



VILLAGE OF EVENDALE
ADOPTED ORDINANCES AND RESOLUTIONS

The following ordinances and resolutions were adopted by the Council of the Village of Evendale on February 13, 2024.

ORD # 24-03- 2nd and 3rd Reading

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE EVENDALE CODE OF ORDINANCES REGARDING SINGLE-FAMILY DWELLINGS AND RESIDENTIAL RENTAL PROPERTY AND DECLARING AN EMERGENCY.

Unanimously approved.

ORD # 24-04

AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY. Unanimously approved.

ORD #24-05

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A LOAN AGREEMENT WITH ENABLE INJECTIONS, INC. PROVIDING JOB RETENTION, ECONOMIC INCENTIVES AND DECLARING AN EMERGENCY.

Unanimously approved.

ORD. # 24-06

ORDINANCE AUTHORIZING THE MAYOR TO HIRE RENEE BOSWELL AS A PART-TIME CHILDCARE ATTENDANT FOR THE RECREATION DEPARTMENT AND DECLARING AN EMERGENCY. Unanimously approved.

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 24-03**

**AN ORDINANCE AMENDING VARIOUS SECTIONS
OF THE EVENDALE CODE OF ORDINANCES
REGARDING SINGLE-FAMILY DWELLINGS
AND RESIDENTIAL RENTAL PROPERTY
AND DECLARING AN EMERGENCY**

- WHEREAS,** the Village has a longstanding history of maintaining its high-quality, single-family residential districts, and has zoning, property maintenance, and rental registration programs in place, among others, to help protect those areas; and
- WHEREAS,** the Village recognizes that there is a growing, nationwide trend of commercializing residential homes (i.e. use of single- family homes for vacation and/or corporate housing purposes); and
- WHEREAS,** the Village desires to amend various sections of its Code of Ordinances, specifically its Zoning Code, to emphasize and clarify the single-family residential character, intent, purpose and use of the Village’s housing stock, and to be responsive to community input regarding those matters; and
- WHEREAS,** on November 21, 2023, the Evendale Planning Commission, during a Regular Meeting/Public Hearing, voted unanimously to recommend to Council several revisions to the Evendale Zoning Code, as required by Evendale Zoning Code Sections 1286.04(b) and (c); and
- WHEREAS,** the Council of the Village of Evendale has provided notice and conducted a public hearing on the proposed modifications to the Evendale Code of Ordinances and finds that such changes will help advance its policy goals related to single-family housing and residential rental property; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

- SECTION 1:** Section 1242.03 of the Evendale Code of Ordinances, Part Twelve, Title Two, Zoning Code, is hereby amended as shown in the attached Exhibit A, attached hereto and incorporated by reference herein.
- SECTION 2:** The remaining portions of Section 1242.03 of the Evendale Code of Ordinances, Part Twelve, Title Two, Zoning Code, that are not shown in Exhibit A shall remain as written, except for the renumbering specified in Exhibit A, Amendment # 7.
- SECTION 3:** This ordinance is declared to be an emergency measure by a concurrence of six members of Council, it being necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operation of department or office of the Village of Evendale. The purpose of the emergency is to ensure that Village’s desired policies related to single-family residential uses and rental properties are implemented as soon as possible. Therefore, this ordinance shall become effective immediately.

Approved February 13, 2024

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 9, 2024
Rules Suspended: February 13, 2024
2nd and 3rd Reading: February 13, 2024
Emergency Section Agreed to: February 13, 2024
Notice of publication: Cincinnati Court Index, February 22, 2024

EXHIBIT A
to Ordinance # 2024 - _____

Amendment # 1:

Amend Section 1242.03(a)(157) as follows:

“SINGLE-FAMILY RESIDENCE, DETACHED.” ~~A detached structure on a single lot designed for occupancy by one family.~~ A detached structure, consisting of a single dwelling unit on a single lot and occupied by one family as their primary residence, no part of which can be subdivided for, or occupied by, more than one family.

Amendment # 2:

Amend Section 1242.03(a)(46) as follows:

“FAMILY.” Means one of the following:

- (a) One person; or,
- (b) Two or more persons related by blood, marriage, adoption or guardianship living together as a single housekeeping unit in a single-family residence; or,
- (c) Two unrelated persons and their children living together as a single housekeeping unit in a single-family residence; or
- (d) A group of not more than four (4) unrelated persons living together as a single housekeeping unit in a single-family residence under one lease, mortgage or other residential-related agreement that demonstrates all individuals are living together as a single housekeeping unit.

