

Resolution # 3573

1st Reading: 9-15-14
2nd Reading: 9-15-14
3rd Reading: 9-15-14

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(~~Village~~ or City Council)
Revised Code, Secs. 5705.34, .35

The Council of the ~~Village~~/City of Bowling Green Wood County, Ohio, met in
(regular or ~~special~~) session on the 15th day of September, 2014 at the office of
~~City of Bowling Green~~ with the
following members present:

MICHAEL ASPACHER

THERESA CHARTERS GAVARONE

DANIEL GORDON

BRUCE JEFFERS

ROBERT MCOMBER

SANDY ROWLAND

JOHN ZANFARDINO

Council Member McOmber moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Revenue Estimate for the next succeeding fiscal year commencing **January 1st, 2015** and

WHEREAS, The Budget Commission of Wood County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the ~~Village~~/City of Bowling Green, Wood County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said ~~Village~~/City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

BOWLING GREEN CITY	AMOUNT APPROVED BY BUDGET COMM. INSIDE 10 MILL LIMITATION	AMT TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR EST. OF TAX RATE LEVIED	
			INSIDE 10 MILL LIMIT	OUTSIDE 10 MILL LIMIT
	Column 2	Column 3		
AQUATIC FACILITY		273,293.49		0.60
GENERAL FUND	1,366,467.45		3.00	
PARK, PLAYGRND & REC		637,684.81		1.40
FIRE PENSION	139,873.11		0.30	
POLICE PENSION	139,873.11		0.30	
STATE				
TOTAL	1,646,213.67	910,978.30	3.60	2.00

SCHEDULE B

Levies outside 10 mill limitation, Exclusive of Debt Levies

GENERAL FUND	MAXIMUM RATE AUTHORIZED TO BE LEVIED	AUDITOR'S ESTIMATE OF YIELD OF LEVY
Current Expense Levy Authorized by voters on for not to exceed _____ years.		
Current Expense Levy Authorized by voters on for not to exceed _____ years.		
Current Expense Levy Authorized by voters on for not to exceed _____ years.		
Current Expense Levy Authorized by voters on for not to exceed _____ years.		
Current Expense Levy Authorized by voters on for not to exceed _____ years.		
Current Expense Levy Authorized by voters on for not to exceed _____ years.		
AQUATIC FACILITY Levy Fund: Authorized by voters on 3/6/11 for not to exceed 20 years. 2012-2031	0.60	273,293.49
Park, Playgrd & Rec. Fund: Levy Authorized by voters on 5/7/13 for not to exceed 3 years. 2013-2015	1.40	637,684.81
Fund: Levy Authorized by voters on _____ for not to exceed _____ years.		

and be it further

RESOLVED, That the Clerk of this Board be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Council Member Jeffers seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. <u>Aspacher</u> <u>yes</u>	Ms. <u>Rowland</u> <u>yes</u>
Mrs. <u>Gavarone</u> <u>yes</u>	Mr. <u>Jeffers</u> <u>yes</u>
Mr. <u>Gordon</u> <u>yes</u>	Mr. <u>McOmber</u> <u>yes</u>
	Mr. <u>Zanfardino</u> <u>yes</u>

Adopted the 15th day of September, 2014
Kay D. Scherrek Clerk, City of Bowling Green
 Wood County, Ohio


 Michael Aspacher, City Council President


 Richard Edwards, Mayor

CERTIFICATE OF COPY

Original on File

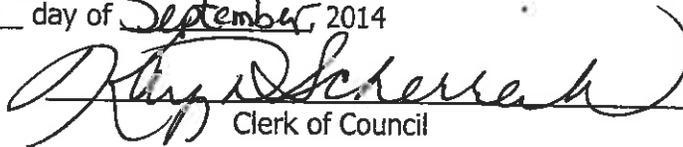
The State of Ohio, Wood County, ss.

I, Kay D. Scherreik, Clerk of the Council of the Village/City of Bowling Green, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

Resolution # 3573

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 15th day of September, 2014


Clerk of Council

Bowling Green Village/City
Wood County, Ohio

CERTIFICATION

This is to certify that the foregoing is a true copy of Res. No. 3573 passed by the Council of the City of Bowling Green, Ohio.

Sept. 15, 20 14

Clerk of City Council

RECORD OF ORDINANCES

Darton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8352

Passed September 15 2014

**ORDINANCE AMENDING AND ADOPTING SECTION 33.27
 OF THE CODIFIED ORDINANCES OF THE CITY OF
 BOWLING GREEN, OHIO, REGARDING VACATIONS**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That Section 33.27 of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

SECTION 33.27 VACATIONS

(A) (1) Each non-bargaining full-time, non-temporary, hourly city employee shall earn vacation leave according to the number of years of service. (See following chart.) The full-time non-temporary hourly classifications are those assigned to Pay Bands 1 through 3 in § 33.01 of this chapter. All full-time, hourly city employees with prior full-time, public service in the State of Ohio for which they had accrued vacation leave may, upon certification of their service, count that prior service for purposes of computing entitlement to vacation leave. Additionally credit will also be given for prior non-temporary, part-time service with the City of Bowling Green.

(2) Non-bargaining, non-seasonal/non-temporary hourly part-time employees, whose wages are established in § 33.01 of this chapter shall be entitled to vacation accrual based on a prorated portion of full 80-hour bi-weekly pay periods. (See following chart.) There is no accrual of vacation leave for hours worked in excess of 80 hours in a pay period. No credit shall be given for prior public service except for prior non-temporary part-time or full-time service with the city.

Length of Service	Accrual Rate Per Pay Period	Maximum Accrual
From Hire to 5 years	4.72 hours	240 hours
6 to 10 years	6.3 hours	360 hours
11 to 20 years	7.82 hours	480 hours
Over 20 years	9.32 hours	600 hours
Over 25 years	10.12 hours	660 hours

(B) (1) Each full-time, salaried city employee shall earn vacation leave according to the number of years of service. (See following chart.) The salaried classifications are those assigned to Pay Bands 4 through 9 in § 33.01 of this chapter. No retroactive application of this vacation schedule will be applied to employees upon implementation of the schedule. New hires in Pay Bands 4 through 9 may use accrued vacation leave during the first year of hire. All full-time, salaried city employees with prior full-time, public service in the State of Ohio for which they had accrued vacation leave may, upon certification of their service, count that prior service for purposes of computing vacation leave accrual. Additionally credit will also be given for prior non-temporary, part-time service with the City of Bowling Green.

