Mitch Rhodus
Mayor

Tim Meyers
Councilmember, At-Large

Matt Davidson
Councilmember, At-Large

Gwen Brill
Councilmember, At-Large

Leslie Besl
Councilmember, 1st Ward

Dale Paullus
Councilmember, 2nd Ward

Debbie Pennington
Councilmember, 3rd Ward

Adam Kraft
Councilmember, 4th Ward

CITY OF FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, AUGUST 12, 2024 7:00 PM
5350 PLEASANT AVENUE, FAIRFIELD, OH 45014

Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

1. COUNCIL-MANAGER BRIEFING

A. 6:30 PM - Fairfield Sustains

2. BUSINESS MEETING CALL TO ORDER

3. PRAYER/PLEDGE OF ALLEGIANCE

A. Councilmember Matt Davidson

4. ROLL CALL

5. AGENDA MODIFICATIONS

6. EXECUTIVE SESSION REQUESTS

7. SPECIAL PRESENTATIONS

a. Police Department Oath of Office

Sergeant Ryan Fleenor
Sergeant Jacob Sons
Officer Tre Foster

b. Fire Department Oath of Office

Firefighter Daniel Gault
Firefighter Ross Kraft
Firefighter Daniel Steed

c. Council on Aging Update - Nan Cahall & Shawn Cowan

8. CITIZEN COMMENTS

9. COUNCIL REPORTS

10. PUBLIC HEARING(S)

a. Joint Public Hearing - QuikTrip Re-zoning

b. Joint Public Hearing - Marijuana Zoning Code Amendments

11. APPROVAL OF MINUTES

a. Regular Meeting held July 8, 2024

12. OLD BUSINESS

A. <u>DEVELOPMENT SERVICES</u>

Councilmember Matt Davidson

1. Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01 (B)(2), the City of Fairfield, Ohio, Zoning Map by approving the concept and final development plan for the Wawa Planned Unit Development.

   - Planning Commission recommendation received (see attached)
   - Motion - withdraw per applicant request (see attached documentation)

2. Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map.

   - Legislation - Hold second reading pending Planning Commission recommendation

3. Ordinance to amend Sections 1131.10, 1131.12 and 1171.02 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio to enact zoning provisions regarding marijuana cultivation, processing, testing laboratories and dispensaries and to place a limit of one (1) on the number of business locations operating as Adult Use and Medical Dispensaries permitted within the City of Fairfield.

   - Legislation - Hold second reading pending Planning Commission recommendation

B. <u>PUBLIC UTILITIES</u>

Councilmember Debbie Pennington

1. Ordinance to authorize the City Manager to approve and adopt Fairfield's Sustainability Plan called "Fairfield Sustains" plan dated June 27, 2024

   - Legislation - Second Reading

13. NEW BUSINESS

Motion to read all New Business by title only.

A. PARKS, RECREATION AND ENVIRONMENT

City Manager Scott Timmer - Report

Councilmember Leslie Besl

1. Ordinance to authorize the City Manager to execute a contract with Mt. Pleasant Blacktopping Company, Inc. for the 2024 South Trace Cart Path Resurfacing Project and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

B. PUBLIC SAFETY

City Manager Scott Timmer - Report

Councilmember Dale Paullus

1. Ordinance to adopt new Sections 331.45, 337.34, 505.19, 509.10 and 521.19 and amend various other Sections of the Traffic and General Offenses Codes of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

2. Ordinance to amend Chapter 739 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio relative to Medical Marijuana and Adult Use Cannabis Control and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

C. PUBLIC UTILITIES

City Manager Scott Timmer - Report

Councilmember Debbie Pennington

1. Ordinance to authorize the City Manager to enter into a contract with Building Crafts, Inc. for completion of the Sodium Hypochlorite and Fluoride System Improvements Project at the City's Water Treatment Plant, and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

D. PUBLIC WORKS

City Manager Scott Timmer - Report

Councilmember Adam Kraft

1. Ordinance to authorize the City Manager to execute a contract for purchase of road salt from Morton Salt, Inc.

   - Legislation - First Reading

E. FINANCE & BUDGET

City Manager Scott Timmer - Report

Councilmember Gwen Brill

1. Ordinance to reaffirm the City Manager's authority to execute renewal agreements for medical/pharmacy and dental plans, stop loss and run out claims processing for the period beginning August 1, 2024 through July 31, 2025 and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

2. An ordinance determining to reduce and recertify special assessments levied for the purpose of constructing certain improvements and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

3. Ordinance to amend Ordinance No. 166-23 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024."
   Contractual Appropriations: $2,300,000 for system improvements at Water Treatment Plant; $600,000 for South Trace cart path resurfacing project; $140,000 for additional funding 2024 Asphalt resurfacing project (existing contract).

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

4. Ordinance to amend Ordinance No. 166-23 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024."
   Non-Contractual Appropriations: $14,900 for Winton/Mack water tower cleaning; $40,000 for automatic meter reading supplies; $51,250 for engineering for solar field project; $25,000 for video and sewer cleaning equipment supplies; $5,000 for

Water Division level sensors; $28,954 for additional video wall panels.

- Legislation - First Reading
- Motion - Suspend Second and Third Readings
- Motion - Adoption

14. MEETING SCHEDULE

A. Monday, September 9 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

B. Monday, September 23 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

C. Tuesday, October 15 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

15. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

16. ADJOURNMENT

Fairfield City Council
August 2, 2024

Public Hearing Notice

All property owners and citizens of Fairfield, Ohio are hereby notified that a joint public hearing between the Planning Commission and City Council has been scheduled for Monday, August 12, 2024 at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio 45014. The purpose of the hearing is to solicit citizen input regarding a rezoning of 0.4099 acres of lot number 14216 from M-2, General Industrial zoning district, to C-3A, General Business Modified zoning district.

Parties wishing to review the application may do so by visiting the Development Services Department located at the Fairfield Municipal Building. Questions may be directed to the department by telephone at (513) 867-5345 or via e-mail at development@fairfield-city.org. The department is open Monday through Friday, between the hours of 8:00 AM and 5:00 PM.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, August 2, 2024

Attachment: JPH Notice - Quik Trip Re-zoning (4030 : Joint Public Hearing - QuikTrip Rezoning)

Fairfield City Council
August 2, 2024

Public Hearing Notice

All property owners and citizens of Fairfield, Ohio are hereby notified that a joint public hearing between the Planning Commission and City Council has been scheduled for Monday, August 12, 2024 at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio 45014. The purpose of the hearing is to solicit citizen input regarding modifications to Sections 1131.10 (Non-Residential Districts Use Table and Standards), 1131.12 (Non-Residential Districts Use Specific Standards) and 1171.02 (Defined Words) of the Planning and Zoning Code as part of the Fairfield Codified Ordinances.

