

GROVE CITY, OHIO COUNCIL LEGISLATIVE AGENDA

February 04, 2019

6:30 - Caucus

7:00 = Reg. Meet.

PRESENTATIONS: Oaths for Boards & Commissions

SAFETY: Mr. Davis

Ordinance C-04-19 Amend Chapter 541 of the Codified Ordinances titled Property Offenses to include a new Section 541.11 titled Unsolicited Written Material. Second reading and public hearing.

Ordinance C-05-19 Amend various Sections of Part 11 of the Codified Ordinances to Require Electric Vehicle Charging Stations. First reading.

ON FILE: Minutes of: 01/22 & 1/26 Council Meetings

Date: 01/15/19
Introduced By: Mr. Davis
Committee: Safety
Originated By: Ms. Houk
Sponsor: Ms. Houk
Emergency: 30 Days: XX
Current Expense:

No.: C-04-19
1st Reading: 01/22/19
Public Notice: 01/23/19
2nd Reading: 02/04/19
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-04-19

AN ORDINANCE TO AMEND CHAPTER 541 OF THE CODIFIED ORDINANCES TO THE CITY OF GROVE CITY TITLED PROPERTY OFFENSES TO INCLUDE A NEW SECTION 541.11 TITLED UNSOLICITED WRITTEN MATERIAL

WHEREAS, the Constitution of the State of Ohio, in Article XVIII, Section 3, grant municipalities the authority to exercise all powers of local self government and to enforce local police, sanitary, and other similar regulation as are not in conflict with the general laws; and

WHEREAS, pursuant to this constitutional Home Rule authority, the people of the City of Grove City have adopted a Charter and Codified Ordinances to exercise the powers of local self-government and enforce local police power regulations; and

WHEREAS, the City has substantial, legitimate interests in preserving and maintaining a high level of sanitation throughout the City by reducing visual blight and litter and preventing damage to and interference with public and private property; and

WHEREAS, over a period of years, the City has received many residential complaints related to unsolicited written materials being delivered to locations on the residents' property which, in addition to causing visual blight and the spread of litter, cause hardship on residents forced to collect these materials from various portions of their or neighboring property; and

WHEREAS, the unsolicited written materials have also clogged storm drains and backed up water in the public rights-of-way; and

WHEREAS, the City wishes to reduce visual blight, littering and interference with public and private property associated with the delivery of unsolicited written materials while at the same time protecting the First Amendment right of the persons and organizations delivering those materials.

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 541.11 is hereby added and shall read:

541.11 UNSOLICITED WRITTEN MATERIALS

(a) **As used in the Section:**

- (1) **Front Door means the street-facing entrance(s) to a principal structure. In the event no door faces the street, then any other door of a principal structure nearest the street shall be considered a front door for purposes of the section.**
- (2) **Person means any person, firm, corporation, association, club, society or other organization.**

- (3) Porch means an exterior appendage to a principal structure leading to a doorway including any stairway attached thereto.
- (4) Premises means a lot, plot or parcel of land including any structures, driveways or other impervious surfaces thereon.
- (5) Principal structure means a structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.
- (6) Unsolicited written materials means any written materials delivered to any premises without the express invitation or permission, in writing or otherwise, by the owner, occupant, or lessee of such premises.

(b) No person shall deliver, place, or distribute unsolicited written materials to any premises other than in the following locations and manners:

- (1) On a porch, if one exists, nearest the front door; or
- (2) So that such materials are securely attached to the front door; or
- (3) Through a mail slot on the front door or principal structure, if one exists, and permitted by the United States Postal Service Domestic Mail Manual, Section 508 Recipient Services, Subsection 3.1.2; or
- (4) Where permitted, in a distribution box located on or adjacent to the premises; or
- (5) Securely attached to a hook or within some other receptacle used for the delivery of non-U.S. Mail packages or materials, attached to the mailbox post for the premises, if it exists; or
- (6) Personally to the owner, occupant, and/or lessee of the premises.
- (7) When there is no accumulation of previously delivered unsolicited written materials.

(c) Notwithstanding Subsection (b) herein, an owner, lessee, or occupant maintains the right to restrict entry to his or her premises.

(d) Organizational Liability: Pursuant to Section 501.11 (a)(2) of the City Code, it is the intent to impose organizational liability for violation of this Section committed by an officer, agent, or employee of a business or organization while action on behalf of the business or organization and within the scope of the officer's, employee's or agent's office of employment.

(e) Unsolicited written materials placed at a premises creates a rebuttable presumption that the materials were placed at the premises by the owner, officer, agent, or employee of the business, product, good service or message which is being advertized, promoted, endorsed, or conveyed in such materials. Where the materials are delivered as a package and relate to multiple businesses, products, goods, services, or messages, the presumption shall apply to the identified distributor of the package of materials, if any.

(f) The provisions of this section do not apply to the United State Postal Service.

(g) Violations of the Section shall be an unclassified misdemeanor punishable by the fine of Two-Hundred Fifty Dollars (\$250.00) per violation.

Date: 01/29/19
Introduced By: Mr. Davis
Committee: Safety
Originated By: _____
Sponsor: Mr. Berry
Emergency: 30 Days: _____
Current Expense: _____

No.: C-05-19
1st Reading: 02/04/19
Public Notice: 02/05/19
2nd Reading: 02/19/19
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-05-19

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF PART 11 OF THE CODIFIED ORDINANCES TO REQUIRE ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, Grove City is a green city and promotes environmentally friendly technologies and sustainable living; and

WHEREAS, electric vehicles are becoming more popular; and

WHEREAS, existing commercial parking lots have been approved to add charging stations to accommodate these needs; and

WHEREAS, requiring charging stations to be installed from the onset of new construction is more appropriate to address this rising need; and

WHEREAS, the Economic Development Manager will work with existing hotels/motels and businesses to locate grant opportunities for charging stations, and educate them on the value of including them.

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 1101.05(m) is hereby amended to include:

- (m) Street lighting shall be provided on public streets by means of lighting assemblies, mounted on aluminum poles or decorative poles so approved by the Director of Public Service. These assemblies and underground cables shall be located three feet in back of the street curb and beyond the edge of the paved shoulder for uncurbed streets. The assembly shall be installed not less than 250 feet nor more than 350 feet apart. One assembly shall be located within 200 feet on the end of each cul-de-sac. One assembly shall be located at each street intersection. Blocks shorter than 500 feet apart shall not require an intermediate lighting assembly. **One assembly shall include a Level 2 electric vehicle charger and be installed by each Cluster (mail)Box Unit.** (Ord. C55-15. Passed 9-8-15.)

SECTION 2. Section 1135.12 is hereby amended to include:

- (o) **In all C2 Retail Commercial Districts there shall be required one (1) electric vehicle charging station per 40 parking spaces, with a maximum of four (4) stations;**

- 1. For every Hotel/Motel there shall be required (1) electric vehicle charging station.**

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

Steven R. Robinette, President of Council