(2) Non-bargaining, non-seasonal/non-temporary salaried part-time employees, whose wages are established in § 33.01 of this chapter shall be entitled to vacation accrual based on a prorated portion of full 80-hour bi-weekly pay periods. There is no accrual of vacation leave for hours worked in excess of 80 hours in a pay period. No retroactive application of this vacation schedule will be applied to employees upon implementation of the schedule. No credit shall be given for prior public service except for prior non-temporary part-time or full-time service with the city.

<i>Length of Service</i>	<i>Accrual Rate Per Pay Period</i>	<i>Maximum Accrual</i>
Under 1 to 10 years	6.75 hours	360 hours
11 to 15 years	8.35 hours	480 hours
16 to 20 years	9.10 hours	480 hours
21 to 25 years	9.85 hours	600 hours
Over 25 years	10.65 hours	660 hours

(C) Each full-time fire captain shall earn vacation leave according to the number of years of service (see following chart), except that no retroactive application of this vacation schedule will be applied to employees upon implementation of the schedule.

<i>Length of Service</i>	<i>Accrual Rate Per Pay Period</i>	<i>Maximum Accrual</i>
Under 1 to 7 yrs.	9.5 hours	312 hours
8 to 14 yrs.	11.5 hours	468 hours
15 to 24 years	13.5 hours	624 hours
25 years and over	15.5 hours	780 hours

(D) Vacation is credited each bi-weekly pay period at the rates shown for each period of service in divisions (A), (B) and (C) above. No accrual will accumulate beyond the maximum allowable for each period of service. Vacation is not earned on overtime. Applicable accrual rates shall be pro-rated for portions of bi-weekly pay periods.

(E) Vacation shall be scheduled throughout the year by responsible supervisors as near as possible to times desired by employees, subject to operational requirements. Vacation preference shall be granted to employees on the basis of division seniority (time in service within divisions of departments established by Administrative Code). In case of conflict, the appropriate department head shall make the final decision as to when vacations may be taken. There is no requirement that vacation leave be taken all at once or that it be split up. Vacations may be taken so as to include or abut holidays. The minimum time of request and approval shall not be less than one-tenth of an hour.

(F) Vacation pay shall be computed on the basis of a regular 40-hour work week (except for fire captains) at applicable regular straight time rates. Vacation pay for the fire captains shall be computed on the basis of a 52 hour work week at applicable regular straight time rates. (The regular straight time hourly rate of pay for fire captains is computed by dividing the annual salary by 2704, the average number of straight time hours worked annually.)

(G) Vacation leave is earned only during the time the employee is on active non-temporary/non-seasonal full-time or part-time status; it is not earned by seasonal or temporary full-time or part-time employees, or by non-temporary/non-seasonal full-time or part-time employees while on unpaid leaves of absence or unpaid military leave, unless mandated by federal or state law.

(H) Days designated as holidays in § 33.20 of this chapter shall not be charged to vacation leave regardless of the day of the week on which they occur.

(I) A week of vacation, except for fire captains, is equivalent to 40 normal hours of work. For fire captains, a week of vacation is equivalent to 52 normal hours of work.

(J) Upon separation from city employment, an employee shall be entitled to compensation at his or her then current straight-time rate of pay for all lawfully accrued and unused vacation leave to his or her credit. If the separation from city employment is caused by death, payment shall be made to the employee's surviving spouse or other beneficiary, as provided by statute.

(K) For vacation purposes, years of service with the city shall be determined by the total number of years worked for the city and shall include military leaves of absence and other approved leaves of absence. If an employee's service has been interrupted through no fault of the employee, such as lay-off, the employee's total service shall include the periods both before and since the interruptions, but shall not include the period of interruption itself.

(L) Employees who are promoted or reclassified into another classification within the city shall be paid for their unused vacation accrual that exceeds the current accrual maximums established for the new position. These maximums are established in this section of this chapter. The payment for this accrued but unused vacation leave while employed under the previous classification shall be accomplished through the payroll process as soon as possible following promotion/reclassification into the new classification. Vacation leave shall be paid to the employee through the payroll system at the rate of pay the employee previously held immediately prior to promotion or reclassification into the new classification.

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: September 15, 2014 [Signature]
Date President of Council

Attest: [Signature] Clerk of Council
KAY D. SCHERREIK

Approved: September 16, 2014 [Signature]
Date Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8352 passed by the Council of the City of Bowling Green, Ohio.
Sept. 15, 2014
[Signature]
Clerk of City Council

1st Reading: 8-8-14
 2nd Reading: 9-2-14
 3rd Reading: 9-15-14

RECORD OF ORDINANCES
EMERGENCY CLAUSE ADOPTED
 9/15/14

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8353 ^{as amended} _{by substitution} ^{9/15/14} Passed September 15, 2014

**ORDINANCE AMENDING AND ADOPTING SECTION 33.01
 OF THE CODIFIED ORDINANCES OF THE CITY OF
 BOWLING GREEN, OHIO, REGARDING SALARY SCHEDULE
 ESTABLISHED, AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That Section 33.01 of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

