

RESOLUTION NO. R-23-31

**A RESOLUTION LOWERING THE SPEED LIMIT FROM 50 MPH TO 35 MPH ON
A CERTAIN SECTION OF ROMBACH AVENUE WITHIN THE CITY OF
WILMINGTON CORPORATION LIMITS**

WHEREAS, the current speed limit on certain sections of Rombach Avenue is above the statutory vehicular speed limit established by Section 4211.21 of the Ohio Revised Code; and

WHEREAS, the statutory speed limit for all state routes or through highways within municipal corporations outside business districts is 35 mph; and

WHEREAS, Goodhue Consulting has conducted an engineering and traffic investigation and has confirmed that current speed limit of 50 mph is not a reasonable and safe speed for the section of Rombach Avenue between Davids Drive and the entrance to the Wal-Mart Shopping Center, a map of which is attached hereto and incorporated herein as “Exhibit A”; and

WHEREAS, Council finds it is in the interest of the health, safety, and welfare of the City of Wilmington and its citizens to conform to the state statutory speed limits and reduce the speed limit of the section of Rombach Avenue from Davids Drive to the entrance to Wal-Mart

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON:

Section 1. That the speed limit on a certain segment of Rombach Avenue from Davids Drive to the drive entrance of the Wal-Mart shopping plaza, depicted in “Exhibit A,” shall be reduced from 50 mph to 35 mph.

Section 2. That the Director of Public Service or designee coordinate with the Ohio Department of Transportation and any other agencies as may be required to cause the reduction in speed herein to be implemented.

Section 3. That upon notification that the Ohio Department of Transportation has received a copy of this resolution for journalizing purposes, standard signs, properly posted and giving notice thereof, shall be erected.

Section 4. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. That this resolution shall take effect and be in force from and after the earliest date permitted by law.

Passed this 17th day of August 2023.

President of Council

ATTEST:

Clerk of Council

Approved by me this 17th day of August 2023.

Mayor

RESOLUTION NO. R-23-32

A RESOLUTION LOWERING THE SPEED LIMIT FROM 50 MPH TO 45 MPH ON DAVIDS DRIVE WITHIN THE CITY OF WILMINGTON CORPORATION LIMITS

WHEREAS, a request has been received that the statutory vehicular speed limit established by Section 4511.21 of the Ohio Revised Code is greater than a considered reasonable and safe speed for Davids Drive from the intersection of SR 134 to Rombach Avenue, and that the speed limit on that road be lowered; and

WHEREAS, an engineering and traffic investigation by EL Robinson has confirmed that current speed limit of 50 mph is not a reasonable and safe speed for Davids Drive, a map of which is attached hereto and incorporated herein as “Exhibit A”; and

WHEREAS, Council finds it is in the interest of the health, safety, and welfare of the City of Wilmington and its citizens to reduce the speed limit of Davids Drive from 50 mph to 45 mph.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON:

Section 1. That the speed limit on Davids Drive from SR 134 to Rombach Avenue, depicted in “Exhibit A,” shall be reduced from 50 mph to 45 mph.

Section 2. That the Director of Public Service or designee coordinate with the Ohio Department of Transportation and any other agencies as may be required to cause the reduction in speed herein to be implemented.

Section 3. That upon notification that the Ohio Department of Transportation has received a copy of this resolution for journalizing purposes, standard signs, properly posted and giving notice thereof, shall be erected.

Section 4. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. That this resolution shall take effect and be in force from and after the earliest date permitted by law.

Passed this 17th day of August 2023.

President of Council

ATTEST:

Clerk of Council

Approved by me this 17th day of August 2023.

Mayor

ORDINANCE NO. O-23-31

MAKING SUPPLEMENTAL APPROPRIATIONS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON,
STATE OF OHIO:

Section 1. That in addition to the sums heretofore appropriated, certain sums be and the same hereby are, appropriated as follows:

- a) From the available excess funds of the General Fund to 110.120.5218
“Engineering Contracts” the sum of \$70,000.00
- b) From the available excess funds of the Magistrate’s Fund to 272.150.5111
“Magistrate’s Salary” the sum of \$21,600.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon approval of the amended certificate by the Clinton County Budget Commission.

Passed this 3rd day of August 2023.

President of Council

ATTEST:

Clerk of Council

Approved by me this 3rd day of August 2023.

Mayor

RESOLUTION NO R-23-33

DECLARING IT NECESSARY TO LIGHT THE STREETS, LANES, ALLEYS, LANDS, SQUARES AND PUBLIC PLACES IN THE CITY OF WILMINGTON, OHIO, WITH ELECTRIC LIGHTS, AND FOR SPECIAL ASSESSMENTS TO BE LEVIED TO PAY THE COSTS THEREOF FOR THE YEAR 2024; AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO, three-fourths of all members elected thereto concurring;

Section 1: That it is necessary to light the streets, lanes, lands, alleys, squares, and public places of the City of Wilmington, Ohio, with electric lights in accordance with specifications for the same prepared and recommended by the Director of Public Service of said City, which have heretofore been approved, and adopted and ordered filed.

Section 2. That all of the real estate in said City be and it is hereby declared to be specially benefited by said lighting aforesaid.

Section 3. That the annual cost of said lighting is to be borne by special assessments for the calendar year of 2024, less two percent (2%) thereof, and shall not exceed the sum of Two Hundred, Thirty Six Thousand dollars (\$236,000) annually, which shall be assessed by a percentage of the tax value thereof upon the properties in said City, and the costs of said lighting shall include the expenses of printing and publishing notices, resolutions and ordinances required and all other necessary expenditures incident thereto.

Section 4 That the assessments so to be levied to be paid in equal semi-annual installments due and payable at the same time as general real estate taxes on said lands; provided, however, that the owner of any property assessed may, at their option, pay such an assessment in cash within thirty (30) days after the passage of the assessing ordinances.

Section 5: That the remainder of the entire cost of said lighting not specially assessed shall be paid by the City out of the General Fund thereof.

Section 6: That notes of said City of Wilmington may be issued annually in anticipation of collection of assessments as herein provided, and in the amount equal thereto, up on resolution of Council determining the issuance of such notes to be necessary.

Section 7: That Clerk of this Council is hereby directed to cause notice of the passage of this resolution to be given in the Wilmington News Journal in accordance with the provisions of Section 727.14, Revised Code.

Section 8: That this resolution is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety, and welfare, and accordingly, shall be in full force and effective immediately upon its passage.

Passed this 3rd day of August 2023.

President of Council

ATTEST:

Clerk of Council

Approved by me this 3rd day of August 2023.

Mayor

CERTIFICATE

I hereby certify that the foregoing is a true copy of Resolution No. R-23-33, duly adopted by the Council of the City of Wilmington, Ohio on August 3, 2023.

Andrea Tacoronte
Clerk of Council

RECEIPT

The undersigned County Auditor of the County of Clinton, Ohio hereby acknowledges that there was filed with them on the ____ day of _____ 2023, by the Clerk of Council of the City of Wilmington, Ohio (the "City") a certified copy of Resolution No. R-23-33 of the City.

