 03, 2015; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceeding in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on November 17, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. The proposed annexation, as applied for in the petition of Diane S. Peurach, Trustee being the owner(s) of the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on Sept. 29, 2015 and which said petition was approved for annexation to the City of Grove City by the County Commissioners on November 03, 2015, be and the same is hereby accepted.

**Said territory is described as follows:** *Situated in the State of Ohio, County of Franklin, Township of Jackson and being part of Virginia Military Survey No. 6115. A copy of the legal description of the property being annexed is attached hereto as "Exhibit A" and made a part hereof as if fully written herein.*

SECTION 2. The zoning on this annexation shall be SF-1, Single Family Residential, and shall be placed in Ward 4. A map is attached as "Exhibit B" and made a part hereof.

SECTION 3. The City Clerk be and she is hereby authorized and directed to make three copies of the ordinance to each of which will be attached a copy of the map showing this annexation, a copy of the original petition, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, a certificate as to the correctness thereof. The clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State and such other things as may be required by law.

SECTION 4. This ordinance shall take effect at the earliest opportunity allowed by law.

---

Roby Schottke, President of Council

RECEIVED

SEP 18 2015

Franklin County Engineer  
Dean C. Ringle, P.E., P.S.

C-08-16  
Exhibit A

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By 33 Date 9/18/15

**Description of a 51.683 acre tract for annexation purposes**

Situated in the State Ohio, County of Franklin, Township of Jackson, in Virginia Military Survey #6115, being a part of Lot 6 of the partition of the Huffman Lands (Plat Book 1, Pg.260), and being a 23.026 acre tract of land now or formerly conveyed to Mildred A Christian, Trustee (Parcel 1 of O.R. 16047 J-08), and a 28.657 acre tract of land now or formerly conveyed to Timothy J Christian (First Parcel of Instr.200411160262813), further bounded and described as follows:

Beginning for reference at a disk, known as FCGS 1324 (Franklin County Geodetic Survey), found in a monument box assembly at the center line intersection of Borror Road, a 60' public right-of-way (Road Record 4, Page 359), with west line of said Lot 6, also being on the north line of said Virginia Military Survey #6115;

thence with the center line of said Borror Road and north line of VMS #6115 N 75°03'05" E, 377.63 feet, to a mag nail found at the northeast corner of land conveyed to Mildred A Christian, Tr. (Instr.201011100151228), said point being the TRUE PLACE OF BEGINNING for the parcel hereinafter described;

thence N 75°05'10" E, 255.04 feet continuing along said center line of Borror Road to a mag nail found at the northwest corner of land conveyed to Mildred A Christian, Tr. (Instr.201011100151226);

thence S 05°31'37" W, 510.11 feet along the westerly line of said Mildred A Christian, Tr tract, passing over a rebar capped "C&A" found at 32.02', to a rebar capped "C&A" found at the southwesterly corner of said Christian tract;

thence S 85°50'44" E, 214.44 feet along said Christian tract to a rebar capped "C&A" found on the westerly line of land conveyed to Mark R and Leslie R Harbold (D.B. 3578, Pg. 416);

thence S 04°09'13" W, 2669.44' feet along said Harbold tract, passing over a rebar capped "6579" found at 679.74' referencing a northwesterly corner of land conveyed to Marilyn S Swackhammer (D.B. 3576, Pg.633 and Instr.201212130191702), also passing a rebar capped "C&A" at 1122.01', continuing along said Swackhammer tract to the northerly line of land conveyed to Lois L Hancock Ltd. (Parcel 3 of Instr. 199808050198537) and Jess H Hancock Ltd. (Instr.199808050198533), reference 3/4" pipes found N 04°09'13 E, 5.00' and N 87°07'18"W, 5.00';

thence N 87°07'18" W, 577.96 feet along said Hancock tract to a rebar capped "C&A" found at an angle point therein;

thence S 73°02'42" W, 229.50 feet, continuing along said Hancock tract, to a 1/2" pipe found on the westerly line of Grant Run Estates, Section 3 (Plat Book 103, Pg.35) and the existing City of Grove City corporation line (Ordinance No. C-70-75, Official Record 165-584);