SECTION 33.01 SALARY SCHEDULE ESTABLISHED

- (A) Effective at 12:01 a.m., September 1, 2014, the job classifications and corresponding pay bands 1 through 9 shown in division (G) below were established. Effective at the above time and date, each existing employee of the city not elsewhere provided for, was assigned to an appropriate pay band by the Mayor.
- (B) Each pay band includes annual and hourly rates. The hourly rates shall be used in assigning pay rates since the City's computerized payroll system bases the calculation of payroll on an hourly rate.
- (C) All municipal employee classifications listed in this section shall be paid on a bi-weekly basis, unless otherwise provided for in other sections of this chapter.
- (D) Pay bands 1 through 3 include hourly and/or non-exempt job classifications. These classes are eligible to earn overtime either through federal overtime statutes or city practice and/or policy. The bi-weekly compensation for employees not listed in § 33.18 shall be based on the number of hours actually worked during the bi-weekly pay period, and the hourly rate of compensation for such employees shall be based on the hourly schedule listed in division (G) below, except where otherwise provided by ordinance.
- (E) Pay bands 4 through 9 include only "exempt" salaried job classifications. These job classifications, when paid on a salaried basis, are exempt from federal overtime requirements. The bi-weekly compensation for full-time employees, whose job classifications are also listed in § 33.18, shall be calculated by multiplying the calculated hourly rate by 80, irrespective of the number of hours actually worked during the bi-weekly pay period, except where otherwise limited by applicable laws of the state or federal government. The bi-weekly compensation for part-time exempt, salaried employees, whose job classifications are listed in § 33.18, shall be calculated by multiplying the calculated hourly rate by 40, irrespective of the number of hours actually worked during the bi-weekly pay period, except where otherwise limited by applicable laws of the state or federal government. Lastly, in order to provide maximum flexibility part-time hires in job classifications assigned to Pay Bands 4 through 9 may also be paid on an hourly basis, when such is agreed to by both the employee and the city. In such cases work hours shall not exceed 40 hours per week, but it is understood that in those cases when work hours exceed 40 per work week that overtime will be paid.
- (F) As used in this section the term **BASE SALARY** refers to the minimum salary before any appropriate extra pay is received for such items as longevity, shift differential, or other fringe benefit factors.
- (G) The pay bands are established as follows:

Pay Band 1	Min	Max
Annual:	\$26,728	\$40,082
Hourly:	\$12.85	\$19.27
Customer Service Specialist		
Park Maintenance Specialist		
Clerk		
Secretary		
Administrative Assistant, Parks & Recreation		
Account Clerk		
Recreation Program Leader		

Sports Program Leader		
Fitness Specialist		
	Min.	Max.
Annual:	\$38,646	\$57,949
Hourly:	\$18.58	\$27.86
Administrative Secretary		
Payroll Specialist		
Tax Specialist		
Sports Specialist		
Finance Specialist		
Clerk of Council		
Natural Resources Specialist		
	Min.	Max.
Annual:	\$43,867	\$65,811
Hourly:	\$21.09	\$31.64
Wastewater Treatment Plant Chief Operator		
Water Treatment Plant Chief Operator		
Automotive Mechanic Supervisor		
Code Enforcement Officer		
Chemist		
Public Works Supervisor		
Wastewater Collection Supervisor		
Housing Specialist		
Parks and Recreation Maintenance Coordinator		
Supervisor Utilities Business Office		
Systems Specialist		
Aquatics/Fitness Manager		
	Min.	Max.
Annual:	\$47,590	\$71,365
Hourly:	\$22.88	\$34.31
Ombudsperson		
Public Information Specialist		
Grants Administrator		
Assistant to the Municipal Administrator		
Assistant to the Utilities Director		
Recreation Coordinator		
Network Administrator		
Natural Resources Coordinator		
Assistant Prosecutor		
Senior Planner		
Facilities Coordinator		
	Min.	Max.
Annual:	\$52,874	\$79,290
Hourly:	\$25.42	\$38.12
Tax Commissioner		
Fire Captain (*must convert rate to a 2704 hour rate)		
Water Pollution Control Assistant Superintendent		
Public Works Assistant Superintendent		
Assistant Electric Superintendent		
Water Distribution/Wastewater Collection Assistant Superintendent		
Water Supply Assistant Superintendent		
City Surveyor		
Civil Engineer		
Arborist		
Arborist		
GIS Coordinator		

Pay Band 6	Min.	Max.
Annual:	\$58,739	\$88,088
Hourly:	\$28.24	\$42.35
Fire Deputy Chief		
Police Deputy Chief		
City Engineer		
City Prosecutor		
Information Technology Manager		
Water Pollution Control Superintendent		
Public Works Superintendent		
Electric Superintendent		
Water Distribution/Wastewater Collection Superintendent		
Water Supply Superintendent		
Utilities Business Office Manager/Deputy Finance Director		
Pay Band 7	Min.	Max.
Annual:	\$68,078	\$102,107
Hourly:	\$32.73	\$49.09
City Attorney		
Public Works Director		
Assistant Municipal Administrator		
Police Chief		
Fire Chief		
Finance Director		
Personnel Director		
Parks and Recreation Director		
Planning Director		
Assistant Utilities Director		
Pay Band 8	Min.	Max.
Annual:	\$80,621	\$120,890
Hourly:	\$38.76	\$58.12
Safety Director		
Utilities Director		
Pay Band 9	Min.	Max.
Annual:	\$90,106	\$135,138
Hourly:	\$43.32	\$64.97
Municipal Administrator		

- (H) Pay bands are vertical numerical readings along the schedules in division (G) above. These numbers are keyed to job classifications. Changes in classifications represent changes in job titles and responsibilities at levels appropriate to an individual's education, training, and experience.
- (I) Newly hired employees may, at the city's discretion, be paid any base rate within the designated pay band; however, in no case shall the rate assigned exceed the maximum rate established for the designated pay band.
- (J) An employee, who is reclassified into a higher pay band as a result of a promotion to a new classification, shall be compensated at a pay rate that provides a wage increase of at least 7.5%, which would be figured against the range midpoint for the new pay band. The increase could be less than 7.5% if the increase would result in a new pay rate that would exceed the maximum rate established for the pay band into which the employee is being promoted or if it would result in a new pay rate that would exceed the highest paid employee currently classified to the same position in the new pay band. However, the promotion of an employee into the salaried/exempt position of Fire Captain shall result in the base rate of the employee being adjusted to match the base rate of the existing employees classified in that rank.
- (K) An employee may be demoted if he or she exhibits an inability or unwillingness to perform assigned duties or for disciplinary reasons. An employee so demoted for such cause(s) shall be reduced to a pay rate within the lower pay band wherein the pay reduction is commensurate with the disciplinary action involved. However, in no case shall the employee be assigned to a pay rate that would exceed the maximum rate established by ordinance for that pay band.