Parties that wish to review the proposed changes may do so by visiting the Development Services Department located at the Fairfield Municipal Building. Questions may be directed to the Department by telephone at (513) 867-5345 or via e-mail at development@fairfield-city.org. The Department is open Monday through Friday, between the hours of 8:00 AM and 5:00 PM.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, August 2, 2024

City of Fairfield
Minutes
Regular Meeting of City Council
July 8, 2024

Council-Manager Briefing

A. 6:00 PM - Butler County Finance Authority

Mayor Rhodus called the briefing to order at 6:00 PM. Councilmembers present: Leslie Besl, Dale Paullus, Adam Kraft, Tim Meyers and Gwen Brill.

Staff members present: Scott Timmer, Laurie Murphy, Alisha Wilson, Steve Wolterman, Greg Kathman, Steve Maynard, Tom Lakamp, Chris Hacker, Chris Addison, Ben Mann and Carol Mayhall.

Butler County Finance Authority CEO Joshua Smith presented an overview of the organization and his upcoming goals since he took the position earlier in the year. He discussed ways that the BCFA can partner with the City for economic development.

Business Meeting Call to Order

Mayor Rhodus called the Regular Meeting to order at 7:00 PM.

Prayer/Pledge of Allegiance

Councilmember Brill led in prayer and Pledge of Allegiance.

Roll Call

Councilmembers present included:

Attendee Name	Title	Status	Arrived
Tim Meyers	Councilmember, At-Large	Present	
Matt Davidson	Councilmember, At-Large	Excused	
Gwen Brill	Councilmember, At-Large	Present	
Leslie Besl	Councilmember, 1st Ward	Present	
Dale Paullus	Councilmember, 2nd Ward	Present	
Debbie Pennington	Councilmember, 3rd Ward	Excused	
Adam Kraft	Councilmember, 4th Ward	Present	
Mitch Rhodus	Mayor	Present	

Councilmember Meyers, seconded by Councilmember Paullus, moved to excuse Councilmembers Pennington and Davidson. Motion carried 5-0.

Agenda Modifications

None.

Executive Session Requests

None.

Special Presentations

a. Fire Department Oath of Office

Mayor Rhodus administered the ceremonial oath of office to Lieutenant Mark Bittner and Lieutenant Brendan McCarty. Chief Lakamp gave a brief background of each of their careers and congratulated them on their promotions.

Citizen Comments

None.

Council Reports

Public Hearing(s)

2025 Tax Budget Public Hearing

Mayor Rhodus called the public hearing to order at 7:18 PM. Clerk Wilson read the hearing notice. There were no comments. Mayor Rhodus closed the public hearing at 7:18 PM.

Joint Public Hearing - Wawa PUD

Mayor Rhodus opening the Joint Public Hearing at 7:18 PM. Roll call of Planning Commission. Members present: Martin Medler, Don Hassler, Scott Lepsky and Tanner Meyers. Commissioner Lepsky, seconded by Commissioner Hassler, moved to excuse Commissioners O'Brien, Davidson and Robertson. Clerk Wilson read the hearing notice. Development Services Director Greg Kathman and Planning Manager Erin Lynn presented an overview of the project, along with representatives from the developer and Wawa. See attached slides.

Gary Webb, 54 Carousel Circle - is this process to get citizen feedback or for citizens to be informed? Mayor Rhodus answered that it is to get citizen feedback. One concern that only one way out on John Gray to turn left or right and that road backs up to Walgreens regularly, so he's concerned people will turn right to turn around at Carousel Circle and it will impact his property.

John Burton, 19 Carousel Circle - has heard a lot about why it's good for Wawa and not bad for the residents, but has not heard why it is good for the residents. In law enforcement with Colerain Township and sees a lot of robberies and issues at surrounding gas stations. He is concerned to see that happen at Wawa and that the issues will spill over into the neighborhood with people running through the neighborhood to get away.

John Camardo, 6346 Greenbriar Drive - concerned to see that area turned into Colerain Avenue and abandoned property. He is concerned for the small business down the street that won't be able to compete, as well as over-developing the area with too many businesses. He feels that the green space should be left alone because there are plenty of other gas stations in the area. Asked for each councilmember to consider if they would want to live behind that property when they vote. The renderings look nice but they are not the real picture of what the property will look like.

Mike Keller, 13 Carousel Circle - lived in the city since before it was a city and has seen what happens when these businesses go into the city. He suggests talking to the police about the impact of a 24/7 business in a residential area, as well as the traffic issues. He would also like to know the impact on the value of the homes in the area.

Bill Roth, 1622 Oak Valley Drive - resident for 50 years and seen a lot of changes. He was shocked to hear that there are already several other Wawa stations going in other areas of the City. He is offended that Wawa would come in and invade the City and the state because we don't need another gas station in this city. There is no need because he never waits for a gas pump anywhere in the City. He doesn't need Wawa to come in and tell us what we need in our City. He thinks the City should wait to see what happens with the other locations before approving another one in a residential area. He hopes it is not approved.

Scott Bollinger, 174 Cole Drive - the distance between the store and the property line is nothing. He appreciates the land donation but knows that it is only because it costs more to develop than what they have.

Josh Large, 29 Carousel Circle - he already sees lights from other businesses in his backyard and his yard floods often, to the point that he can kayak in his backyard. Who will be responsible when additional development floods his property?

Greg Sander, 28 Carousel Circle - was told not to worry about the storm drain when he bought the property and when the property floods, it comes within 10 feet of his in-ground pool and shed and he is concerned that it will increase when the vegetation is taken out. He does not see that another gas station is for the betterment of the people of the City of Fairfield. What is so special about that corner with all of the issues that the property has? Also concerned about the 24/7 lighting.

Mayor Rhodus closed the public hearing at 8:53 PM. He called a brief recess and resumed the meeting at 8:58 PM.

Approval of Minutes

The Regular Meeting Minutes of June 10, 2024 were approved as written and submitted.

OLD BUSINESS

Development Services

Councilmember Matt Davidson

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01 (B)(2), the City of Fairfield, Ohio, Zoning Map by approving the concept and final development plan for the Wawa Planned Unit Development.

Recommendation:
It is recommended that City Council have a first reading on this item at the June 10, 2024 meeting, set the joint public hearing date for July 8, and await the written recommendation from the Planning Commission.

Second reading was held pending Planning Commission recommendation.

RESULT:	**TABLED [UNANIMOUS]**	**Next: 8/12/2024 7:00 PM**
AYES:	Meyers, Brill, Besl, Paullus, Kraft	
EXCUSED:	Davidson, Pennington	

NEW BUSINESS

Councilmember Besl, seconded by Councilmember Kraft, moved to read all New Business by title only. Motion carried 5-0.