thence N 03°45'19" E, 1638.39 feet along said corporation line, Grant Run Estates, Section 3 and Grant Run Estates Section 4, Part 1 (Plat Book 105, Pg.5) to a 3/4" pipe found in the easterly line of Sublot 140 of Grant Run Estates Section 4, Part 2 (Plat Book 105, Pg.9);

thence N 04°16'56" E, 1102.74 feet continuing along said corporation line, said Grant Run Estates and the westerly line of land conveyed to Michael H and Nancy L Gosztyla (Instr.200306270196007) to a 3/4" pipe found at the southwesterly corner of land conveyed to J. Joseph Parsley and Ann Marie Garland (Instr.201410070132556);

thence S 85°42'16" E, 356.70 feet, leaving said corporation line, along the southerly line of said Parsley and the southerly lines of lands conveyed to David and Kayla Spellman (instr.200209200235280) and the aforesaid Mildred Christian tract, to a rebar capped "C&A" found;

thence N 04°15'51" E, 451.40 feet along said Christian tract to the TRUE PLACE OF BEGINNING, passing over a 3/4" pipe found at 419.88'.

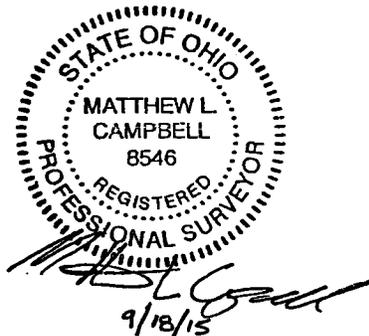
Containing 51.683 acres of land, more or less, of which 0.175 acres is contained within the right-of-way of Borror Road, as surveyed under the direct supervision of Matthew L. Campbell, P.S. 8546 of Campbell and Associates, Inc. in August of 2015.

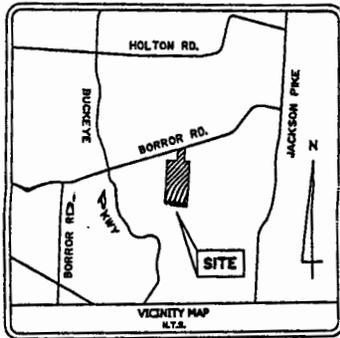
The basis of bearings for this description is N 04°16'56" E as shown for the easterly line of Grant Run Estates Section 4, Part 2. All capped rebars set are 5/8" in width and 30" in length with ID cap marked C&A.

Subject to all legal highways, easements, restrictions, covenants, agreements and reservations of record.

*All documents referenced herein are Franklin County Recorder's records.*

**ABOVE DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY.**





**ANNEXATION PLAT**  
**PROPOSED ANNEXATION OF 51.683 ACRES**  
**FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY**  
**PART OF VIRGINIA MILITARY SURVEY 6115**  
**PART OF LOT 6 OF HOFFMAN LANDS**  
**JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO**

ANNEXATION  
 PLAT & DESCRIPTION  
 ACCEPTABLE  
 DEAN C. RINGLE, P.E., P.S.  
 FRANKLIN COUNTY ENGINEER

By BB Date 9/18/15



0 250'  
 SCALE: 1"=250'

**LEGEND**

- EXISTING CITY OF GROVE CITY CORPORATION LINE  
Ordinance No. C-70-75  
Official Record 165-584
- PROPOSED CITY OF GROVE CITY CORPORATION LINE
- AREA PROPOSED FOR ANNEXATION