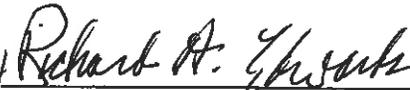
- (L) Whenever an employee voluntarily applies for and then accepts a position in a lower pay band, or whenever an employee is laid off due to lack of funds or lack of work in one classification and is entitled to a demotion to a lower classification where he or she previously held a full-time status, the pay rate of the employee shall be reduced to a pay rate in the lower grade that would not exceed the highest base rate paid to employees already classified in the same position within the new pay band. However, in no case would the employee's new rate exceed the established maximum rate for that pay band nor would the employee receive an increase in their base rate.
- (M) Whenever the Municipal Administrator or his or her designee determines that it is necessary to temporarily assign an employee to perform the duties of a position above that which the employee currently holds, such employee shall be temporarily reclassified to the higher job classification and shall receive an increase in pay, as established in division (J) of this section. If the employee is temporarily reclassified from an hourly, non-exempt position (eligible for overtime) to a salaried position that is exempt from earning overtime, the reclassification shall result in the employee being exempt from overtime while so assigned to the exempt classification. Furthermore, the employee so assigned shall continue to receive all other fringe benefits at the levels he or she received prior to the temporary reclassification to the higher job classification. Training periods at a higher level shall not be computed when determining "acting time." The employee, so assigned, must be assigned to and perform all the functions that are normally performed by an occupant of the higher classification in order to be reclassified and receive the increased rate of pay.
- (N) All non-temporary, non-bargaining full-time and part-time city employees (hourly and salaried), who were employed by the city on or before September 1, 2014 and who are current/active city employees on the effective date of this legislation, shall receive a one-time 3% increase to their base pay (2080 or 2704 rate). This base pay increase shall be paid through the city's pay system on the next pay cycle following the effective date of this legislation. Temporary or other seasonal employees are not eligible to receive this payment. City employees, who are no longer employed by the city on the effective date of this legislation, will not be eligible to receive this payment. If the rate increase results in a pay rate that is less than the established minimum of the appropriate pay band, then the employee's pay rate will be increased in order that the rate of pay is at least equal to the established minimum rate of pay for the pay band.

SECTION 2: This ordinance shall take effect as an emergency measure. The reason for the emergency is to provide equity in compensation between the bargaining and non-bargaining employees, thereby protecting the public peace, health and well-being of the citizens.

Passed: September 15, 2014 
 Date President of Council

MICHAEL A. ASPACHER

Attest: 
 Clerk of Council
KAY D. SCHERREIK

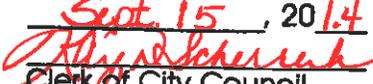
Approved: September 16, 2014 
 Date Mayor

RICHARD A. EDWARDS

MICHAEL J. MARSH
 CITY ATTORNEY
 kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Ord No. 8353 passed by the Council of the City of Bowling Green, Ohio.

Sept. 15, 2014

 Clerk of City Council

RECORD OF ORDINANCES

1st Reading: 8-18-14
 2nd Reading: 9-2-14
 3rd Reading: 9-15-14

Ordinance No. 8354

Passed September 15, 2014

**ORDINANCE AMENDING AND ADOPTING
 SECTION 33.23(A) OF THE CODIFIED ORDINANCES
 OF THE CITY OF BOWLING GREEN, OHIO,
 REGARDING MEDICAL AND DENTAL INSURANCE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That Section 33.23(A) of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

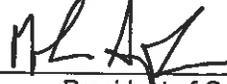
SECTION 33.23 MEDICAL AND DENTAL INSURANCE

(A) Each full-time non-seasonal, non-temporary city employee not covered by a collective bargaining agreement may elect to subscribe to and receive from the city medical insurance coverage for themselves and their dependent family members. The city shall pay 90% of the monthly medical insurance premium at either the single or family rate, depending upon the employees' eligibility. Employees who elect participation in the city's group medical insurance shall pay 10% of the city's total monthly premium cost for medical insurance via payroll deduction. Effective December 1, 2014, in addition to this 10% contribution, full-time employees will also pay, in accordance with the schedules below, the following each pay period:

Base Salary Year 1 Starting with first pay in December 2014	Per pay amount Family Medical	Per pay amount Single Medical
Below \$35,000	\$0.00	\$0.00
Above \$35,000	\$14.00	\$6.00
Above \$50,500	\$20.00	\$8.00
Above \$65,000	\$25.00	\$10.00
Base Salary Year 2 Starting with first pay in December 2015	Per pay amount Family Medical	Per pay amount Single Medical
Below \$36,050	\$0.00	\$0.00
Above \$36,050	\$16.25	\$6.75
Above \$52,015	\$23.00	\$9.00
Above \$66,950	\$29.75	\$11.50
Base Salary Year 3 Starting with first pay in December 2016	Per pay amount Family Medical	Per pay amount Single Medical
Below \$37,132	\$0.00	\$0.00
Above \$37,132	\$17.75	\$7.00
Above \$53,575	\$25.00	\$10.00
Above \$68,959	\$32.75	\$13.00

SECTION 2: All remaining portions of Section 33.23 shall remain unchanged.

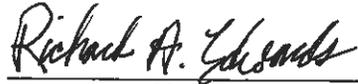
SECTION 3: This ordinance shall take effect at the earliest time permitted by law.

Passed: September 15, 2014 
Date President of Council

MICHAEL A. ASPACHER

Attest: 
Clerk of Council

KAY D. SCHERREIK

Approved: September 16, 2014 
Date Mayor

RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8354 passed by the Council of the City of Bowling Green, Ohio, Sept. 15, 2014

Clerk of City Council

RECORD OF ORDINANCES

1st Reading: 8-18-14
2nd Reading: 9-2-14
3rd Reading: 9-15-14

Dwyer Legal Blank, Inc.