Development Services

City Manager Scott Timmer - Report

Councilmember Matt Davidson

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map.

Recommendation:
It is recommended that City Council have a first reading on this item at the July 8, 2024 meeting, set the joint public hearing for August 12, and await the written recommendation from the Planning Commission.

Councilmember Brill presented the first reading of this ordinance and set the public hearing date for August 12, 2024.

RESULT:	**FIRST READING**	**Next: 8/12/2024 7:00 PM**

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to execute a Development Agreement with JANAKA LTD PRT relative to signage improvements at 2310-40 Mack Road, and declaring an emergency.

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

ORDINANCE NO. 79-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to amend Sections 1131.10, 1131.12 and 1171.02 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio to enact zoning provisions regarding marijuana cultivation, processing, testing laboratories and dispensaries and to place a limit of one (1) on the number of business locations operating as Adult Use and Medical Dispensaries permitted within the City of Fairfield.

Recommendation:
At the City Council direction, the Law Department has drafted legislation to amend the City of Fairfield Zoning Code to permit marijuana cultivation, processing, testing laboratories and dispensaries subjected to appropriate limitations upon the location and number of said uses.

Councilmember Brill presented the first reading of this ordinance and set the public hearing date for August 12, 2024.

RESULT:	**FIRST READING Next: 8/12/2024 7:00 PM**

Parks, Recreation and Environment

City Manager Scott Timmer - Report

Councilmember Leslie Besl

Motion to Suspend Second and Third Readings

Councilmember Besl presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Leslie Besl, Councilmember, 1st Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to execute a contract with Digital Visions for the Parks Security and Cameras upgrade and declaring an emergency.

ORDINANCE NO. 80-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Leslie Besl, Councilmember, 1st Ward
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Public Safety

City Manager Scott Timmer - Report

Councilmember Dale Paullus

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Hot & Spicy LLC dba Hot N Spicy Restaurant & bar, 4623 Dixie Highway, Fairfield, OH 45014 (Permit Class D1, D2, D3 & D6).

Recommendation:
It is recommended that City Council request, by simple motion, that **no hearing be held** on the liquor permit application in the name of Hot & Spicy LLC dba Hot N Spicy Restaurant & bar, 4623 Dixie Highway, Fairfield, OH 45014 (Permit Class D1, D2, D3 & D6).

SIMPLE MOTION NO. 13-24. APPROVED 5-0.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Resolution to accept and approve the material terms of the proposed settlement with Kroger Co. consistent with the terms of the National Opioid Settlement Agreement and authorize the City Manager to execute a subdivision participation and release form and declaring an emergency.

Recommendation:
It is recommended that Council adopt a resolution approving the proposed settlement with Kroger. The settlement is explained in the attached Exhibit 1.

RESOLUTION NO. 8-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Public Utilities

City Manager Scott Timmer - Report

Councilmember Debbie Pennington

Motion to Suspend Second and Third Readings

Councilmember Meyers presented the first reading of this resolution.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Resolution authorizing all actions necessary to affect a governmental natural gas aggregation program and declaring an emergency

Recommendation:
It is recommended that City Council authorize the City Manager to enter into a natural gas aggregation agreement with a natural gas supplier, in consultation with Energy Alliances, Inc., provided that the aggregation rate is below the current Duke Energy Ohio Gas Cost Recovery rate, for a period not to exceed 12 months.

RESOLUTION NO. 9-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to approve and adopt Fairfield's Sustainability Plan called "Fairfield Sustains" plan dated June 27, 2024

Recommendation:
It is recommended that City Council introduce and then adopt the 'Fairfield Sustains' plan, dated 6/27/2024.

Councilmember Meyers presented the first reading of this ordinance.

RESULT:	**FIRST READING Next: 8/12/2024 7:00 PM**

Public Works

City Manager Scott Timmer - Report

Councilmember Adam Kraft

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Leslie Besl, Councilmember, 1st Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to execute a contract with Proshot Concrete for Emergency Drainage Repair on Roesch Boulevard and on Resor Road and declaring an emergency.

Recommendation:
It is recommended that funding be appropriated from the Capital Improvement Fund as described in the Financial Impact and that Council authorize the City Manager to utilize the State of Ohio Department of Transportation Contract through purchase order.

ORDINANCE NO. 81-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to execute a contract with Adleta Construction for construction of the Proposed Sidewalk along west side of Ross Road between Cheryl Drive and Cherry Hill Drive and declaring an emergency.

Recommendation:
It is recommended that funding be appropriated in the amount of $320,000.00 as described in the financial impact section for the proposed sidewalk project. It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a construction contract with Adleta Construction for this project.

ORDINANCE NO. 82-24. APPROVED 5-0.

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to execute a contract with CMT Inc for engineering of the Route 4 Sidewalk Design between Bypass 4 and South Gilmore and a Segment North of Symmes and declaring an emergency

Recommendation:
It is recommended that City Council authorize the funding in the amount shown in the Financial Impact section. It is further recommended that the City Council authorize the City Manager to enter into contract with CMT Inc of Dayton, Ohio for the engineering described in the Background section.

ORDINANCE NO. 83-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to enter into an Intergovernmental Agreement (IGA) with Butler County Transportation Improvement District (BCTID) for Tylersville and Seward Intersection improvements and declaring an emergency.

Recommendation:
It is recommended that City Council authorize the preparation of legislation for the City Manager to execute an agreement with the Butler County Transportation Improvement District for the Tylersville and Seward Intersection Improvement project.

ORDINANCE NO. 84-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to enter into a contract with Horton Emergency Vehicles Co. for the purchase of a Horton Ambulance to be used by the Fire Department and declaring an emergency.

Recommendation:

It is recommended that the City Council authorize and direct the preparation of legislation authorizing the appropriation of funding in the amount of $450,000 from the Capital Improvement Fund for this purchase.

ORDINANCE NO. 85-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to declare three (3) pieces of city equipment as surplus and authorize the City Manager to execute an agreement with GovDeals.com to sell the pieces of equipment.

ORDINANCE NO. 86-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to authorize the City Manager to execute a contract with Rack and Ballauer for the Tylersville and Seward Intersection Roundabout Project and declaring an emergency.

Recommendation:
It is recommended that City Council approve legislation for an appropriation of funding for the amounts shown above. It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a contract with Rack and Ballauer of Hamilton, Ohio for the Tylersville and Seward Intersection Project.

ORDINANCE NO. 87-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Finance & Budget

City Manager Scott Timmer - Report

Councilmember Gwen Brill

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this resolution.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Resolution adopting the tax budget of the City of Fairfield, Ohio, for the fiscal year beginning January 1, 2025 and submitting the same to the Butler County Auditor and declaring an emergency.