ADDRESS OF SUBJECT PROPERTY ID 1421  
 BORRORD RD. GROVE CITY, OHIO 13123

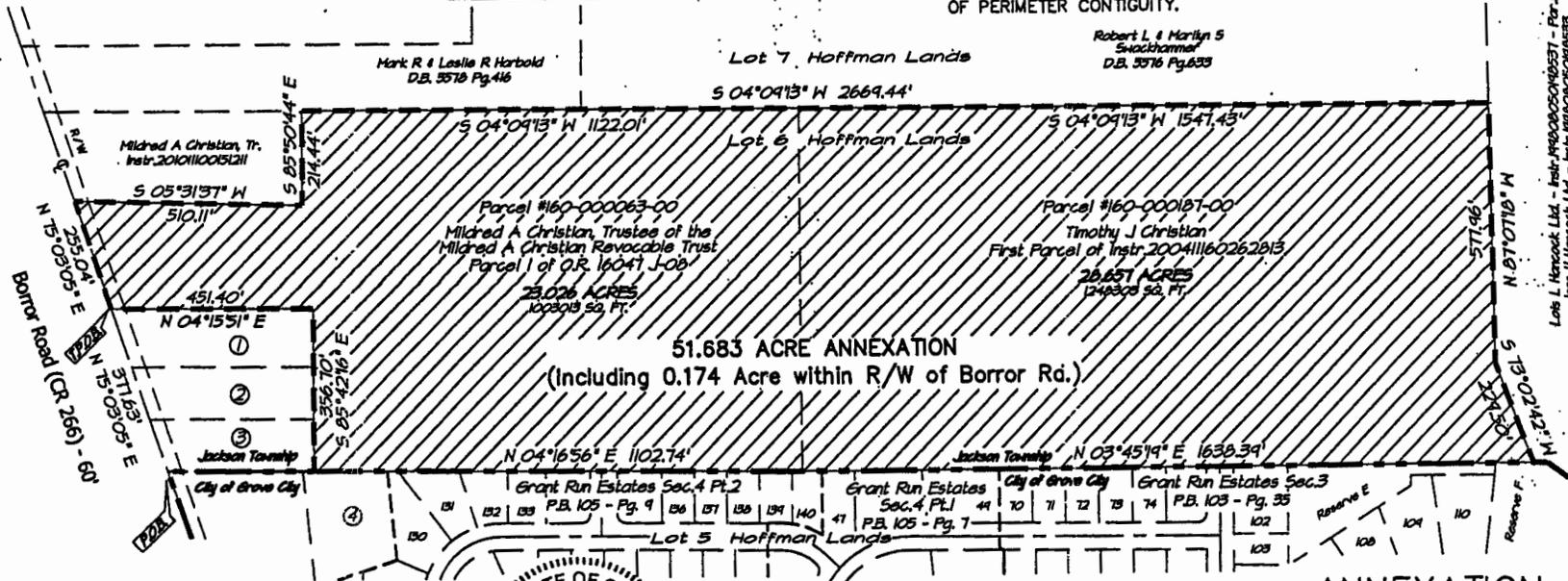
THIS ANNEXATION DOES NOT CREATE AN UNINCORPORATED AREA OF THE TOWNSHIP COMPLETELY SURROUNDED BY THE TERRITORY PROPOSED FOR ANNEXATION.

TOTAL PERIMETER OF ANNEXATION IS 8006'±.  
 OF WHICH 2741'± IS CONTIGUOUS WITH THE CITY OF GROVE CITY, RESULTING IN 34.2% OF PERIMETER CONTIGUITY.

**RECEIVED**

SEP 18 2015

Franklin County Engineer  
 Dean C. Ringle, P.E., P.S.



Robert L. & Marilyn S.  
 Sackhammer  
 D.B. 3576 Pg. 633

Mark R. & Leslie R. Harbold  
 D.B. 3576 Pg. 416

Lot 7 Hoffman Lands

S 04°09'13" W 2669.44'

S 04°09'13" W 1122.01'

S 04°09'13" W 1547.43'

Mildred A. Christian, Tr.  
 Instr. 2010110051211

Lot 6 Hoffman Lands

S 05°31'37" W 510.11'

Parcel #160-000063-00  
 Mildred A. Christian, Trustee of the  
 Mildred A. Christian Revocable Trust  
 Parcel 1 of O.R. 16047-1-08  
 23.026 ACRES  
 102309 sq. ft.