Form No. 30043

Ordinance No. 8355

Passed September 15, 20 14

ORDINANCE AMENDING AND ADOPTING SECTION 33.32 OF THE CODIFIED ORDINANCES OF THE CITY OF BOWLING GREEN, OHIO, REGARDING CERTIFICATION PAY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That Section 33.32 of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

SECTION 33.32 CERTIFICATION PAY

- (A) The Water Treatment Plant Chief Operator, the Wastewater Treatment Plant Chief Operator, and the Chemist at the Water Pollution Control Division shall receive an educational achievement pay adjustment if they receive and maintain a valid State of Ohio Class I, Class II, or Class III certification in either water treatment or wastewater treatment. The certification must be applicable to their job. The achievement pay adjustment shall be as follows:
 - (1) \$1,700 per year for a Class III certification;
 - (2) \$750 per year for a Class II certification; or
 - (3) \$500 per year for a Class I certification.
- (B) The Wastewater Collection Maintenance Supervisor shall receive an education achievement pay adjustment if he or she receives and maintains a valid State of Ohio Class I or II certification in wastewater collection. The achievement pay adjustments shall be as follows:
 - (1) \$500 per year for a Class I certification;
 - (2) \$750 per year for a Class II certification; or
 - (3) \$250 per year for a Class I or Class II certification in water distribution or water treatment.
- (C) The educational achievement/certification pay established in Sections (A) and (B) of this Section shall be paid on a per hour basis commencing retroactively on April 30, 2014. The per hour certification payments will only be made for the normal forty (40) hour workweek.

Certification	Per Hour Rate
\$250	\$0.1202
\$500	\$0.2405
\$750	\$0.3606
\$1700	\$0.8174

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed September 15, 2014 [Signature]
Date President of Council

Attest [Signature]
Clerk of Council

Approved September 16, 2014 [Signature]
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

RICHARD A. EDWARDS

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord. No. 8355 passed by the Council of the City of Bowling Green, Ohio, Sept. 15, 20 14
[Signature]
Clerk of City Council

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8356

Passed September 15, 2014

ORDINANCE AMENDING AND ADOPTING SECTION 33.22 OF THE CODIFIED ORDINANCES OF THE CITY OF BOWLING GREEN, OHIO, REGARDING SICK LEAVE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That Section 33.22 of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

SECTION 33.22 SICK LEAVE

(A) (1) Each non-bargaining full-time employee and each non-bargaining, non-seasonal, non-temporary part-time city employee, whose salaries or wages are provided for in § 33.01 of this chapter, shall be entitled, for each completed 80 regular straight-time hours of service, to sick leave of 4.6 hours. There is no accrual of sick leave for hours worked in excess of 80 hours in a pay period. This accrual rate shall be pro-rated for portions of full 80 hour bi-weekly pay periods. An employee may use accumulated, but unused, sick leave, upon proper approval of the appropriate department head or his or her designee, for absence due to personal illness, injury, pregnancy, exposure to contagious diseases which could be communicated to other employees, for any leave designated as family and medical leave, and to illness, injury, or death in the employee's immediate family. The minimum time of request and approval shall be one-tenth of an hour. **IMMEDIATE FAMILY** as used herein is limited to husbands, wives, children, brothers, sisters, mothers, fathers, grandparents, great grandparents, grandchildren, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, and persons acting, or who have acted in *loco parentis* to the employee. The authority to use sick leave due to death in the employee's immediate family is in addition to the funeral/bereavement leave provided for in § 33.25 of this chapter.

(2) Department heads shall require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. The statements, after being approved by the department head, shall be maintained by the City for at least one year. If medical attention is required, a certificate from a licensed physician, stating the nature of the illness and the employee's ability to return to work, shall be required before the employee may return to work. A physician's statement may also be required, at the discretion of the Personnel Director, for a period of one day or less in the following cases: (a) for probationary employees; (b) repeated one or two-day absences; and (c) multiple absences on a single day. Falsification of either a written, signed statement, or a physician's certification shall be grounds for disciplinary action, including dismissal.

(3) Unused sick leave shall be cumulative without limit. Sick leave earned over and above 960 hours shall not be retroactively accumulated or granted, but must be earned after October 6, 1975. The previously accumulated but unused sick leave of an employee who has been separated from public employment in this state shall be placed in the employee's credit upon employment with the city, if the reemployment takes place within ten years of service. An employee who transfers from a public agency in this state to employment with the city shall be credited with the unused balance of the employee's accumulated but unused sick leave in accordance with requirements established in the Ohio Revised Code.

(4) At the time of retirement from employment with the city, an employee who was hired by the City prior to September 1, 2014, shall be paid for 25% of the employee's accumulated but unused sick leave. **RETIREMENT** shall mean that an employee is eligible at the time that employment is terminated to obtain a service or disability retirement in accordance with the requirements of the state retirement system into which that employee contributes. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the

employee at that time. The payment shall be based on the employee's rate of pay at the time of retirement and shall be made only once to any employee in accordance with the schedule set forth in division (A)(12) below of this section.

(5) At the time of retirement from employment with the city, an employee who was hired by the City on or after September 1, 2014, shall be paid for 25% of the employee's accumulated but unused sick leave, but such payment shall not exceed 25% of 960 hours of unused sick leave. **RETIREMENT** shall mean that an employee is eligible at the time that employment is terminated to obtain a service or disability retirement in accordance with the requirements of the state retirement system into which that employee contributes. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. The payment shall be based on the employee's rate of pay at the time of retirement and shall be made only once to any employee in accordance with the schedule set forth in division (A)(12) below of this section.

(6) At the time of retirement from employment with the city, a Fire Chief or Fire Deputy Chief, who was hired by the City of Bowling Green prior to September 1, 2014, shall be paid for 25% of the employee's accumulated but unused sick leave. **RETIREMENT** shall mean that an employee is eligible at the time that employment is terminated to obtain a service or disability retirement in accordance with the requirements of the state retirement system into which that employee contributes. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. The payment shall be based as follows. For hours accrued while classified as the Chief or Deputy Chief the payout shall be based on the employee's current hourly rate at the time of retirement as Chief or Deputy Chief. This will be referred to as the 2080 rate. For unused hours accrued as a Fire Captain/Lieutenant/Firefighter the payout will be based on the current 2080 hourly rate at the time of retirement, calculated as a 2704 hourly rate. This payment shall be made only once to any employee in accordance with the schedule set forth in division (A)(12) below of this section.