Recommendation:
It is recommended that the City Council hold a Budget Hearing on July 8, 2024,to discuss the 2025 Tax Budget. It is recommended that City Council authorize and direct the preparation of a resolution, and pass the resolution approving the 2025 Tax Budget on July 8, 2024.

RESOLUTION NO. 10-24. APPROVED 5-24.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to amend Ordinance No. 166-23 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024."

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 88-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Ordinance to amend Ordinance No. 166-23 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024."

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 89-24. APPROVED 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Kraft
EXCUSED:	Davidson, Pennington

Meeting Schedule

Clerk Wilson read the following meeting schedule:

A. Monday, August 12 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

B. Monday, September 9 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

C. Monday, September 23 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

None.

16. ADJOURNMENT

The Regular Meeting adjourned at 9:25 PM.

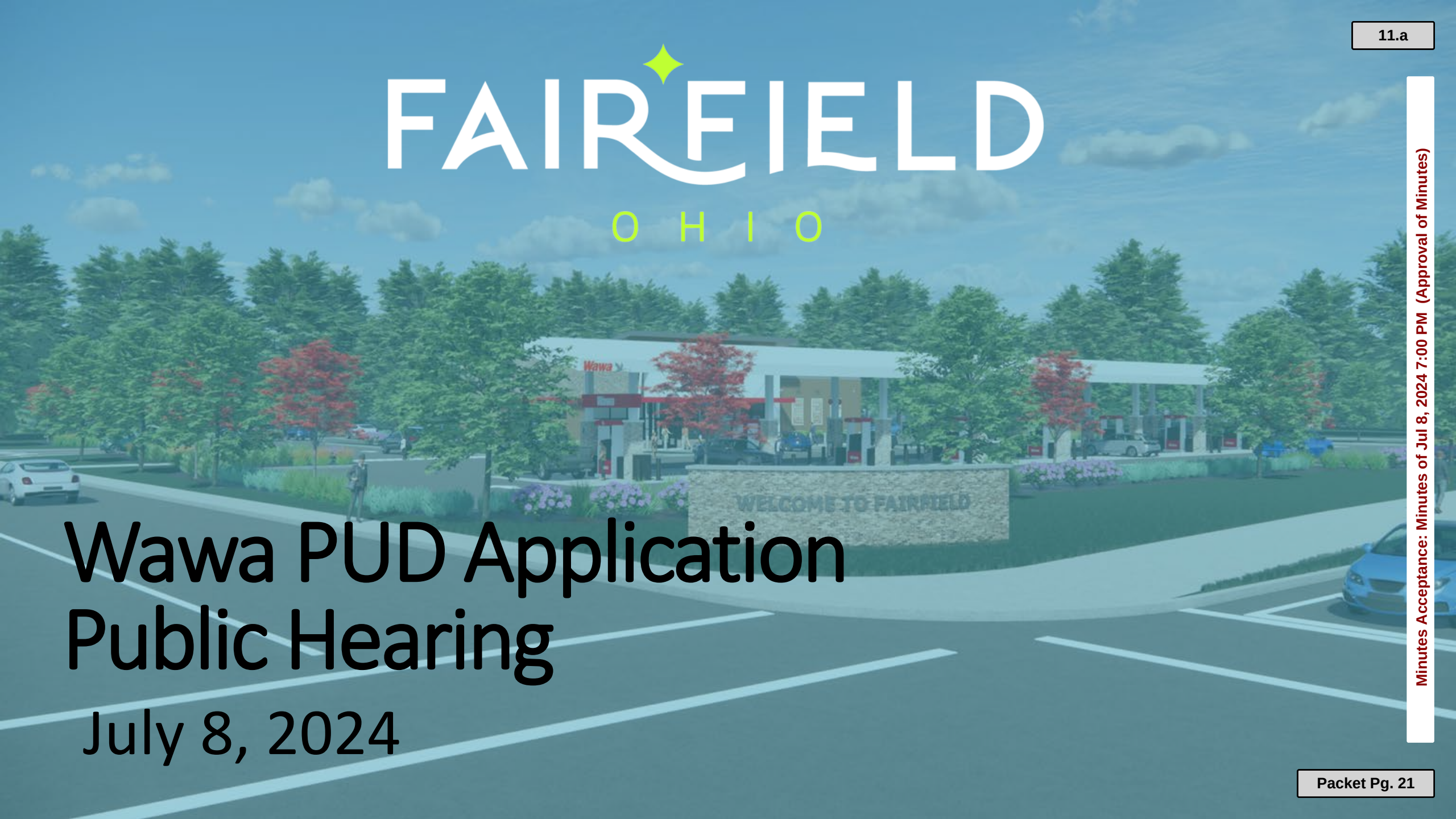
ATTEST:

_____
Clerk of Council

_____
Mayor's Approval

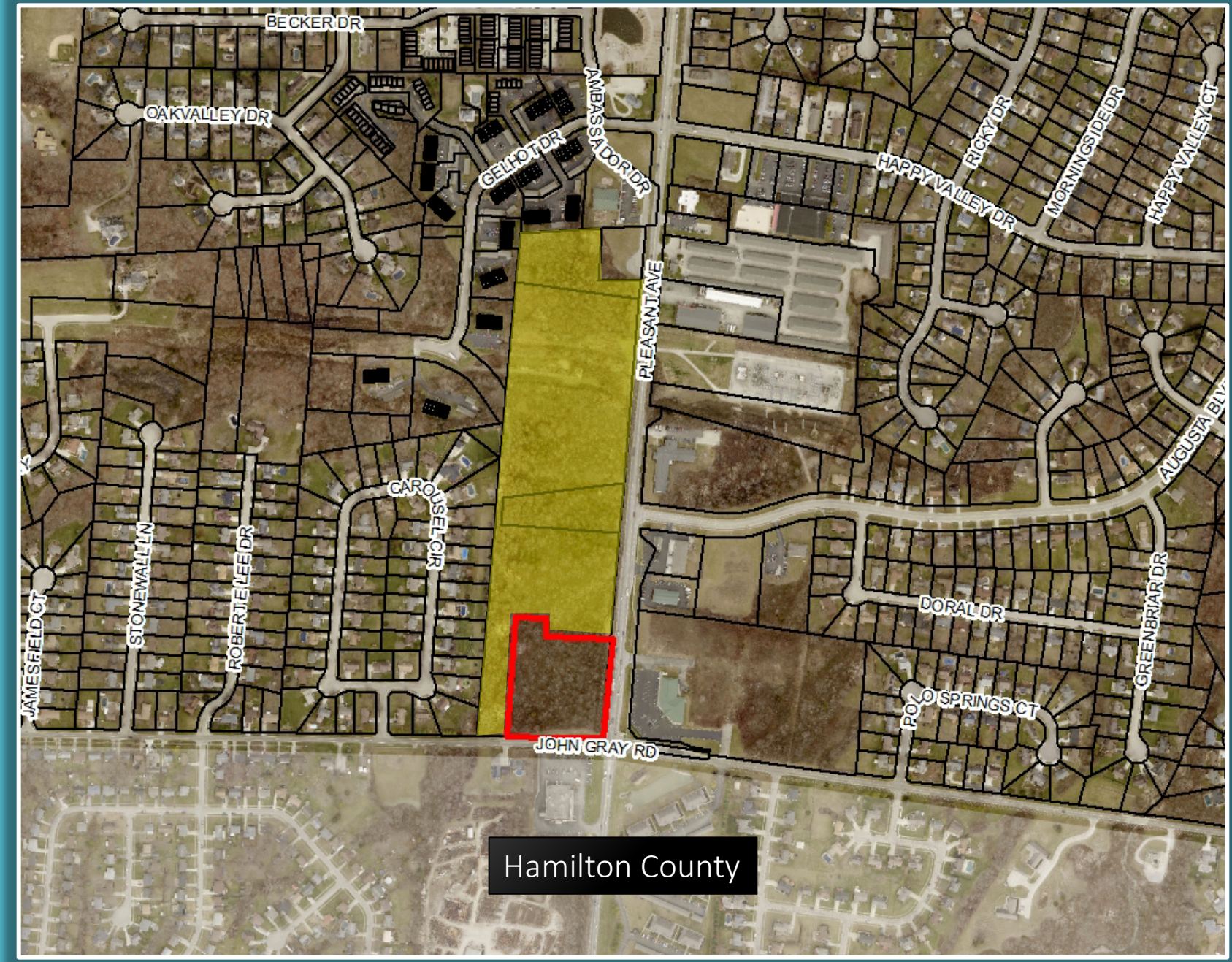
Date Approved_____

FAIRFIELD
OHIO



Wawa PUD Application Public Hearing

July 8, 2024



Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Planned Unit Development (PUD)

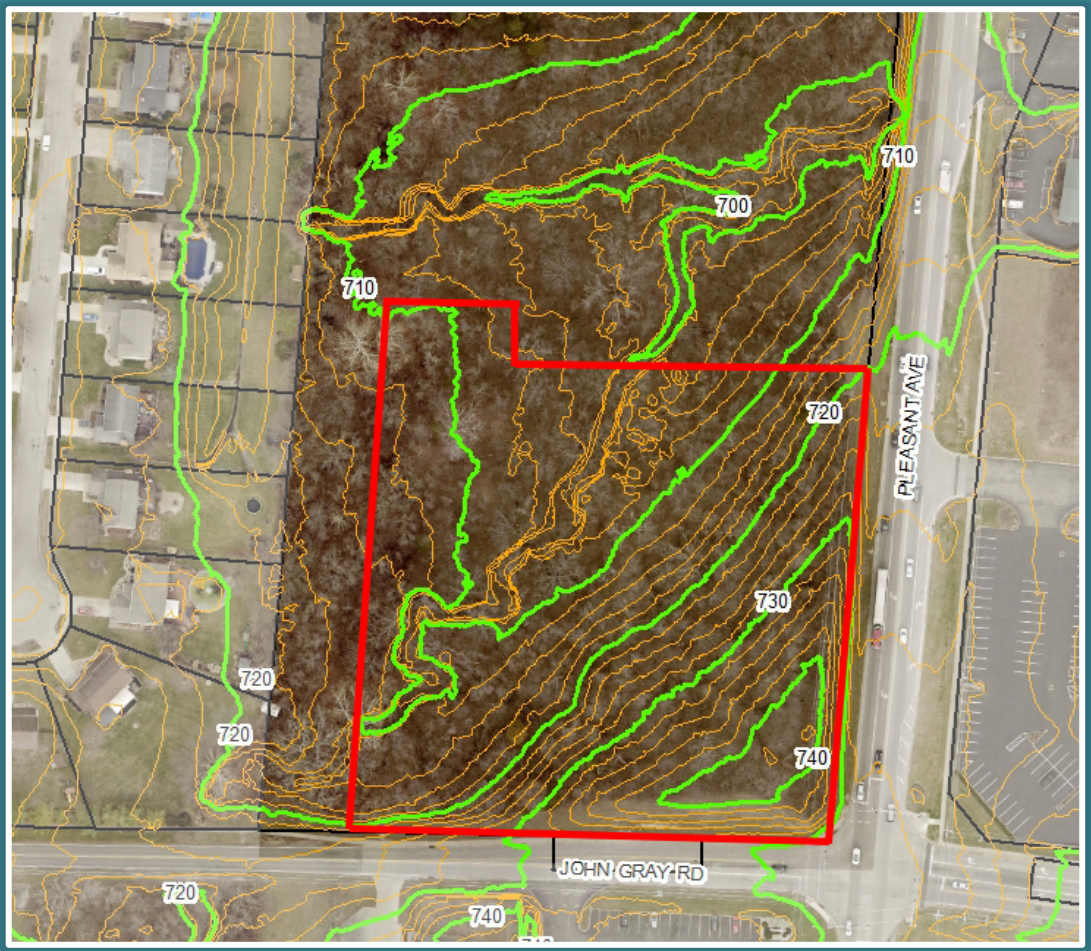
What is a Planned Unit Development?