Terence G. Habermehl
County Auditor

RESOLUTION NO. R-23-35

APPROVING SPECIAL ASSESSMENTS PURSUANT TO SECTIONS 923.09, 924.08, 929.03, 1701.08, 1701.09, 1701.10 and 1729.03 OF THE CODIFIED ORDINANCES OF THE CITY OF WILMINGTON; AND DECLARING AN EMERGENCY

WHEREAS, the City Utility Billing department has advised Council that several accounts are delinquent and are considered non-collectable by the Utility Billing supervisor and that said delinquent charges may be submitted to the County Auditor as special assessments pursuant to Sections 923.09, 924.08, and 929.03 of the Codified Ordinances of the City of Wilmington, and

WHEREAS, the City has many properties within its borders whereby the City Code Enforcement Official found litter, garbage, debris, tall grass and noxious weeds on the properties in violation of law (pursuant to Wilmington Codified Ordinance Sections 1729.01 and 1729.02) and/or some that have been found to be so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy (pursuant to Wilmington Codified Ordinance Sections 1701.08, 1701.09, and 1701.10) and, after due notice to the owner, lessee or occupant of said properties, found that removal of said litter, garbage, debris, tall grass and noxious weeds, closure of vacant properties, or demolition of said properties was necessary for the health, safety and welfare of the citizens of the City of Wilmington; and

WHEREAS, City of Wilmington Codified Ordinance Sections 1701.08, 1701.09, 1701.10, and 1729.03 permit the City to submit special assessments to the County Auditor for the payment of costs of abating the above-stated conditions upon said properties and 1729.03 permits the City to collect fees for administrative costs incurred by the City.

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

Section 1. That the special assessments listed in “Exhibit A” attached hereto and made a part hereof by reference are delinquent accounts for utility services provided by the City of Wilmington and should be submitted to the County Auditor.

Section 2. That the special assessments listed in “Exhibit B” attached hereto and made a part hereof by reference were made to the benefited properties listed and should be submitted to the County Auditor. “Exhibit B” does not include assessments for properties where the fee simple ownership changed for fair market since the last special assessment deadline (September 12, 2022, to date), although the City reserves the right in the future to submit such costs as special assessments in accordance with law.

Section 3. That the assessments to be levied be paid in equal semi-annual installments due and payable at the same time as general real estate taxes on said lands; provided, however, that the owner of any property assessed may pay such an assessment in cash at any time after the passage of the assessing resolution.

Section 4. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. That this Resolution is hereby declared to be an emergency, necessary for the immediate health and welfare of the citizens of Wilmington in that the deadline for submitting said special assessments to the County Auditor is on or about September 11, 2023.

Passed this 7th day of September 2023.

President of Council

ATTEST:

Clerk of Council

Approved by me this 7th day of September 2023.

Mayor

CERTIFICATE

I hereby certify that the foregoing is a true copy of Resolution No. **R-23-35**
duly adopted by the Council of the City of Wilmington, Ohio on September 7, 2023.

Andrea Tacoronte
Clerk of Council

RECEIPT

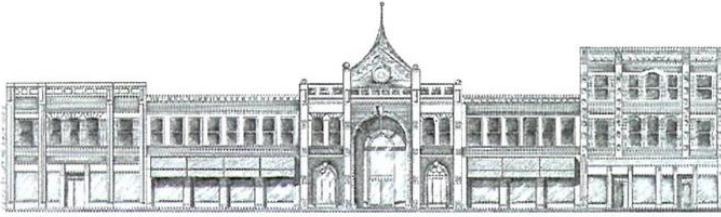
The undersigned County Auditor of the County of Clinton, Ohio, hereby acknowledges that there was filed with them on the _____ day of _____ 2023, by the Clerk of Council of the City of Wilmington, Ohio (the "City"), a certified copy of Resolution No. **R-23-35** of the City.