Parcel #160-000187-00  
 Timothy J. Christian  
 First Parcel of Instr. 200411160262813  
 28.651 ACRES  
 124828 sq. ft.

**51.683 ACRE ANNEXATION**  
 (Including 0.174 Acre within R/W of Borrord Rd.)

Borrord Road (CR 266) - 60'  
 N 75°06'55" E 505.50'  
 N 75°06'55" E 511.63'  
 N 75°06'55" E 511.63'

451.40'

N 04°15'51" E

356.70'

S 85°42'16" E

N 04°16'56" E 1102.74'

Jackson Township N 03°45'19" E 1638.39'



*Matthew L. Campbell*  
 MATTHEW L. CAMPBELL  
 CAMPBELL & ASSOCIATES, INC.  
 REG. NO. 8546

9/18/15  
 DATE

- ① Mildred A. Christian, Tr.  
Instr. 2010110051228
- ② Joseph J. Parsiny  
Ann Marie Eckland  
Instr. 201410071032556
- ② David & Kayla Spellman  
Instr. 2002064200235280
- ④ Michael H. & Nancy L. Goussyle  
Instr. 20020671046001

**ANNEXATION PLAT**



JOB NO. C0130502  
 CAMPBELL &  
 ASSOCIATES, INC.  
 Land Surveyors

77 E Wilson Bridge Rd, Suite 205 Worthington, Ohio 43085 (614) 785-9342

C-08-116  
 41

Date: 01/13/16  
Introduced By: Mr. Bennett  
Committee: Lands  
Originated By: Co. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: X  
Current Expense: \_\_\_\_\_

No.: C-09-16  
1st Reading: 01/19/16  
Public Notice: 01/21/16  
2nd Reading: 02/01/16  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE NO. C-09-16

### AN ORDINANCE TO ACCEPT THE ANNEXATION OF 0.687+ ACRES LOCATED AT 3811 MAYFAIR DRIVE IN JACKSON TOWNSHIP TO THE CITY OF GROVE CITY

---

WHEREAS, a petition for the annexation of 0.687+ acres, more or less, in Jackson Township was duly filed by Drema K. Rowe; and

WHEREAS, said petition was considered by the Board of County Commissioners of Franklin County, Ohio on October 06, 2015; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceeding in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on November 05, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. The proposed annexation, as applied for in the petition of Drema K. Rowe, Trustee being the owner(s) of the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on Sept. 01, 2015 and which said petition was approved for annexation to the City of Grove City by the County Commissioners on October 06, 2015, be and the same is hereby accepted.

**Said territory is described as follows:** *Situated in the State of Ohio, County of Franklin, Township of Jackson and being part of Virginia Military Survey No. 1383. A copy of the legal description of the property being annexed is attached hereto as "Exhibit A" and made a part hereof as if fully written herein.*

SECTION 2. The zoning on this annexation shall be SF-1, Single Family Residential, and shall be placed in Ward 1 A map is attached as "Exhibit B" and made a part hereof.

SECTION 3. The City Clerk be and she is hereby authorized and directed to make three copies of the ordinance to each of which will be attached a copy of the map showing this annexation, a copy of the original petition, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, a certificate as to the correctness thereof. The clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State and such other things as may be required by law.

SECTION 4. This ordinance shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

**RECEIVED**

AUG 13 2015

Franklin County Engineer  
Dean C. Ringle, P.E., P.S.

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER

by BB Date 8/13/15  
August 11, 2015

C-09-16  
Exhibit A

**PROPOSED ANNEXATION OF 0.687 ACRE  
SOUTH OF MAYFAIR DRIVE, WEST OF HAUGHN ROAD**

**FROM: JACKSON TOWNSHIP  
TO: THE CITY OF GROVE CITY, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Jackson, Virginia Military Survey Number 1383, and being all of that 0.6869 acre tract as described in a deed to Drema K. Rowe, of record in Instrument Number 201311120188921, all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio, and being 0.687 acre more particularly described as follows:

Beginning at the southwest corner of said 0.6869 acre tract, at the southeast corner of Lot 19 of Mayfair Park Number 2, a subdivision of record in Plat Book 40, Page 67, in the northerly line of Lot 111 of Claybrooke Crossing Section 3, a subdivision of record in Plat Book 105, Page 54, last described in a deed to Brandon G. and Krista Litman, of record in Instrument Number 200712200217400, in the existing corporation line of the City of Grove City as established by Case Number 47-00, Ordinance Number C-98-00, of record in Instrument Number 200012280231098;

Thence in a northerly direction, along a common line between said 0.6869 acre tract and said Lot 19, leaving said existing corporation line, a distance of approximately 299 feet to a point at the northwest corner of said 0.6869 acre tract, in the southerly right-of-way line of Mayfair Drive (60 foot width);

Thence in an easterly direction, along the northerly line of said 0.6869 acre tract and said southerly right-of-way line, a distance of approximately 100 feet to a point at the northeast corner of said 0.6869 acre tract, the northwest corner of that 0.6873 acre tract as described in a deed to Richard K. and Valerie J. Root, of record in Instrument Number 200206210153961;

Thence in a southerly direction, along the common line between said 0.6869 and said 0.6873 acre tracts, a distance of approximately 299 feet to a point at the southeast corner of said 0.6869 acre tract, in the northerly line of Lot 112 of said Claybrooke Crossing, last described in a deed to Amy M. and Kevin P. Weiss, of record in Instrument Number 200711010189933, returning to said existing corporation line;

Thence in a westerly direction, along the southerly line of said 0.6869 acre tract and the northerly lines of said Lots 112 and 111, and said existing corporation line, a distance of approximately 100 feet to the place of beginning, containing 0.687 acre of land, being in tax parcel number 160-001371.

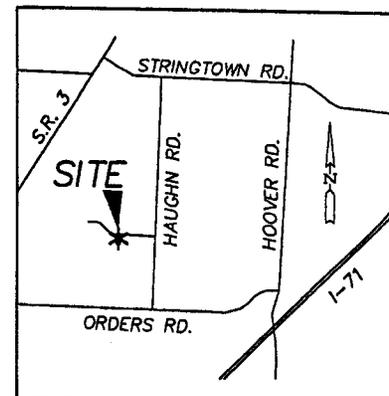
This description was prepared by Westerville Land Surveying, LLC, based on the best available public records (not based on an actual field survey) in August, 2015.

by Michael P. Lomano  
Michael P. Lomano 8-11-15  
Registered Surveyor No. 7711



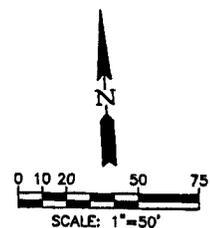
**ANNEXATION PLAT**  
 FROM JACKSON TWP. TO THE CITY OF GROVE CITY  
 V.M.S. 1383  
 JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO

**LOCATION MAP**  
 (NOT TO SCALE)



LAT 39°51'59"N LON 83°05'27"W

**MAYFAIR DR. (60')**



**RECEIVED**

AUG 13 2015

Franklin County Engineer  
 Dean C. Ringle, P.E., P.S.

ANNEXATION  
 PLAT & DESCRIPTION  
 ACCEPTABLE  
 DEAN C. RINGLE, P.E., P.S.  
 FRANKLIN COUNTY ENGINEER

By BB Date 8/13/15

BRANDAN G. &  
 KRISTA LITMAN  
 (A) INS. 200712200217400  
 LOT 111\*

AMY M. &  
 KEVIN P. WEISS  
 (B) INS. 200711010189933  
 LOT 112\*

**LEGEND**

— x — = EX. CORP. LINE  
 — = PROPOSED GROVE CITY CORP. LINE

ADDRESS OF SUBJECT PROPERTY IS 3811 MAYFAIR DR., GROVE CITY, OH 43123.