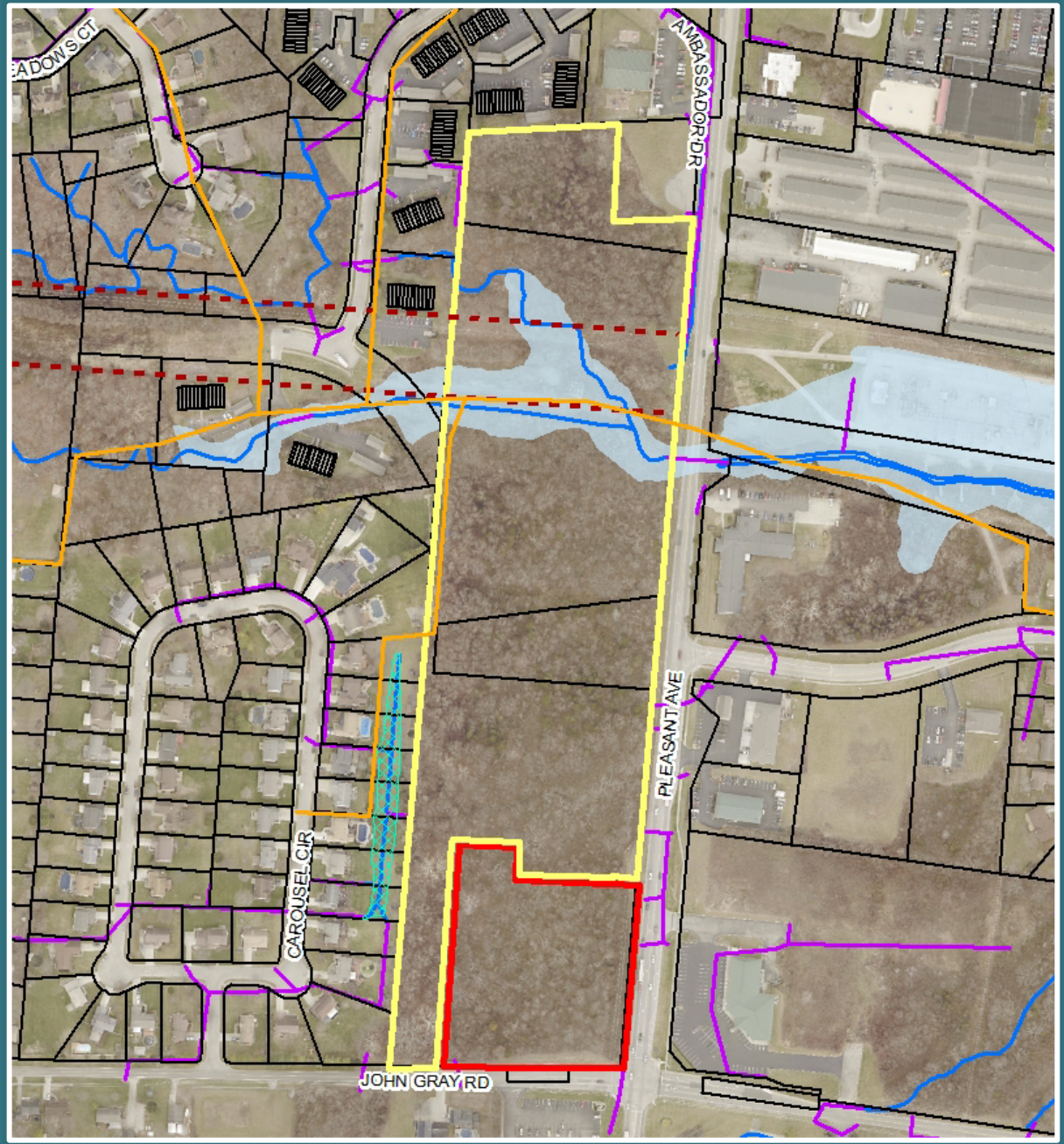
- Deviation from the standard zoning district regulations
- Allows for creative approaches to meet unique land and/or building demands
- City Council can require additional provisions (screening, open space, signage, lighting, etc.) than may otherwise be required by the zoning code

- Concept Development Plan
  - Conceptual design of the overall project
  - Rezoning of the property
- Final Development Plan
  - Specific design elements of the project

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Site Topography



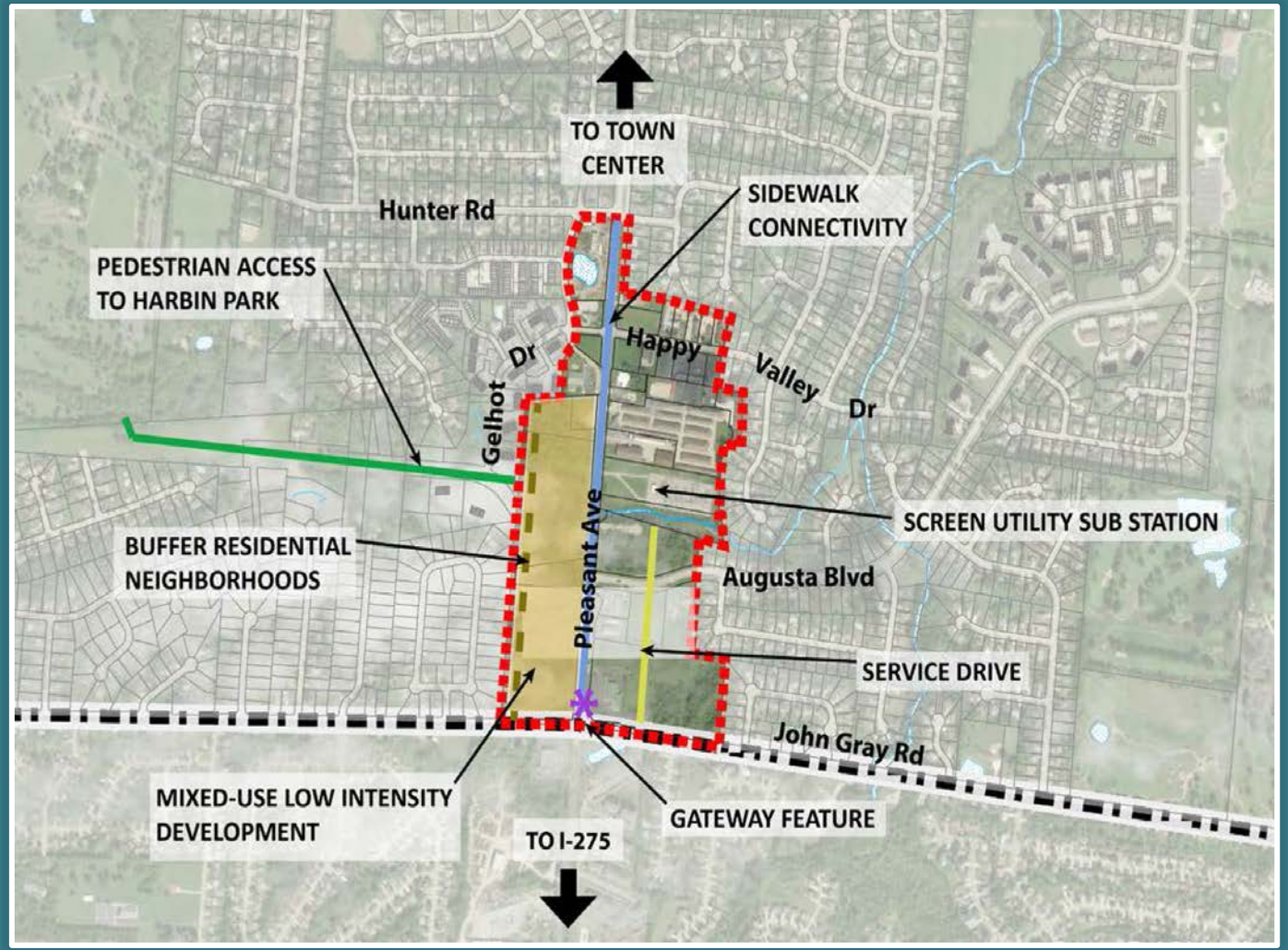


Utilities and Flood Zone

- Electric Easement
- Waterway
- Sanitary Sewer
- Stormwater
- 100 Year Flood Zone
- Detention Basin