Amendment # 3:

Amend Section 1242.03(a) to add subparagraph (*number to be determined according to amendment # 7, below*) as follows:

“DWELLING UNIT.” A single family detached residence comprised of living, dining, sleeping, cooking, bathing, toilet and storage facilities all used, occupied by and accessible to only one family as their primary residence, no separate parts of which may be offered to the public for a fee.

Amendment # 4:

Amend Section 1242.03(a) to add subparagraph (*number to be determined according to amendment # 7, below*) as follows:

“PRIMARY RESIDENCE.” A place where a person’s habitation is fixed, and to which, whenever the person is absent, the person has the intention of returning.

Amendment # 5:

Amend Section 1242.03(a) to add subparagraph (*number to be determined according to amendment # 7, below*) as follows:

“SINGLE HOUSEKEEPING UNIT.” A family occupying a single dwelling unit, using or sharing common areas and responsible for household activities and responsibilities, such as meals, chores, household maintenance and expenses.

Amendment # 6:

Amend Section 1242.03(a) to add subparagraph (*number to be determined according to amendment # 7, below*) as follows:

“RESIDENTIAL TENANT.” One family, other than the property owner family, lawfully occupying a single-family residential dwelling under a single written or verbal agreement, for a period that must be more than 30 consecutive calendar days in length”.

Amendment # 7:

Section 1242.03(a), subparagraphs (1) through the final definition of that section, shall be renumbered to account for the definitions added in amendment numbers three through six of this Exhibit A, with those additions described in amendments three through six of this Exhibit A being added to Section 1242.03(a) in alphabetical order.

VILLAGE OF EVENDALE, OHIO
ORDINANCE #24-04

AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code 5705.41(D)(1) provides that where contracts have not been previously certified for sufficient funds being available, Village Council may authorize the drawing of warrants to pay such contracts upon receipt of a certificate from the fiscal officer stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate, a sufficient sum appropriated for the purpose of such contract and in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances, and

WHEREAS, Certain contracts enumerated below are now due and payable for which such a certificate has been provided by the Chief Fiscal and Accounting Officer;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION I The Council of the Village of Evendale hereby approves and authorizes the payment of the following contracts for which the Chief Fiscal and Accounting Officer has provided a certificate that a sufficient sum has been appropriated for the purpose of each contract and is in the treasury or in the process of collection to the credit of the appropriate fund free from any previous encumbrances:

- | | | |
|----|---------------------------------------|------------|
| 1. | Ohio Bureau of Workers Comp - True up | \$7,151.00 |
| 2. | Chase – Rexford Mailboxes | \$3,840.00 |
| 3. | Ellen Perazzo – Mayors Court Judge | \$4,600.00 |

SECTION II This Ordinance is declared to be an emergency by a concurrence of six members of Council, being necessary to preserve the public peace, order, safety, health and welfare of the Village or to provide for the daily operation of a department or office of the Village. The reason for said emergency is the need to approve this ordinance in the time required by the Ohio Revised Code and to ensure prompt payment to vendors. Therefore, this Ordinance shall be effective upon adoption.

Approved February 13, 2024

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 9, 2024

Rules Suspended: February 13, 2024

2nd and 3rd Reading: February 13, 2024

Emergency Section Agreed to: February 13, 2024

Notice of publication: Cincinnati Court Index, February 22, 2024

**VILLAGE OF EVENDALE
ORDINANCE #24-05**

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A LOAN
AGREEMENT WITH ENABLE INJECTIONS, INC. PROVIDING JOB RETENTION,
ECONOMIC INCENTIVES AND DECLARING AN EMERGENCY.**

WHEREAS, it is the public policy of Evendale to encourage, promote, and support economic development, new job formation, and the development and growth of industry and commerce, and to preserve existing jobs in Evendale for the public purposes of providing employment opportunities for its citizens and residents, alleviating conditions of unemployment, stabilizing and promoting the economy of Evendale, and creating new tax bases and sources of revenue for Evendale; and