(7) At the time of retirement from employment with the city, a Fire Chief or Fire Deputy Chief who was hired by the City of Bowling Green on or after September 1, 2014, shall be paid for 25% of the employee's accumulated but unused sick leave, but such payment shall not exceed 25% of 960 hours of unused sick leave. **RETIREMENT** shall mean that an employee is eligible at the time that employment is terminated to obtain a service or disability retirement in accordance with the requirements of the state retirement system into which that employee contributes. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. The payment shall be based as follows. For hours accrued while classified as the Chief or Deputy Chief the payout shall be based on the employee's current hourly rate at the time of retirement as Chief or Deputy Chief. This will be referred to as the 2080 rate. For unused hours accrued as a Fire Captain/Lieutenant/Firefighter the payout will be based on the current 2080 hourly rate at the time of retirement, calculated as a 2704 hourly rate. This payment shall be made only once to any employee in accordance with the schedule set forth in division (A)(12) below of this section.

(8) This section shall be administered uniformly to eligible non-bargaining employees covered under this section. No sick leave may be granted to any employee upon or after the employee's retirement or termination of employment.

(9) Each non-bargaining employee, who is eligible to accrue sick leave and who is killed in the line of duty, shall have 50% of his or her accumulated but unused sick leave paid to his or her designated survivor(s) or to his or her estate.

(10) A non-bargaining employee of the city, who is eligible to accrue sick leave and who dies while still employed by the city, shall have 25% of his or her accumulated but unused sick leave paid to his or her designated survivor(s) or to his or her estate. This does not apply to those employees who are killed in the line of duty.

(11) The city may require any employee using sick leave to submit to a physical examination, pertaining to the injury or illness by a doctor of the city's choosing at the city's expense when the city needs to clarify an employee's leave and/or return to work status. In the event that the employee's physician and the doctor chosen by the city are unable to agree that the employee is capable of performing the essential functions of his or her job classification, the two doctors

shall select a third doctor to examine the employee. The decision of the third doctor concerning the capability of the employee to perform the essential functions of the job shall be binding on the city and the employee.

(12) The sick leave payout at retirement or upon death of an active employee may be paid out in installments, at the city's option, as outlined below:

(a) If the employee is entitled to receive payment for 240 hours or less, it shall be paid within 30 days following verification of any of the above occurrences.

(b) If the employee is entitled to receive payment for 241 to 750 hours, the payment may be made in two equal annual installments.

(c) If the employee is entitled to receive payment for more than 750 hours, the payment may be made in three equal annual installments.

(B) Sick leave, Fire Division.

(1) Each full-time employee of the Fire Division whose average biweekly hours are 104 hours shall accumulate sick leave at the rate of 5.98 hours for every 104 hours of service. This accrual rate shall be pro-rated for portions of full 104 hour bi-weekly pay periods. Employees of the Fire Division whose average biweekly hours are 80 hours of service shall accumulate sick leave at the rate of 4.6 hours for every 80 hours of service not to exceed 15 normal work days per calendar year. This accrual rate shall be pro-rated for portions of full 80 hour bi-weekly pay periods. An employee may use accumulated, but unused, sick leave, upon proper approval of the Fire Chief or his or her designee for absence due to personal illness, injury, pregnancy, exposure to contagious diseases which could be communicated to other employees, and to illness, injury, or death in the employee's immediate family. The minimum time of request and approval shall be one-tenth of an hour. **IMMEDIATE FAMILY** as used herein is limited to husbands, wives, children, brothers, sisters, mothers, fathers, grandparents, great grandparents, grandchildren, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, and persons acting, or who have acted in *loco parentis* to the employee. The authority to use sick leave due to death in the employee's immediate family is in addition to the funeral/bereavement leave provided for in § 33.25 of this chapter.

(2) The Fire Chief shall require an employee of the Fire Division to furnish a satisfactory written, signed statement to justify the use of sick leave. These statements, after being approved by the Fire Chief or his or her designee, shall be maintained in the Personnel Department for at least one year. If medical attention is required, a certificate from a licensed physician, stating the nature of the illness and the employee's ability to return to work, shall be required before the employee may return to work. A physician's statement may also be required, at the discretion of the Personnel Director, for a period of one day or less in the following cases: (a) for probationary employees; (b) repeated one or two-day absences; and (c) multiple absences on a single day. Falsification of either a written, signed statement, or a physician's certification shall be grounds for disciplinary action, including dismissal.

(3) Unused sick leave shall be cumulative without limit. Sick leave earned over and above 960 hours shall not be retroactively accumulated or granted, but must be earned after October 6, 1975. The previously accumulated but unused sick leave of an employee who has been separated from public employment in this state shall be placed in the employee's credit upon employment with the city, if the reemployment takes place within ten years of service. An employee who transfers from a public agency in this state to employment with the city shall be credited with the unused balance of the employee's accumulated but unused sick leave.

(4) At the time of retirement from employment with the city, a Fire Captain, who was hired by the City prior to September 1, 2014, shall be paid for 25% of the employee's accumulated but unused sick leave. **RETIREMENT** shall mean that an employee is eligible at the time that employment is terminated to obtain a service or disability retirement in accordance with the requirements of the Police and Firefighter's Disability and Pension Fund. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. The payment shall be based on the employee's rate of pay at the time of retirement and shall be made only once to any employee in accordance with the schedule set forth in division (B)(10) below of this section.

(5) At the time of retirement from employment with the city, a Fire Captain who was hired by the City of Bowling Green on or after September 1, 2014, shall be paid for 25% of the employee's accumulated but unused sick leave, but such payment shall not exceed 25% of 960 hours of unused sick leave. **RETIREMENT** shall mean that an employee is eligible at the time that employment is terminated to obtain a service or disability retirement in accordance with the requirements of the state retirement system into which that employee contributes. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. The payment shall be based on the employee's rate of pay at the time of retirement and shall be made only once to any employee in accordance with the schedule set forth in division (B)(10) below of this section.

(6) This section shall be administered uniformly to eligible non-bargaining employees covered under this section. No sick leave may be granted to any employee upon or after the employee's retirement or termination of employment.

(7) A non-bargaining employee of the Fire Division, who is eligible to accrue sick leave and who is killed in the line of duty, shall have 50% of his or her accumulated but unused sick leave paid to his or her designated survivor(s) or to his or her estate.

(8) A non-bargaining employee of the Fire Division, who is eligible to accrue sick leave and who dies while still employed by the city, shall have 25% of his or her accumulated but unused sick leave paid to his or her designated survivor(s) or to his or her estate. This does not apply to those employees who are killed in the line of duty.