Terence G. Habermehl
County Auditor

Exhibit A - Resolution
R-23-35

PARCEL NO.	SERVICE ADDRESS	PROPERTY OWNER	LEGAL DESCRIPTION	WATER	SEWER	STORMWATER	TOTAL
270130109000200	1709 S R 730	FORBES PHYLLIS A	EARLEY SUB DIV LOT 2	\$50.64	\$4.42	\$0.00	\$55.06
290150203000100	124 MICHIGAN AVE	PAYTES MARK 1/2 INT & FRANCES PAYTES 1/2 INT	BUMGARNER SD LT1 2B .185AC/DEED 05DUP	\$53.05	\$32.10	\$2.12	\$87.27
290150602007800	432 VALLEY ST	ZION HILL CHURCH OF GOD EVANGELISTIC CENTER	RE DOANS 2ND ADD	\$76.80	\$98.17	\$48.00	\$222.97
290150602008200	502 VALLEY ST	MEDLEY MICHAEL JR	R E DOANS 2ND ADD LT82	\$76.80	\$98.17	\$46.04	\$221.01
290150616001100	284 GROVE ST	MEDLEY MICHAEL A	RE DOANS 1ST ADD LT11	\$62.72	\$80.33	\$70.56	\$213.61
290150736000000	281 W MAIN ST	KIRK L D & SUSANNE P *SD	EXT LT137	\$76.80	\$98.17	\$63.05	\$238.02
290150755000000	398 W LOCUST ST	POR BOY ENT LLC	MS 1057 (LT134)	\$181.91	\$253.82	\$83.85	\$519.58
290151127009600	456 OAKRIDGE DR	OSBORNE MARTI L	LAKWOOD SD SEC3 LT96	\$62.72	\$80.33	\$48.55	\$191.60
290151711000000	729 W LOCUST ST	HAUGHT FT	EXT	\$93.54	\$82.90	\$19.20	\$195.64
290160601000300	889 ROMBACH AVE	HAUGHT FT	COLLEGE HEIGHTS LT3	\$225.57	\$144.38	\$364.87	\$734.82
290160620000000	112 APPLGATE ST	HAUGHT FT	LT21&22 MS2690	\$85.11	\$98.39	\$58.60	\$242.10
290161012001400	237 N LINCOLN	HAUGHT FT	SM BABBS ADD LT14	\$56.32	\$72.24	\$46.24	\$174.80
290210136000000	210 S WALNUT	WILLIAMS JAMES D SR 1/2 INT & JESSICA WILLIAMS 1/4 INT & JAMES D WILLIAMS II 1/4 INT	EXT	\$207.52	\$137.38	\$15.72	\$360.62
290210146000000	217 S WALNUT	BESSER JASON A 1/2 INT & LAURA R BESSER 1/2 INT	EXT LT72	\$91.01	\$57.19	\$3.82	\$152.02
290211441000000	286 S SOUTH ST	HAYES M DONALD	MS 1057 LT73	\$91.52	\$116.84	\$222.56	\$430.92
290230312000000	319 S MULBERRY ST	WILLIAMS JAMES D SR 1/2 INT & JESSICA WILLIAMS 1/4 INT & JAMES D WILLIAMS II 1/4 INT	EXT LT93	\$7.04	\$9.14	\$4.77	\$20.95
290230710011500	378 WESTFIELD DR	HONNERLAW JEFFREY N	SOUTHRIDGE SD SEC4 LT115	\$28.58	\$37.05	\$6.75	\$72.38
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	\$183.80	\$101.87	\$6.99	\$292.66
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	\$5.63	\$6.63	\$4.67	\$16.93
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	\$38.29	\$28.54	\$9.78	\$76.61
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	\$14.08	\$18.28	\$13.98	\$46.34
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	\$52.39	\$33.08	\$4.90	\$90.37
290150501B01500	239 N SPRING	ESOTERIC PROPERTIES LLC	JESSE DOANS ADDITION	\$8.17	\$6.92	\$3.53	\$18.62
290150603E00100	479 N SPRING	TIMPE BRYAN	JOHN RANKIN ADD LT1	\$76.80	\$98.17	\$67.09	\$242.06
290150701000500	423 HOWARD ST	GARY MARY	ALBERT CARROLL ADD LT5	\$384.73	\$232.04	\$20.07	\$636.84
290150803000600	897 W MAIN ST	JOHNS JERRY J II & JANE M TUKE	QUINBY & CARROLL ADD LT6	\$14.38	\$10.49	\$2.11	\$26.98
290151403005100	1195 COUNTRY OAKS	LIPPENCOTT MARTHA	PRESTON WOODS SEC1 PH2 LT51 MS 1057	\$130.72	\$87.82	\$20.99	\$239.53
290151705A01400	155 RICHARDSON PL	RULON JEFFREY S	RICHARDSON ADD LT14PT	\$76.80	\$98.17	\$65.02	\$239.99
290151837000000	436 N NELSON AVE	HAUGHT FT	EXT MS 1057	\$7.04	\$9.14	\$6.89	\$23.07
290160601000100	873 ROMBACH AVE	HAUGHT FT	COLLEGE HEIGHTS ADD LOT 1 NP2	\$78.08	\$99.81	\$82.74	\$260.63
290160627000000	829 E COLUMBUS ST	BISHOP KELLY	MS 2690 COM FROM 290160628000000 AND RES TO BE .320 AC 17 DP	\$277.30	\$236.55	\$89.28	\$603.13
290160920000200	287 E LOCUST ST	MIDNIGHT RESTORATION LLC	MORRIS ADD LT2	\$77.44	\$99.00	\$112.64	\$289.08
290160942001800	301 HIGH ST	HAUGHT FT	ROMBACH & DENVER ADD LT18	\$70.40	\$90.08	\$66.90	\$227.38
290161013C02000	12 N LINCOLN ST	ROBERTS HAROLD E	FAULKNERS ADD LT20 W PT	\$77.44	\$99.00	\$145.64	\$322.08
290161016001200	70 LIBRARY AVE	KESSLER TRICIA E	AJ MARTINS HEIRS SD LT12	\$155.49	\$172.65	\$88.57	\$416.71
290210132000000	130 OWENS AVE	CLOUSER GEORGE F JR & CARLA A *SD	EXT LT64	\$0.00	\$0.00	\$13.92	\$13.92
290210137000000	218 S WALNUT	CAMPBELL DARRELL A	EXT LT59&64	\$9.98	\$6.45	\$0.64	\$17.07
290210137000000	218 S WALNUT	CAMPBELL DARRELL A	EXT LT59&64	\$33.25	\$23.54	\$3.88	\$60.67
290210137000000	218 S WALNUT	CAMPBELL DARRELL A	EXT LT59&64	\$20.94	\$17.58	\$4.52	\$43.04
290210214000000	385 DOAN ST	JACKSON CHARLES M	EXT LT1	\$77.44	\$99.00	\$61.71	\$238.15
290210234002700	330 S WALL ST	JONES LINDA	JER SINES SD LT27	\$77.44	\$99.00	\$57.86	\$234.30
290210401001600	368 DARBYSHIRE	MOORE ROSEANNE C	BAILEY DARBYSHIRE LT16	\$39.27	\$42.80	\$21.44	\$103.51
290211301003300	464 BELMONT	CORDELL MARY TRUSTEE OF AN AGREEMENT AND DT KNOWN AS LIFE LINE ENTERPRISE LAND TRUST	W&J FIFES ELMWOOD ADD LT33	\$77.44	\$99.00	\$48.18	\$224.62
290211448A01200	118 E TRUESDELL ST	JOHNSON LARRY G & LEONA FRANCES	MCCOYS SD LT 12 PT	\$131.97	\$119.90	\$28.89	\$280.76
290230101004D00	330 RANDOLPH ST	STORER LINDA L	HIGHLAND ADD	\$78.63	\$69.46	\$29.60	\$177.69
290230101008E00	679 BERNICE ST	HAUGHT FT	HIGHLAND ADD LT8E	\$76.80	\$98.17	\$43.53	\$218.50

PARCEL NO.	SERVICE ADDRESS	PROPERTY OWNER	LEGAL DESCRIPTION	WATER	SEWER	STORMWATER	TOTAL
290240201B10300	97 E LOCUST ST	ZION HILL CHURCH OF GOD	ORIG TOWN LT103PT	\$77.44	\$99.00	\$67.98	\$244.42
290240301A08100	46 LINTON AVE	HURLESS MARY C	ORIG TOWN LT81PT	\$52.31	\$39.42	\$4.74	\$96.47
290240301A08100	46 LINTON AVE	HURLESS MARY C	ORIG TOWN LT81PT	\$37.42	\$26.07	\$2.37	\$65.86
290240401A00200	162 W SUGARTREE ST	CRR PROPERTIES LLC	ORIG TOWN LT2PT	\$133.53	\$130.13	\$56.98	\$320.64
290250206000000	41 S WOOD ST	RUNK JERRY D III	MS 1057 LT104	\$50.09	\$38.00	\$12.42	\$100.51
290150454B00100	371 N MULBERRY ST	HAUGHT FT	PERFECTS SD LOT 1 MPT NP2	\$55.68	\$71.41	\$28.95	\$156.04
2901506160034VA	305 GROVE ST	JONES WESLEY T	RE DOANS 1ST ADD LT34	\$180.72	\$240.63	\$60.70	\$482.05
290160920B01100	263 COLUMBUS ST	CLOUSER GEORGE F & CARLA A CLOUSER *SD	MS 1057 MORRIS ADD LT11PT RES TO BE .165 AC 18 DUP	\$122.83	\$87.48	\$0.00	\$210.31
290160920B01100	263 COLUMBUS ST	CLOUSER GEORGE F & CARLA A CLOUSER *SD	MS 1057 MORRIS ADD LT11PT RES TO BE .165 AC 18 DUP	\$22.28	\$28.22	\$0.00	\$50.50
290160924A00800	354 E LOCUST ST	WILSON EUGENE L	FITZHUGHS ADD LT8NPT	\$48.00	\$48.83	\$0.00	\$96.83
290161001B00700	355 N WALNUT	DANIEL W LAWRENCE TRUST	S M BABBS 2ND ADD LT7PT RES TO BE 0.203 AC FOR 2015 DUP	\$157.38	\$171.22	\$138.30	\$466.90
290161013A01000	204 N LINCOLN	WILLIAMS RICHARD	FAULKNERS ADD LT10NPT	\$10.41	\$7.67	\$1.21	\$19.29
290161013A01200	180 COLUMBUS ST	HAUGHT FT	FAULKNERS ADD LOT 12 WPT NP2	\$91.17	\$106.74	\$54.34	\$252.25
290210234002700	330 S WALL ST	JONES, LINDA (345 CLARK STREET)	JER SINES SD LT27	\$77.44	\$99.00	\$57.86	\$234.30
290211326B00900	76 DOAN ST	LITTLE JORDAN	J&J DOANS ADD LT9EPT	\$99.00	\$77.44	\$0.00	\$176.44
290211326E00800	483 S WALNUT	WALKER JERALD H & PATRICIA A	J&J DOANS ADD LT8SPT 05 SP 2900128063 GIS	\$99.00	\$77.44	\$113.85	\$290.29
290211416A00900	383 GRANT ST	JONES MELVINA	AFRICAN ADD LOT 9 NPT NP2	\$77.44	\$99.00	\$32.89	\$209.33
290211416B01600	247 DOAN ST	JOHNSON LARRY G & LEONA F	AFRICAN ADD LT16	\$63.05	\$37.88	\$2.43	\$103.36
290230101005F00	667 NORMAN ST	BURDEN SHAWN D	HIGHLAND ADD LT5F	\$137.20	\$94.75	\$9.61	\$241.56
290240101B01000	129 W LOCUST	HAUGHT FT	ORIG TOWN LT10PT 129 & 135 W LOCUST	\$76.80	\$98.17	\$22.69	\$197.66
290240101B01000	129 W LOCUST	HAUGHT FT	ORIG TOWN LT10PT 129 & 135 W LOCUST	\$69.76	\$89.25	\$20.61	\$179.62
290240101C02500	149 N MULBERRY ST	PAXTON PROPERTIES (153 N MULBERRY)	ORIG TOWN LT 25MPT 05 SP F/2900109428 GIS	\$76.80	\$98.17	\$18.00	\$192.97
290240101C02500	149 MULBERRY ST	PAXTON PROPERTIES	ORIG TOWN LT 25MPT 05 SP F/2900109428 GIS	\$76.80	\$98.17	\$18.00	\$192.97
			TOTALS	\$5,772.34	\$5,668.25	\$2,954.59	\$14,395.18