WHEREAS, Enable Injections, Inc. (“Enable”) has requested certain financial assistance from Evendale to offset the cost of the proposed project, and Enable has provided to Evendale certain information pertaining to the Enable to assist Evendale with its review of request for financial incentives; and

WHEREAS, Evendale desires to retain Enable headquarters, its employees, and the earnings tax generated by the company’s employees by providing financial assistance for the building upgrades needed to convert their existing space into a modern, functional, fully administrative-purposed facility (the “Project”); and

WHEREAS, Evendale has determined that the economic development and job retention related to the Project is beneficial to Evendale, serves a public purpose by raising incremental tax revenues in an amount equal to or greater than the economic development incentives set forth herein, and provides relief of unemployment for the citizens of Evendale;

WHEREAS, Evendale is authorized to provide financial assistance to private companies for the public purpose of job creation and job preservation under Evendale’s Home Rule Authority conferred by Ohio Const. Art. XVIII, Section 3 of the Ohio Constitution; under Ohio Const. Art. VIII, § 13 of the Ohio Constitution; and under the enabling legislation for Ohio Const. Art. VIII, § 13 found in Revised Code Chapter 165, Industrial Development Bonds statute; and

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION 1. The Village Council hereby finds and determines (1) the Project will retain jobs in the Village of Evendale, Ohio, (2) the Project is economically sound and will benefit the people of the State and this Village by increasing opportunities for employment and strengthening the economy of the State and (3) receiving the economic development incentives from this Village is a major factor in the decision of Enable to go forward with the Project.

SECTION 2. The Economic Development Agreement by and between the Village of Evendale, Ohio and Enable Injections, Inc., (the “Agreement”) attached hereto, is hereby approved in substantially final form, and the Mayor is hereby authorized and directed to execute such agreement.

SECTION 3. The Loan provided for in the Agreement is hereby approved and authorized. Upon receipt of a fully executed Agreement and applicable Promissory Note the Chief Fiscal & Accounting Officer is hereby authorized and directed to pay the loan installments to Enable, when and as provided in the Agreement, subject to the terms and provisions of the Agreement.

SECTION 4. The Chief Fiscal & Accounting Officer is hereby authorized and directed to encumber the necessary amounts for the loan installments in the applicable years, as set forth in the Agreement, and to provide for the appropriation of such amounts in such years.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code, and the rules of this Council adopted in accordance therewith.

SECTION 6. This ordinance is hereby declared to be an emergency measure by a concurrence of six members of the Village Council. This measure is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare and for the further reason to execute this agreement at the earliest possible date, therefore, this measure shall take effect and be in force from and after its passage.

Approved February 13, 2024

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 9, 2024
Rules Suspended: February 13, 2024
2nd and 3rd Reading: February 13, 2024
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Notice of publication: Cincinnati Court Index, February 22, 2024

EXHIBIT A- ECONOMIC DEVELOPMENT AGREEMENT

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 24-06**

**ORDINANCE AUTHORIZING THE MAYOR TO HIRE
RENEE BOSWELL AS A PART-TIME CHILDCARE
ATTENDANT FOR THE RECREATION DEPARTMENT
AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Evendale has enacted Chapter 258 of the Codified Ordinances of the Village of Evendale, requiring authorization by Council for the Mayor to hire a part-time employee; and,

WHEREAS, the Mayor has recommended the hiring of Renee Boswell as part-time Childcare Attendant for the Recreation Department; and,

WHEREAS, in reaching this recommendation the Mayor and the Administration has complied with the requirements of Chapter 258 of the Codified Ordinances of the Village of Evendale; now

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION 1: The following person may be employed by the Mayor of the Village of Evendale as the part-time Childcare Attendant for the Recreation Department at an hourly rate established below, and such employment shall take effect as of the effective date of this ordinance:

Renee Boswell: Hourly Pay: \$11.30

SECTION 2: This ordinance is hereby declared to be an emergency measure by a concurrence of six members of the Village Council. The reason for said emergency is to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operations of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect in order to ensure that the Village Recreational Department has the staffing necessary to provide for and to perform its critical functions to, in this case involving child care, the Village and its citizens. Therefore, this ordinance shall be effective upon passage.

Approved February 13, 2024

Mayor

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: January 9, 2024

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