(9) The city may require any employee using sick leave to submit to a physical examination, pertaining to the injury or illness by a doctor of the city's choosing at the city's expense when the city needs to clarify an employee's leave and/or return to work status. In the event that the employee's physician and the doctor chosen by the city are unable to agree that the employee is capable of performing the essential functions of his or her job classification, the two doctors shall select a third doctor to examine the employee. The decision of the third doctor concerning the capability of the employee to perform the essential functions of the job shall be binding on the city and the employee.

(10) The sick leave payout at retirement or upon death of an active employee may be paid out in installments, at the city's option, as outlined below:

(a) If the employee is entitled to receive payment for 240 hours or less, it shall be paid within 30 days following verification of any of the above occurrences.

(b) If the employee is entitled to receive payment for 241 to 750 hours, the payment may be made in two equal annual installments.

(c) If the employee is entitled to receive payment for more than 750 hours, the payment may be made in three equal annual installments.

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: September 15, 2014 [Signature]
Date President of Council
MICHAEL A. ASPACHER

Attest: [Signature]
Clerk of Council
KAY D. SCHERREIK

Approved: September 16, 2014 [Signature]
Date Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord. No. 8356 passed by the Council of the City of Bowling Green, Ohio, Sept. 15, 2014
[Signature]
Clerk of City Council

RECORD OF ORDINANCES

1st Reading: 8-18-14
2nd Reading: 9-2-14
3rd Reading: 9-15-14

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8359

Passed September 15, 2014

ORDINANCE ACCEPTING A DEED FOR RIGHT-OF-WAY PURPOSES FROM SMITH AUTO PROPERTIES, LLC FOR NORTH MAIN STREET

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That the deed from Smith Auto Properties, LLC, in substantial accordance with the exhibit attached hereto and made a part hereof, is hereby accepted, and the property dedicated for right-of-way and all municipal purposes.

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: September 15, 2014 *[Signature]*
Date President of Council
MICHAEL A. ASPACHER

Attest: *[Signature]*
Clerk of Council
KAY D. SCHERREIK

Approved: September 16, 2014 *[Signature]*
Date Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord. No. 8359 passed by the Council of the City of Bowling Green, Ohio, Sept 15, 2014
[Signature]
Clerk of City Council

Ordinance No. 8362 Passed September 15, 2014

**ORDINANCE PROVIDING SUPPLEMENTAL
 APPROPRIATIONS FOR THE CURRENT EXPENSES AND
 OTHER EXPENDITURES OF THE CITY OF BOWLING GREEN,
 OHIO, DURING THE FISCAL YEAR BEGINNING
 JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014**

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

SECTION 1. That the following sums be appropriated as follows:

Fund	Dept.	Amount	Description	Amount
2030	180	73700	Parking, Parking, FEES	\$ 1,800.00
2016	710	83000	Park, Playground and Recreation, Recreation Department, Improvements Other Than Buildings	\$ 41,091.00
1010	530	73800	General, Arborist, COMMISSIONS	\$ 2,445.00

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: September 15, 2014 MLA
 Date President of Council

MICHAEL A. ASPACHER

Attest: Kay D. Scherreik
 Clerk of Council
KAY D. SCHERREIK

Approved: September 16, 2014 Richard A. Edwards
 Date Mayor

RICHARD A. EDWARDS

MICHAEL J. MARSH
 CITY ATTORNEY
 kds

CERTIFICATION
 This is to certify that the foregoing is a true copy of Ord No. 8362 passed by the Council of the City of Bowling Green, Ohio, Sept. 15, 2014
Kay D. Scherreik
 Clerk of City Council

RECORD OF ORDINANCES
EMERGENCY CLAUSE ADOPTED

1st Reading: 9-15-14
2nd Reading: 9-15-14
3rd Reading: 9-15-14

Dustin Legal Blank, Inc.

Form No. 30043

Ordinance No. 8363

Passed September 15, 2014

**ORDINANCE AMENDING AND ADOPTING SECTION 33.03(A)
OF THE CODIFIED ORDINANCES OF THE CITY OF
BOWLING GREEN, OHIO, RELATING TO PAY FOR
SCHOOL POLICE, INTERNS, AND CIVIL
INFRACTIONS HEARING OFFICER,
AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, WOOD COUNTY, OHIO:

SECTION 1: That Section 33.03(A) of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby adopted to read as follows:

SECTION 33.03 PAY SCALE ESTABLISHED FOR SCHOOL POLICE AND INTERNS, AND CIVIL INFRACTIONS HEARING OFFICER

(A) School Police.

- (1) \$11.31 for a morning crossing (start of school day) worked.
- (2) \$11.31 for mid-day crossing worked (employees who cover mid-day crossings will be paid a maximum of \$10.98 regardless whether they cross children only at the end of the morning kindergarten session only at the start of the afternoon kindergarten session, or are required to cover both mid-day time periods).
- (3) \$11.31 for afternoon crossing (end of school day) worked.

Employees working as School Police shall in no case be paid more than \$33.93 per day.

The crossing rates established above for School Police shall be effective September 1, 2014.

SECTION 2: This ordinance shall take effect as an emergency measure. The reason for the emergency is to provide equity in compensation between the bargaining and non-bargaining employees, thereby protecting the public peace, health and well-being of the citizens.

CERTIFICATION

This is to certify that the foregoing is a true copy of Ord. No. 8363 passed by the Council of the City of Bowling Green, Ohio. Sept. 15, 2014
Kay D. Scherreik
Clerk of City Council

Passed: September 15, 2014 *M. A. Aspacher*
Date President of Council

Attest: *Kay D. Scherreik*
Clerk of Council
KAY D. SCHERREIK

Approved: September 16, 2014 *Richard A. Edwards*
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

RICHARD A. EDWARDS

1st Reading: 9-15-14
2nd Reading: 9-15-14
3rd Reading: 9-15-14
RECORD OF ORDINANCES
EMERGENCY CLAUSE ADOPTED
9/15/14

Dayton Legal Brian, Inc.