Public Service & Public Safety Offices

69 North South Street, Wilmington, Ohio 45177
Telephone: 937-382-6509 Email: publicservice@wilmingtonoh.org

Office of the Auditor of the City of Wilmington, Ohio

To the Auditor of Clinton County, Ohio:

Pursuant of Sections 729.49 and 743.04, Revised Code of Ohio, and Chapters 923 and 929, Codified Ordinances of Wilmington, Ohio, I hereby certify unpaid sewer, water, and stormwater charges billed on or before June 1, 2023, which are a lien upon the lots and lands described, and in the amounts per list attached, to be placed by you upon the tax list and collected as other taxes are collected according to law.

Witness my hand and official seal this ____ day of September, 2023.

Mary Kay Vance
Auditor
City of Wilmington

The attachments hereto are true and correct copies of Sections 923.04, 923.05, 923.09, 924.05, 924.08, 929.01, and 929.03, Codified Ordinances of Wilmington, Ohio:

Andrea Tacoronte
Clerk of Council
City of Wilmington

Sec. 923.04. Rate schedule for users inside city.

Each owner of property located inside the City corporate limits and connected with the sewerage system shall be charged and pay for the availability, use and maintenance of the sewerage system the monthly per-bill-minimum availability charge plus the per 1,000 gallons charge, being the water consumption for the particular premises during each calendar month as determined by the water meter readings of the Waterworks Department, as follows:

		Rate
(1)	Through December 31, 2020.	
	Per-bill-minimum availability charge (regardless of usage)	\$7.72
	Plus: Charge per each 1,000 gallons of water used	\$4.79
(2)	Effective January 1, 2021 through December 31, 2021.	
	Per-bill-minimum availability charge (regardless of usage)	\$7.91
	Plus: Charge per each 1,000 gallons of water used	\$4.91
(3)	Effective January 1, 2022 through December 31, 2022.	
	Per-bill-minimum availability charge (regardless of usage)	\$8.11
	Plus: Charge per each 1,000 gallons of water used	\$5.03
(4)	Effective January 1, 2023 through December 31, 2023.	
	Per-bill-minimum availability charge (regardless of usage)	\$8.31
	Plus: Charge per each 1,000 gallons of water used	\$5.16
(5)	Effective January 1, 2024 through December 31, 2024.	
	Per-bill-minimum availability charge (regardless of usage)	\$8.52
	Plus: Charge per each 1,000 gallons of water used	\$5.29
(6)	Effective January 1, 2025 through December 31, 2025.	
	Per-bill-minimum availability charge (regardless of usage)	\$8.73
	Plus: Charge per each 1,000 gallons of water used	\$5.42

(Ord. No. 4550, 9-1-05; Ord. No. 5005A, 12-15-11; Ord. 5072, 12-20-12; Ord. No. O-20-35 , § 1, 9-3-20)

Sec. 923.05. Rate schedule for users outside city.

Each owner of property connected with the sewerage system, but located outside the City corporate limits, shall be charged and pay for the availability, use and maintenance of the sewerage system, the monthly per-bill-minimum availability charge plus the per 1,000 gallons charge, being the water consumption for the particular premises during each calendar month as determined by the water meter readings of the Waterworks Department, as follows:

		Rate
(1)	Through December 31, 2020.	
	Per-bill-minimum availability charge (regardless of usage)	\$11.27

	Plus: Charge per each 1,000 gallons of water used	\$10.48
(2)	Effective January 1, 2021 through December 31, 2021.	
	Per-bill-minimum availability charge (regardless of usage)	\$11.55
	Plus: Charge per each 1,000 gallons of water used	\$10.74
(3)	Effective January 1, 2022 through December 31, 2022.	
	Per-bill-minimum availability charge (regardless of usage)	\$11.84
	Plus: Charge per each 1,000 gallons of water used	\$11.01
(4)	Effective January 1, 2023 through December 31, 2023.	
	Per-bill-minimum availability charge (regardless of usage)	\$12.14
	Plus: Charge per each 1,000 gallons of water used	\$11.29
(5)	Effective January 1, 2024 through December 31, 2024.	
	Per-bill-minimum availability charge (regardless of usage)	\$12.44
	Plus: Charge per each 1,000 gallons of water used	\$11.57
(6)	Effective January 1, 2025 through December 31, 2025.	
	Per-bill-minimum availability charge (regardless of usage)	\$12.75
	Plus: Charge per each 1,000 gallons of water used	\$11.86

(Ord. No. 4550, 9-1-05; Ord. No. 5005A, 12-15-11; Ord. 5072, 12-20-12; Ord. No. O-20-35 , § 2, 9-3-20)

Sec. 923.09. Delinquent charges.

Sewer availability, use and maintenance charges shall constitute a lien upon the property served by such connections. Such charges not paid within 60 days from the date due shall constitute delinquent charges and the City Auditor shall once each year certify to the County Auditor all unpaid delinquent charges for collection as allowed by law in the same manner as other taxes and assessments.

(Ord. No. 2778, 9-17-87)

Sec. 924.05. Rate structure.

- (a) A stormwater service charge shall be billed to the owner of each and every lot and parcel of land within the City that contains impervious area and contributes directly or indirectly to the stormwater system of the City. This charge is necessary to pay for the repair, replacement, planning, improvement, operation, regulation and maintenance of the existing and future City stormwater system. This charge is not related to water and/or sanitary sewer service and applies whether or not the premises are occupied.
- (b) All properties having impervious area within the City of Wilmington shall be individually measured to determine the impervious area in square feet. Initial measurement shall be made through a professional consulting contractor, using aerial data and other information. Areas used for public transportation, including dedicated roadways, railroads and airport runways and taxiways, shall be exempt from the calculation and therefore not subject to the stormwater service charge.
- (c) The stormwater charge shall be based on the amount of impervious area contained within each parcel's boundaries and calculated at a rate of \$0.0271 per square foot per year, billed monthly along with other City-operated utilities.
- (d) The collection of the stormwater shall commence with all billings issued by the Utility Billing Office on or after July 1, 2021.