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Fairfield Forward

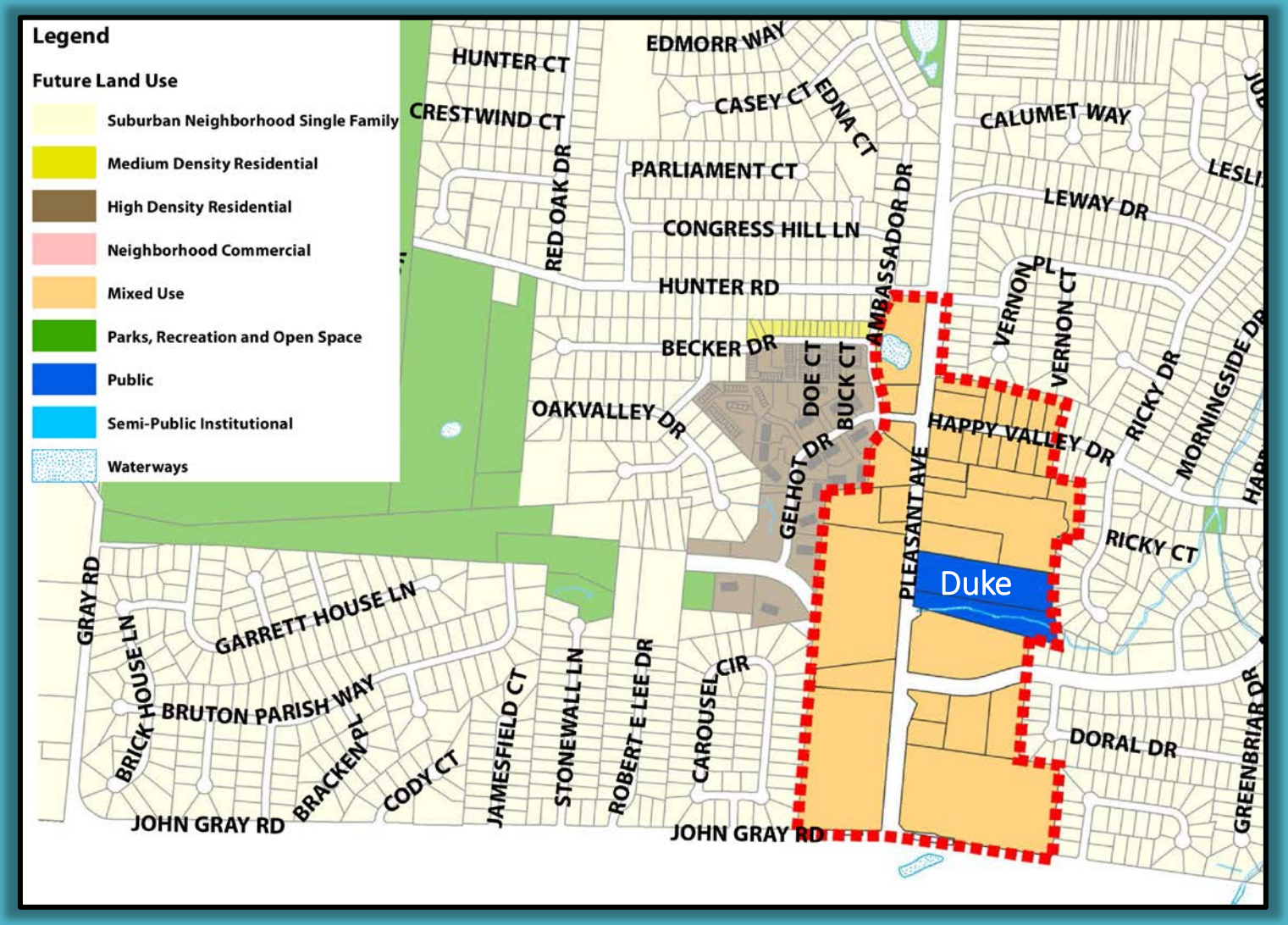


John Gray/Pleasant Small Area

- City gateway
- Well-design, small-scale mixed use area
- Supported by low intensity retail and services that support the surrounding neighborhoods, and low to medium density residential uses
- Discourage automobile related businesses
- Strong buffering requirements

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Fairfield Forward Land Use Map



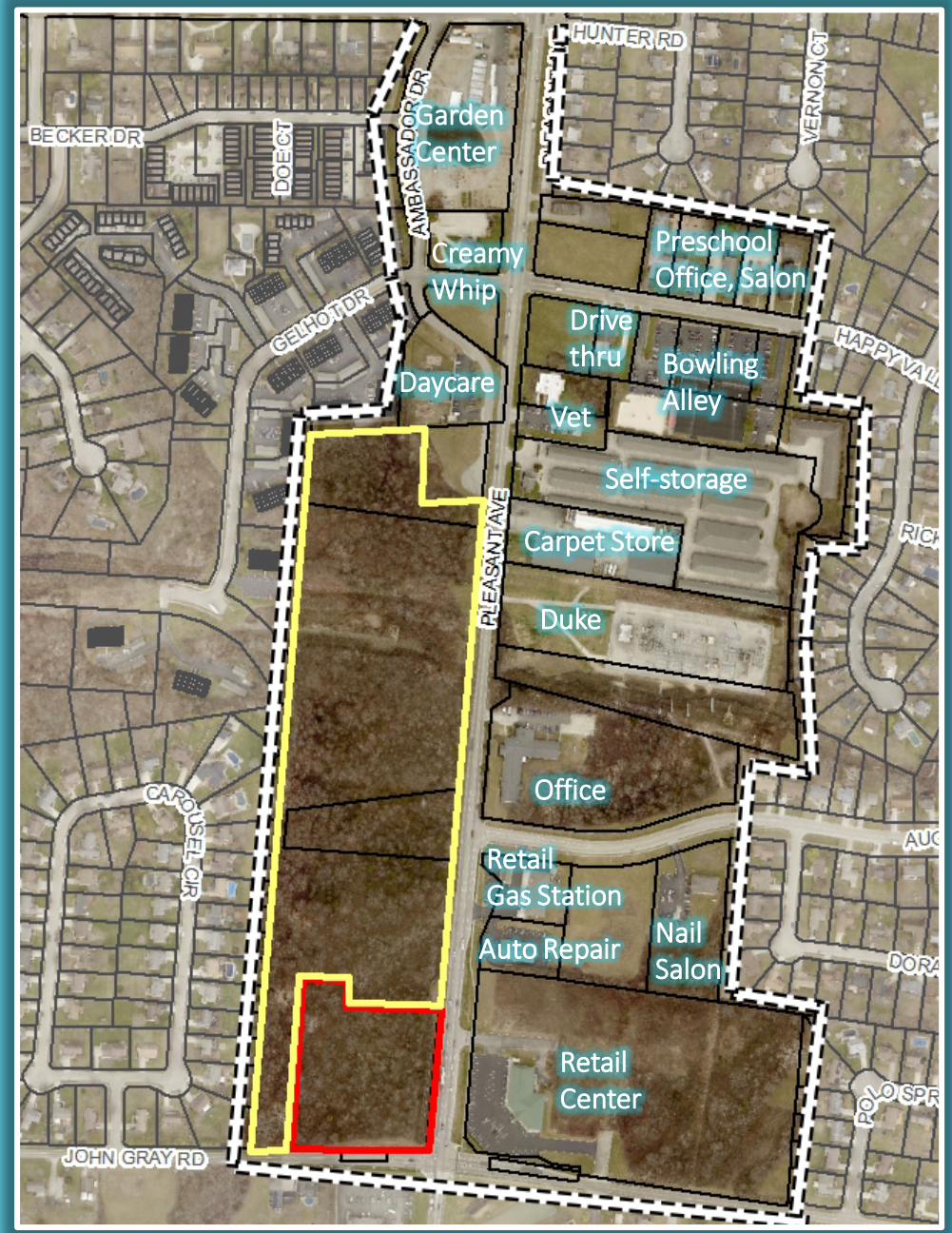
Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Zoning