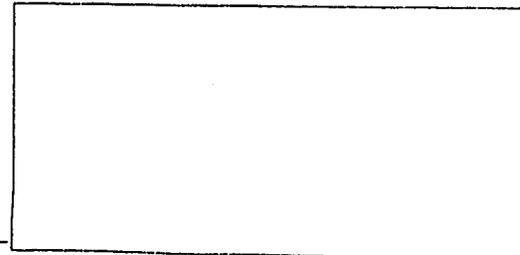
LOT NUMBERS REFERENCED TO THE PLAT "MAYFAIR PARK No. 2", OF RECORD IN P.B. 40, PG. 87, EXCEPT THOSE INDICATED WITH "\*" REFERENCED TO "CLAYBROOKE CROSSING SECTION 3", OF RECORD IN P.B. 105, PG. 54.

THIS ANNEXATION DOES NOT CREATE AN UNINCORPORATED AREA OF THE TOWNSHIP COMPLETELY SURROUNDED BY THE TERRITORY PROPOSED FOR ANNEXATION.

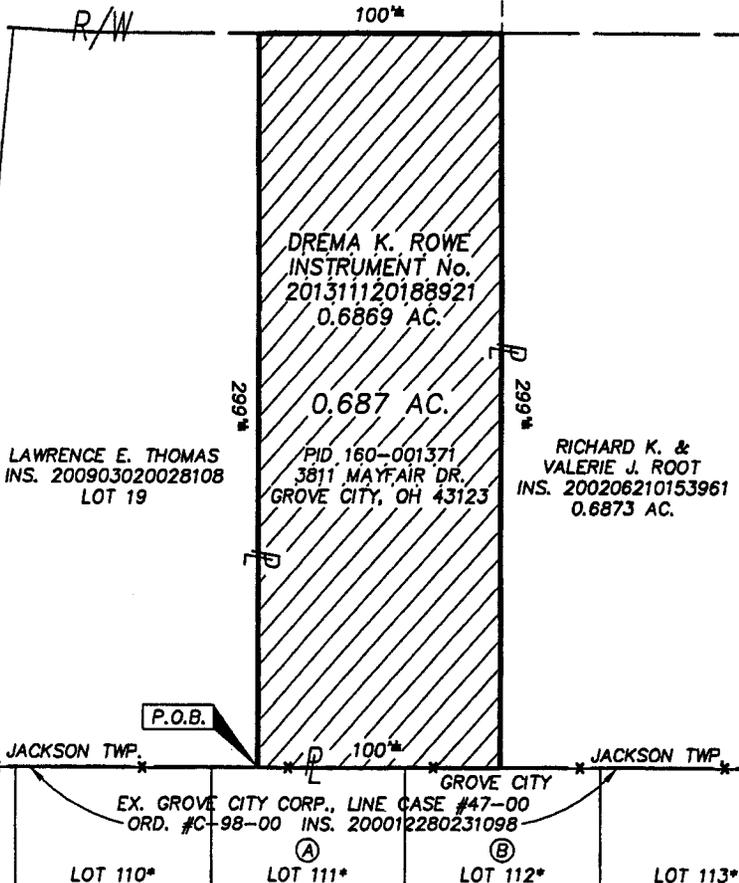
TOTAL PERIMETER OF ANNEXATION IS 798 FT., OF WHICH 100 FT. IS CONTIGUOUS WITH THE CITY OF GROVE CITY, RESULTING IN 12.5% OF PERIMETER CONTIGUITY.



BY Michael P. Lomano  
 OHIO PROFESSIONAL SURVEYOR No. 7711



C-09-16



DRAWING PREPARED BY:  
 WESTERVILLE LAND SURVEYING  
 30 E. COLLEGE AVE.  
 WESTERVILLE, OH 43081  
 (614) 899-2209

DATE: 8-11-15  
 JOB No.: 15-206  
 CLIENT: Ms. Drema Rowe

DRAWING NAME: 15206A\LDWG

Date: 01/14/16  
Introduced By: Mr. Bennett  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: C-11-16  
1st Reading: 01/19/16  
Public Notice: 1/21/16  
2nd Reading: 02/01/16  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-11-16

### AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SALES FOR SPEEDWAY #1231 LOCATED AT 1895 STRINGTOWN ROAD

---

WHEREAS, Speedway #1231, applicant, has submitted a request for a Special Use Permit for Outdoor Sales located at 1895 Stringtown Rd.; and

WHEREAS, on January 05, 2016, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulations:

1. The ice boxes and propane display shall be moved to the eastern and western sides of the building, respectively;
2. The project narrative shall be updated to accurately reflect the specific timeframe of "winter" (October 15 - March 1) and "summer" (March 1 - October 15) months.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

**SECTION 1.** A Special Use Permit, under Section 1135.09b(12)A1r is hereby issued to the Speedway #1231 located at 1895 Stringtown Road, contingent upon the stipulations set by Planning Commission.

**SECTION 2.** This ordinance shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 01/14/16  
Introduced By: Mr. Bennett  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days  
Current Expense: \_\_\_\_\_

No. : C-12-16  
1st Reading: 01/19/16  
Public Notice: 1/21/16  
2nd Reading: 02/01/16  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-12-16

### AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SEATING FOR GROVE CITY BREWING COMPANY LOCATED AT 3946 BROADWAY

WHEREAS, Grove City Brewing Co., applicant, has submitted a request for a Special Use Permit for Outdoor Seating located at 3946 Broadway; and

WHEREAS, on January 05, 2016, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulations:

1. All fencing shall be decorative and constructed from metal, finished black, comparable with existing patio fencing located within the Central Business District. Details of the proposed fencing and gates (front and rear) shall be submitted for staff review and approval;
2. The applicant shall work with the Urban Forester to select appropriate plantings for the landscape planters;
3. The applicant shall obtain and record an easement to allow for the front patio and associated improvements to be located on the adjacent southern property;
4. The Safety Director shall review the patio seating area and right-of-way to determine property safety measures.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

**SECTION 1.** A Special Use Permit, under Section 1135.09b(12)A1s is hereby issued to the Grove City Brewing Company located at 3946 Broadway, contingent upon the stipulations set by Planning Commission.

**SECTION 2.** This ordinance shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Roby Schottke, President of Council

Passed:

\_\_\_\_\_  
Richard L. Stage, Mayor

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance  
is correct as to form.

Date: 01/14/16  
Introduced By: Mr. Bennett  
Committee: Lands  
Originated By: Mr. Bennett  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-07-16  
1st Reading: 01/19/16  
Public Notice: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

*Postponed  
to 2/1/16*

## RESOLUTION NO. CR-07-16

### A RESOLUTION APPEALING THE DECISION OF THE BOARD OF ZONING APPEALS GRANTING VARIANCES FOR SIGNAGE FOR DRUG MART AND MASSEY'S PIZZA LOCATED AT 2290 STRINGTOWN ROAD

WHEREAS, on December 21, 2015 the Board of Zoning Appeals granted four (4) variances for signage for Drug Mart and Massey's Pizza located at 2290 Stringtown Road; and

WHEREAS, in accordance with 1133.07 of the Codified Ordinances of the City of Grove City, Ohio, any aggrieved person or any elected official of the City may appeal a decision of the Board of Zoning Appeals to Council; and

WHEREAS, an appeal has been filed with the Clerk of Council against said variance.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby reverses the decision of the Board of Zoning Appeals and the variances granted for:

1. exceeding the maximum height for a monument sign of 8 feet by 8' 9" for a total height of 16' 9";
2. exceeding the maximum area allowed of 50sf by 100 sf for a total sign area of 150sf;
3. to encroach the 10' minimum setback for a sign from adjoining lot line (city right-of-way) by 2.5 feet, and install the sign at 7.5 feet from right-of-way along Stringtown Rd.; and
4. add a changeable copy area to the sign for Drug Mart and Massey's Pizza, located at 2290 Stringtown Road

are hereby repealed.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

\_\_\_\_\_  
Roby Schottke, President of Council

\_\_\_\_\_  
Richard L. Stage, Mayor

Passed:

Effective:

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution  
is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law