(Ord. No. O-20-34 , § 1, 9-3-20)

Sec. 924.08. Collection.

When charges for stormwater service are not paid when due, the Director, or designee, may:

- (1) Terminate water service to the property pursuant to existing policy for unpaid utility bills;
- (2) Forward the account for collection by an outside collection agency;
- (3) Transfer the delinquency to any other property owned by the account holder that receives utility and/or trash service from the City of Wilmington;
- (4) Bring an action at law for the collection of the delinquent amount;
- (5) Certify the charges, together with any penalties, to the County Auditor, who shall place the certified amount on the real property tax duplicate of the property served directly or indirectly by the stormwater system of the City. The amount certified shall be a lien on the property served from the date placed on the list and duplicate and shall be collected in the same manner as other taxes. Such certifications shall be made once each year at the same time other unpaid City utility charges.

(Ord. No. O-20-34 , § 1, 9-3-20)

Sec. 929.01. Water service and meter rates.

(a) *Water service rates.* Water service rates for premises served by the City water distribution system shall be billed monthly to consumers in accordance with the following monthly water rate schedules:

(1) Effective through December 31, 2021.

Monthly Water Rate			
Gallons	Rate (Premises served inside City)	Rate (Premises served outside City)	Per-Bill minimum availability charge (regardless of usage)
First 15,000	\$8.49 per 1,000 gallons	\$12.24 per 1,000 gallons	\$5.00
Next 185,000	\$7.64 per 1,000 gallons	\$12.52 per 1,000 gallons	\$5.00
All over 200,000	\$6.84 per 1,000 gallons	\$9.64 per 1,000 gallons	\$5.00

(2) Effective January 1, 2022 through December 31, 2022.

Monthly Water Rate			
Gallons	Rate (Premises served inside City)	Rate (Premises served outside City)	Per-Bill minimum availability charge (regardless of usage)
First 50,000	\$8.91 per 1,000 gallons	\$13.15 per 1,000 gallons	\$5.00
Next 150,000	\$8.02 per 1,000 gallons	\$12.85 per 1,000 gallons	\$5.00
All over 200,000	\$7.18 per 1,000 gallons	\$10.12 per 1,000 gallons	\$5.00

(3) Effective January 1, 2023 through December 31, 2023.

Monthly Water Rate			
Gallons	Rate (Premises served inside City)	Rate (Premises served outside City)	Per-Bill minimum availability charge (regardless of usage)
First 50,000	\$9.18 per 1,000 gallons	\$13.54 per 1,000 gallons	\$5.00
Next 150,000	\$8.26 per 1,000 gallons	\$13.24 per 1,000 gallons	\$5.00
All over 200,000	\$7.40 per 1,000 gallons	\$10.43 per 1,000 gallons	\$5.00

(4) Effective January 1, 2024 through December 31, 2024.

Gallons	Monthly Water Rate		
	Rate (Premises served inside City)	Rate (Premises served outside City)	Per-Bill minimum availability charge (regardless of usage)
First 50,000	\$9.46 per 1,000 gallons	\$13.95 per 1,000 gallons	\$5.00
Next 150,000	\$8.51 per 1,000 gallons	\$13.63 per 1,000 gallons	\$5.00
All over 200,000	\$7.62 per 1,000 gallons	\$10.74 per 1,000 gallons	\$5.00

(b) *Minimum monthly meter charge.*

Meter Size (Inches)	Meter Size (Inches)
5/8	\$1.40
3/4	\$2.80
1	\$7.00
1 1/4	\$14.00
1 1/2	\$21.00
2	\$35.00
3	\$70.00
4	\$140.00
6	\$350.00
8	\$490.00

(Ord. No. O-17-72, 12-21-17; Ord. No. O-21-52 , § 1, 12-16-21)

Sec. 929.03. Billing, payment and assessment of charges.

Charges for water service furnished to the City and its inhabitants and other users by the waterworks system shall be rendered monthly. The bill for any service rendered by the waterworks system shall be paid within 15 days of the rendition of the bill and such due date shall be noted thereon. If the water bill is not paid within that time a penalty of ten percent shall be added thereto and identified as the gross amount due and payable. If such water bill, together with penalties, is not paid within 45 days after the rendition of the bill, then and in that event, the water service shall be discontinued and shall be resumed only upon payment of all fees and penalties described in Section 927.09. If such bill is not paid within 60 days from its original due date, the Director of Public Service is authorized and directed to certify the delinquent bill to the County Auditor for collection as and at the same time that other taxes and assessments are collected.

(Ord. No. O-16-81, 12-15-16)

Exhibit B - Resolution
R-23-35

	A	B	C	D	E	F
1	Code Enforcement- Special Assessments 2023				City of Wilmington	
2	08/23/2022 - 07/27/2023					
3						
4	Parcel #	Property Address	Owner Name	Case Date	Fee Name	Fee Amount
5	290151830000000	NELSON AVE/WAYNE RD	FAIRLEY, DAVID R	5/17/2023	Mowing Fees	\$ 100.00
6	290151830000000	NELSON AVE/WAYNE RD	FAIRLEY, DAVID R	5/17/2023	Mowing Fees	\$ 100.00
7	290160601000100	873 ROMBACH AVE	HAUGHT FT	5/8/2023	Mowing Fees	\$ 100.00
8	290160601000300	889 ROMBACH AVE	HAUGHT FT	5/8/2023	Mowing Fees	\$ 100.00
9	290160601017800	973 HIGGINS ST	CHAMBLIN, IRVIN	5/17/2023	Mowing Fees	\$ 100.00
10	290160601017800	973 HIGGINS ST	CHAMBLIN, IRVIN	5/17/2023	Mowing Fees	\$ 100.00
11	290160601017800	973 HIGGINS ST	CHAMBLIN, IRVIN	5/17/2023	Mowing Fees	\$ 100.00
12	290160618000000	72 APPLGATE ST	STORER, MAYNARD M (Dec.)	4/27/2023	Mowing Fees	\$ 100.00
13	290160921000200	373 E LOCUST ST	HOWARD, KYLE/ HOWARD, TIMOTHY/HOWARD, AMY	5/23/2023	Mowing Fees	\$ 100.00
14	290160942001800	301 HIGH ST	HAUGHT FT	4/27/2023	Mowing Fees	\$ 100.00
15	290180509000500	2751 PROGRESS WAY	MCD COAST 19 LLC	9/1/2022	Mowing Fees	\$ 350.00
16	290190603000100	LYNNE LN	SOUTHERN HILLS COMMUNITY BANK	6/9/2023	Mowing Fees	\$ 200.00
17	290190603000100	LYNNE LN	SOUTHERN HILLS COMMUNITY BANK	10/7/2022	Mowing Fees	\$ 200.00
18	290210214000000	385 DOAN ST	MCGEE, BRYON W	5/9/2023	Mowing Fees	\$ 200.00
19	290211301000400	232 DOAN ST	MCHENRY, EDNA (dec.) & LARRY (dec.)	5/17/2023	Mowing Fees	\$ 100.00
20	290211301000400	232 DOAN ST	MCHENRY, EDNA (dec.) & LARRY (dec.)	5/17/2023	Mowing Fees	\$ 100.00
21	290211301000400	232 DOAN ST	MCHENRY, EDNA (dec.) & LARRY (dec.)	5/17/2023	Mowing Fees	\$ 100.00
22	290230709017700	31 WOODVIEW DR	PROPERTY CARTWHEEL LLC	5/15/2023	Mowing Fees	\$ 100.00
23	290150454B00100	371 N MULBERRY ST	HAUGHT FT	4/18/2023	Mowing Fees	\$ 100.00
24	290161013B01200	192 COLUMBUS ST	BARTRAM MICHAEL W	5/11/2023	Mowing Fees	\$ 100.00
25	290210224B00700	218 GRANT ST	BART, JAMES W III	5/17/2023	Mowing Fees	\$ 100.00
26	290210224B00700	218 GRANT ST	BART, JAMES W III	5/17/2023	Mowing Fees	\$ 100.00
27	290210224B00700	218 GRANT ST	BART, JAMES W III	5/17/2023	Mowing Fees	\$ 100.00
28	290211416A02000	290 HAWLEY AVE	WASHINGTON, BLANCHE	5/17/2023	Mowing Fees	\$ 100.00
29	290211416A02000	290 HAWLEY AVE	WASHINGTON, BLANCHE	5/17/2023	Mowing Fees	\$ 100.00
30	290211416A02000	290 HAWLEY AVE	WASHINGTON, BLANCHE	5/17/2023	Mowing Fees	\$ 100.00
31	290211416B02000	282 HAWLEY AVE	BASS, HELEN L	5/17/2023	Mowing Fees	\$ 100.00
32	290211416B02000	282 HAWLEY AVE	BASS, HELEN L	5/17/2023	Mowing Fees	\$ 100.00
33	290211416B02000	282 HAWLEY AVE	BASS, HELEN L	5/17/2023	Mowing Fees	\$ 100.00
34	290211448A01200	118 E TRUESDELL ST	JOHNSON, LEONA (dec.)	5/17/2023	Mowing Fees	\$ 100.00