Form No. 30043

Ordinance No. 8368

Passed September 15, 2014

**ORDINANCE AMENDING AND ADOPTING SECTIONS 38.02(A)&(B)
AND ADOPTING SECTION 76.16 AND AMENDING
SECTION 115.02(E)(3) OF THE CODIFIED ORDINANCES OF THE
CITY OF BOWLING GREEN, OHIO, ALL TO BRING SECTIONS OF THE
CODE INTO ALIGNMENT WITH NEWLY ADOPTED CHAPTER 98
REGARDING SIDEWALKS, AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN,
COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That Section 38.02(A) of the Codified Ordinances of the City of
Bowling Green, Ohio, be amended and adopted to read as follows:

SECTION 38.02 CLASSIFICATION OF CIVIL OFFENSES.

(A) *Class A Civil Offenses.* A person who violates a standard of conduct set
forth in a section or chapter of the Bowling Green Codified Ordinances listed below is liable
for the civil fine specified in §38.99 for a Class A Civil Offense. If a person has previously
been found to have violated the same provision of the Bowling Green Codified Ordinances
within one year that person may be charged as a second offender and on being found to
have committed a second or subsequent offense is liable for the civil fine specified in §38.99
for the first violation of a Class B Civil Offense.

- 70.15 Obeying traffic-control devices
- 72.36 Jaywalking
- 75.10 Riding on sidewalk area
- 76.16 Parking upon sidewalks, street lawns, curbs, and off-street parking**
- 90.03 Barking dogs
- 90.02 Failure to confine animals
- 90.04 Defecation of dogs on public/private property
- 90.14 Wild or dangerous animals prohibited
- 94.04 Type and number of containers; placement at curbside
- 94.21 Litter in public places
- 96.04 Open container
- ~~98.17 Off-street parking surfaces~~
- 98.24 Encumbering street or sidewalk**
- 99.20 Noxious weeds
- 115.01 Advertising on private property
- 115.02 Advertising on public property
- 115.03 Defacing or destroying notifications

Civil fines for subsequent offenses are Class B.

(B) A person who violates a standard of conduct set forth in a section or
chapter of the Bowling Green Codified Ordinances listed below is liable for the civil fine
specified in §38.99 for a Class B Civil Offense. If the provision is listed below, the otherwise
applicable civil fine is reduced by 75% if the person charged shows in accordance with
§38.04 that the violation has been corrected. If a person has previously been found to have
violated the same provision of the code within one year that person may be charged as a
second offender and on being found to have committed a second or subsequent offense is
liable for the civil fine specified in § 38.99 for the offense provided below, which fine is not
subject to reduction for correction of the violation.

- 70.40 Inoperable vehicles
- 70.41 Storage of recreational vehicles at residences
- 93.05 Fires in City of Bowling Green
- 93.52 Open burning
- 94.22 Placement of litter in receptacles
- 94.24 Merchant's duty to keep sidewalks free of litter
- 94.25 Truckloads causing litter
- 94.26 Litter on occupied private property
- 94.27 Owner to maintain premises free of litter
- 94.28 Litter or noxious weeds; notice to remove; failure to comply
- 94.29 Litter on vacant lots
- ~~98.01 Cleaning and repairing sidewalks~~
- ~~98.03 Snow and ice removal~~
- ~~98.04 Protection of pavement prior to unloading~~

- ~~98.05 Dropping or tracking substances~~
- ~~98.06 Snow and ice removal~~
- ~~98.08 Merchandising displays~~
- ~~98.12 Scattering rubbish, posters and papers on walks~~
- ~~98.13 Vehicles blocking walks or roadways~~
- ~~98.15 Awnings above sidewalks~~
- 98.21 Protection of streets and sidewalks**
- 98.22 Dropping or tracking substances on streets and sidewalks**
- 98.27 Vehicles blocking streets or sidewalks**
- 98.29 Awnings and canopies above public sidewalks**
- 119.02 Going out of business sale license
- 132.04 Disorderly conduct
- 132.13 Noise control
- 132.16 Loud sound
- 132.18 Nuisance party
- 139.05 Littering in public ways
- 139.06 Transportation of junk on public ways
- 139.10 Indoor Clean Air Act

Civil fines for subsequent offenses are Class C.

SECTION 2: That Section 76.16 of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby adopted to read as follows:

SECTION 76.16 PARKING UPON SIDEWALKS, STREET LAWNS, CURBS AND OFF-STREET PARKING.

- (A) No person shall park in the devil strip or street lawn area, except in areas where parking is authorized by the safety director. If a request for parking in the devil strip or street lawn is denied by the safety director such decision may be appealed to city council in its regular session, which may affirm the decision of the safety director or grant the request.
- (B) No person shall stand or park a motor vehicle on a sidewalk in the devil strip or street lawn area, except in areas where parking is authorized under this section.
- (C) Any off-street parking or loading space or driveway or storage area, for its entire length and area, shall be of a hard, dustless surface (asphalt, concrete, or brick paving blocks) and drained according to sound engineering practices, and acceptable to the city engineer, except those located in an M District having been granted a variance by the Zoning Board of Appeals and §150.132(E)(5).
- (D) No person, firm, or corporation shall park or allow parking of any vehicle while the property where that vehicle is parked is not in compliance with division (A) of this section.
- (E) Whoever violates this section is guilty of a minor misdemeanor.

SECTION 3: That Section 115.02(E)(3) of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

SECTION 115.02 ADVERTISING ON PUBLIC PROPERTY.

(E) Permits, insurance and fees.

(3) A permit fee in the amount of \$35.00 shall be paid to the City for all other applications.

SECTION 2: This ordinance shall take effect as an emergency measure. The reason for the emergency is that the prompt implementation of this ordinance is necessary in order to bring these sections of the Code into alignment with newly enacted sidewalk regulations, thereby protecting the public safety, health and well-being of our citizens.

Passed: September 15, 2014 [Signature]
Date President of Council

MICHAEL A. ASPACHER

Attest: [Signature]
Clerk of Council

KAY D. SCHERREIK

Approved: September 16, 2014 [Signature]
Date Mayor

RICHARD A. EDWARDS

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8368 passed by the Council of the City of Bowling Green, Ohio, Sept. 15, 2014
[Signature]
Clerk of City Council

MICHAEL J. MARSH
CITY ATTORNEY
kds