	A	B	C	D	E	F
35	2902309160000CO	MEADOW RIDGE CIR (TIMBER GLEN VACANT LOT)	W & K DEVELOPMENT LTD	5/15/2023	Mowing Fees	\$ 200.00
36	2902309160000CO	MEADOW RIDGE CIR (TIMBER GLEN VACANT LOT)	W & K DEVELOPMENT LTD	5/15/2023	Mowing Fees	\$ 200.00
37	290240101A01000	141 W. LOCUST ST	HAUGHT FT	5/8/2023	Mowing Fees	\$ 200.00
38	290240101A01000	141 W. LOCUST ST	HAUGHT FT	5/8/2023	Mowing Fees	\$ 100.00
39	290240101B01000	129 W. LOCUST ST	HAUGHT FT	5/8/2023	Mowing Fees	\$ 200.00
40	290240101B01000	129 W. LOCUST ST	HAUGHT FT	5/8/2023	Mowing Fees	\$ 100.00
41						\$ 4,550.00
42						
43	Total Records: 36				45134	

ORDINANCE NO. O-23-30

CHANGING THE ZONING OF REAL PROPERTY LOCATED ON DOAN STREET IN THE CITY OF WILMINGTON, OHIO

WHEREAS, a certain petition has been filed by or on behalf of D&E Equipment Co. to change the zoning of 0.356 acres (more or less) more commonly known as 145 Doan Street and being Parcel ID Numbers 290211326B1500 and 290211326001700 from TN (Traditional Neighborhood) to LI (Light Industrial); and

WHEREAS, the City Planning Commission has reviewed said Petition on Tuesday, June 6, 2023, and has recommended that it be approved by City Council; and

WHEREAS, City Council held a public hearing on said Petition on July 20, 2023, at 7:30 p.m. after due publication of legal notice regarding the same, and upon hearing, it appears that said change ought to be made.

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

Section 1. That the real property described and set forth in the map and legal description attached hereto as **Exhibit A**, Parcel Numbers 290211326B1500 and 290211326001700, is currently zoned TN (Traditional Neighborhood), and that the same hereby is changed and rezoned from its current designation to LI (Light Industrial).

Section 2. That the zoning map of the City of Wilmington is hereby amended accordingly.

Section 3. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance shall be in full force and effect at the earliest period allowed by law.

Passed this 17th day of August 2023.

President of Council

ATTEST:

Clerk of Council

Approved by me this 17th day of August 2023.

Mayor

NOTICE OF PUBLIC HEARING ON
PETITION FOR REZONING

Notice is hereby given of a public hearing on a Petition for Rezoning of 0.356 acres (more or less) more commonly known as 146 Doan Street and being Parcel ID Numbers 290211326B1500 and 290211326001700, as filed with the City of Wilmington and approved by the Wilmington Planning Commission on June 6, 2023. The request is to change the zoning from TN (Traditional Neighborhood) to LI (Light Industrial). Petitioner is D&E Equipment Co. on behalf of S. Diane Ewing.

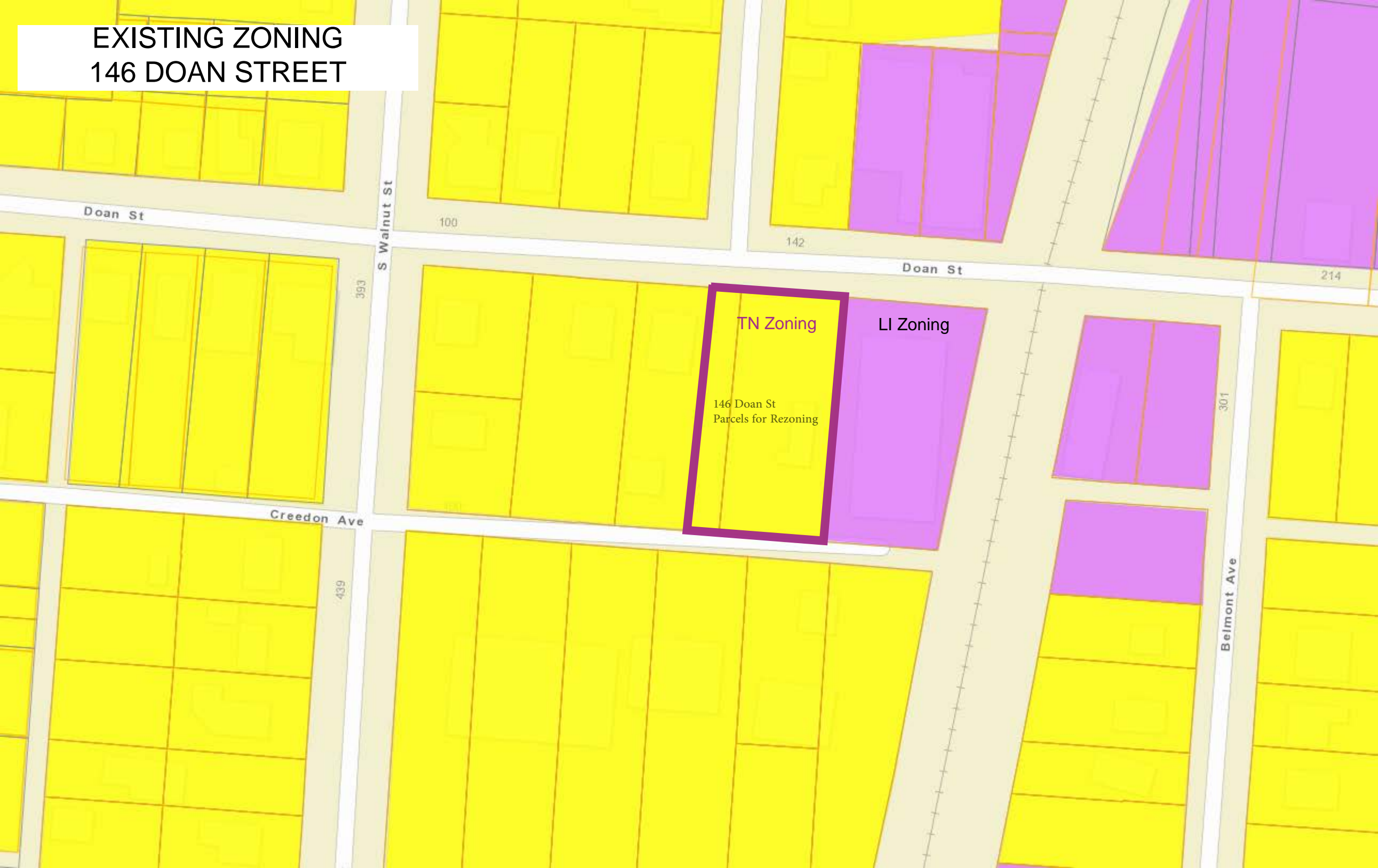
A plat and report of the Wilmington (Ohio) Planning Commission are on file with the Clerk of the Wilmington City Council, Municipal Building, 69 N. South Street, Wilmington, Ohio, and are available to the public for inspection.

Notice is further given that the Public Hearing upon said proposed rezoning and proposed ordinance will be held before the Council of Wilmington, Ohio, on the 20th of July 2023 at 7:30 p.m. in the Council Chambers, Municipal Building, 69 N. South Street, Wilmington, Ohio, at which time and place any interested person may appear and be heard.

ANDREA TACORONTE
CLERK OF CITY COUNCIL
WILMINGTON, OHIO

PUBLISH ONE TIME on
Saturday, June 17, 2023

**EXISTING ZONING
146 DOAN STREET**



146 DOAN STREET REZONING

Doan St Rezoning



CONDITIONALLY APPROVED

For Transfer-Clinton County
Engineers Map Department

Per: Whall

Date: 2-19-20

This Description MUST Be Corrected
Unless Excepted Under Local Rule

146 Doan Street Parcel Legal Descriptions

PARCEL IX: Parcel ID 290211326001700

Situated in the State of Ohio, County of Clinton and City of Wilmington and bounded and described as follows:

Being Lot Number Seventeen (17) in J. and J. Doan's Addition to the City of Wilmington, Ohio, for a more particular description of which reference is here made to Plat Record No. 3 at Page 28, Plat No. 55 of Recorder's Office of Clinton County, Ohio.

Address: 146 Doan St., Wilmington, Ohio, 45177

Parcel #: 290211326001700

Prior Deed Reference: Volume 971, Page 368, Official Records.

PARCEL X: Parcel ID 29211326B01500

Situated in the State of Ohio, County of Clinton and City of Wilmington and bounded and described as follows:

Being a twenty (20) foot strip off of the east side of Lot Number Fifteen (15) in J. and J. Doan's Addition to the City of Wilmington, Ohio, for a more particular description of which reference is here made to Plat Record No. 3 at Page 28, Plat No. 55 of Recorder's Office of Clinton County, Ohio.

Address: -0- Doan St., Wilmington, Ohio, 45177

Parcel #: 290211326B01500

Prior Deed Reference: Volume 971, Page 368, Official Records.

ORDINANCE NO. O-23-28

AMENDING CERTAIN SECTIONS IN CHAPTER 925 REFUSE COLLECTION OF THE WILMINGTON CODIFIED ORDINANCES IN ORDER TO PROVIDE FOR AN INCREASE IN LANDFILL RATES; AND REPEALING ANY AND ALL LEGISLATION INCONSISTENT HEREWITH

WHEREAS, the City has conducted a review of the usage, projected growth, current and future capacity, and condition of facilities and infrastructure, and has examined all aspects of maintaining and operating the City’s landfill and refuse service now and in the foreseeable future; and

WHEREAS, the fees the City currently charges to consumers for refuse collection and tipping into the landfill are inadequate to meet the costs of current and future operation and anticipated maintenance and improvements; and

WHEREAS, City Council desires to amend certain sections of Chapter 925, Refuse Collection, of the Codified Ordinances, in order to ensure continued operations of the landfill for the Citizens of Wilmington.

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

[Additions to the CODIFIED ORDINANCES are in **bold** and deletions are lined through or noted below]:

Section 1. That Section 925.24 CLASSIFICATIONS AND RATES FOR REFUSE COLLECTIONS, CURBSIDE RECYCLING, YARD WASTE, AND LANDFILL AND COMPOST AREA TIPPING FEES be, and hereby is, amended to read in full as follows:

Sec. 925.24. Classifications and rates for refuse collections, curbside recycling, yard waste, and landfill and compost area tipping fees.

(a) *Refuse collection.*

(1) *Curbside collection services.*

a.—~~Commencing after June 1, 2018, every householder and commercial establishment creating refuse shall pay for the furnishing of the service of collection in accordance with the following schedule of monthly rates:~~

	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
RESIDENTIAL CURBSIDE		
Residence (including apartments without common containerized refuse system/dumpster)	\$16.35 per dwelling unit	\$17.99 per dwelling unit
Toter for automatic refuse collection	First toter provided at no charge	First toter provided at no charge
Each additional toter	\$6.68	\$7.35
COMMERCIAL CURBSIDE		
Commercial and Industrial (and all establishments other than residential)	\$9.48 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$10.43 per cu. yd. of refuse per month, with a 2 cu. yd. minimum

b.—~~Commencing after January 1, 2019, every householder and commercial establishment creating refuse shall pay for the furnishing of the service of collection in accordance with the following schedule of monthly rates:~~

	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
RESIDENTIAL CURBSIDE		
Residence (including apartments without common containerized refuse system/dumpster)	\$17.17 per dwelling unit	\$18.89 per dwelling unit
Toter for automatic refuse collection	First toter provided at no charge	First toter provided at no charge
Each additional toter	\$6.68	\$7.35
COMMERCIAL CURBSIDE		
Commercial and Industrial (and all establishments other than residential)	\$9.95 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$10.95 per cu. yd. of refuse per month, with a 2 cu. yd. minimum

c.— Commencing after January 1, 2020, every householder and commercial establishment creating refuse shall pay for the furnishing of the service of collection in accordance with the following schedule of monthly rates:

	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
RESIDENTIAL CURBSIDE		
Residence (including apartments without common containerized refuse system/dumpster)	\$18.03 per dwelling unit	\$19.83 per dwelling unit
Toter for automatic refuse collection	First toter provided at no charge	First toter provided at no charge
Each additional toter	\$6.68	\$7.35
COMMERCIAL CURBSIDE		
Commercial and Industrial (and all establishments other than residential)	\$10.45 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$11.50 per cu. yd. of refuse per month, with a 2 cu. yd. minimum

d.— Commencing after January 1, 2021, every householder and commercial establishment creating refuse shall pay for the furnishing of the service of collection in accordance with the following schedule of monthly rates:

	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
RESIDENTIAL CURBSIDE		
Residence (including apartments without common containerized refuse system/dumpster)	\$18.94 per dwelling unit	\$20.83 per dwelling unit
Toter for automatic refuse collection	First toter provided at no charge	First toter provided at no charge
Each additional toter	\$6.68	\$7.35
COMMERCIAL CURBSIDE		
Commercial and Industrial (and all establishments other than residential)	\$10.98 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$12.08 per cu. yd. of refuse per month, with a 2 cu. yd. minimum

e.— Commencing after January 1, 2022, every householder and commercial establishment creating refuse shall pay for the furnishing of the service of collection in accordance with the following schedule of monthly rates:

	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
RESIDENTIAL CURBSIDE		
Residence (including apartments without common containerized refuse system/dumpster)	\$19.89 per dwelling unit	\$21.88 per dwelling unit
Toter for automatic refuse collection	First toter provided at no charge	First toter provided at no charge
Each additional toter	\$6.68	\$7.35
COMMERCIAL CURBSIDE		
Commercial and Industrial (and all establishments other than residential)	\$11.53 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$12.68 per cu. yd. of refuse per month, with a 2 cu. yd. minimum

- fa. Commencing after January 1, 2023, every householder and commercial establishment creating refuse shall pay for the furnishing of the service of collection in accordance with the following schedule of monthly rates:

	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
RESIDENTIAL CURBSIDE		
Residence (including apartments without common containerized refuse system/dumpster)	\$20.89 per dwelling unit	\$22.98 per dwelling unit
Toter for automatic refuse collection	First toter provided at no charge	First toter provided at no charge
Each additional toter	\$6.68	\$7.35
COMMERCIAL CURBSIDE		
Commercial and Industrial (and all establishments other than residential)	\$12.11 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$13.32 per cu. yd. of refuse per month, with a 2 cu. yd. minimum

- b. Commencing after January 1, 2024, every householder and commercial establishment creating refuse shall pay for the furnishing of the service of collection in accordance with the following schedule of monthly rates:

	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
RESIDENTIAL CURBSIDE		
Residence (including apartments without common containerized refuse system/dumpster)	\$21.93 per dwelling unit	\$24.13 per dwelling unit
Toter for automatic refuse collection	First toter provided at no charge	First toter provided at no charge
Each additional toter	\$6.68	\$7.35
COMMERCIAL CURBSIDE		
Commercial and Industrial (and all establishments other than residential)	\$12.72 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$13.99 per cu. yd. of refuse per month, with a 2 cu. yd. minimum

- (2) *Dumpster collection services.*

COMMERCIAL DUMPSTERS	Rates for Premises Serviced Inside City	Rates for Premises Serviced Outside City
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Commercial and Industrial (and all establishments other than residential) and also all apartment residences with a common containerized refuse system (dumpster) & a single common water meter system	\$9.61 per cu. yd. of refuse per month, with a 2 cu. yd. minimum	\$10.57 per cu yd. of refuse per month, with a 2 cu. yd. minimum
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- a. In addition to the Commercial Refuse Collection Rate, the following dumpster rental rates apply:

Dumpster Size	Rates for Premised Serviced Inside City	Rates for Premises Serviced Outside City
1 cu. yd.	\$13.00/mo.	\$14.00/mo.
2 cu. yd.	\$14.00/mo.	\$15.00/mo.
3 cu. yd.	\$16.00/mo.	\$17.00/mo.
4 cu. yd.	\$17.00/mo.	\$18.00/mo.
5 cu. yd.	\$18.00/mo.	\$19.00/mo.
6 cu. yd.	\$19.00/mo.	\$20.00/mo.
8 cu. yd.	\$22.00/mo.	\$23.00/mo.

- (3) All fees assessed to the City of Wilmington by other entities, including but not limited to, fees from the Ohio Environmental Protection Agency and the Clinton County Solid Waste Management District are included in the refuse collection rate schedule.

(b) *Landfill tipping fees.*

- (1) *City residents and businesses.*

Household trash, clean-out, demolition materials & municipal solid waste.	
Cars and Small Trucks	\$12.00 \$16.00 per cu. yd. One (1) yard minimum
Full-sized trucks & trailers with compactable materials	\$12.00 \$16.00 per cu. yd.
Construction and demolition materials	\$12.00 \$16.00 per cu. yd.
Commercial trash trucks and compactors	\$34.00 \$40.00 per ton
Clean hard fill material (concrete/brick)	\$15.00 per ton
Roll-offs (compactable material)	\$12.00 \$16.00 per cu. yd.
Roll-offs (non-compactable materials)	\$34.00 \$40.00 per ton
Curbside and private property move-outs, set-outs, and general clean-up	\$75.00 per hour plus \$12 \$16 per cu. yd. Includes equipment labor and disposal
Dig-out fee for containers	\$10.00 per container

- (2) *Non-city residents and businesses.*

Household trash, clean-out, demolition materials & municipal solid waste	
Cars and Small Trucks	\$17.50 \$20.00 per cu. yd. One (1) yard minimum
Full-sized trucks & trailers with compactable materials	\$17.50 \$20.00 per cu. yd.
Construction and demolition materials	\$17.50 \$20.00 per cu. yd.
Clean hard fill material (concrete/brick)	\$15.00 per ton
Commercial trash trucks and compactors	\$34.00 \$40.00 per ton
Roll-offs (compactable material)	\$17.50 \$20.00 per cu. yd. One (1) yard minimum
Roll-offs (non-compactable materials)	\$34.00 \$40.00 per ton
Dig-out fee for containers	\$10.00 per container

- (3) All fees assessed to the City of Wilmington by other entities, including but not limited to, fees from the Ohio Environmental Protection Agency and the Clinton County Solid Waste Management District are included in the tipping fee schedule.

- (4) The fee schedule shall be posted continually throughout the year in a conspicuous place at the landfill offices as well as on the City of Wilmington website.
- (5) Any amendments to the fee schedule are subject to Council approval.
- (c) *Curbside recycling and yard waste bag collection fees.*
 - (1) *Yard waste bags.* \$2.00 per bag
(30 lb. material weight limit)
In accordance with Section 925.14(b)
 - (2) Curbside Pick-up Service per month \$0.01.
- (d) *Compost area tipping fees for yard waste.*
 - (1) *Haulers of yard waste.* Haulers of yard waste will be charged \$10.00 per cubic yard for yard waste.

Section 3. That each and every section of Chapter 925, Refuse Collection, of the Codified Ordinances, except those sections identified and amended in Section 1 and 2 of this ordinance, are hereby ratified and republished and incorporated herein by reference as though fully rewritten herein.

Section 4. That all ordinances and parts of any ordinances which are in conflict herewith be, and the same hereby are, repealed to the extent of such conflict.

Section 5. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. That this ordinance shall be effective from the earliest period allowed by law.

Passed this 3rd day of August 2023

President of Council

ATTEST:

Clerk of Council

Approved by me this 3rd day of August 2023

Mayor