A-1	Agriculture and Estate
R-0	Single-family
R-1	Single-family
R-4	Low Density Multi-family
B-1	Institution and Office
C-1	Neighborhood Business
C-2	Central Business
C-3	General Business

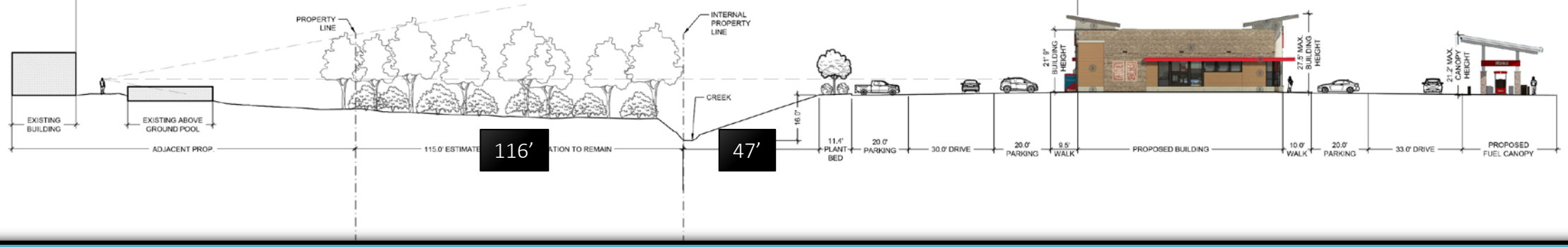
Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Existing Uses



Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

352 feet distance between existing home and Wawa convenience store



116’

47’

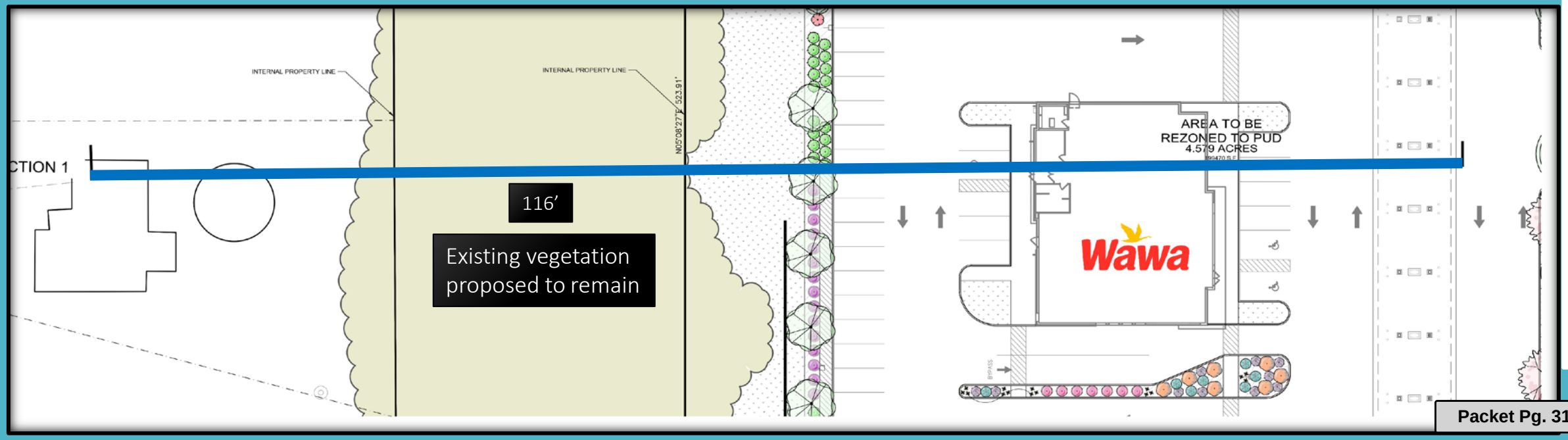
House

Pool

Property Line

Property Line

Parking Lot



116’

Existing vegetation proposed to remain

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Traffic Concerns

- Traffic Impact Study completed by TEC Engineering Inc.
- Analysis indicates 506 trips in the AM peak and 430 in the PM peak
- Level of Service (LOS) for the intersection
    - Measures delay on a scale of A (no delay) to F (congestion)
    - Existing – B in the AM peak, C in the PM peak
    - With Wawa – C in the AM peak, remains C in the PM peak
    - 2045, with or without Wawa – C in the AM and D in the PM
    - 2045 worst impact – eastbound left turns from John Gray to Pleasant
    - Recommendation – construct a future 200’ southbound right turn lane from Pleasant onto John Gray to allow for signal timing modifications

Recommendations From City Engineer

1. Dedicate additional ROW as needed
2. Full access on John Gray across from Walgreens
3. Right-in/Right-out access only on Pleasant
4. Widen John Gray to accommodate a longer two way left turn lane
5. Ensure nothing is built in area where future southbound right turn may be constructed
6. Build a multi-use path along Pleasant frontage per Fairfield Connects plan

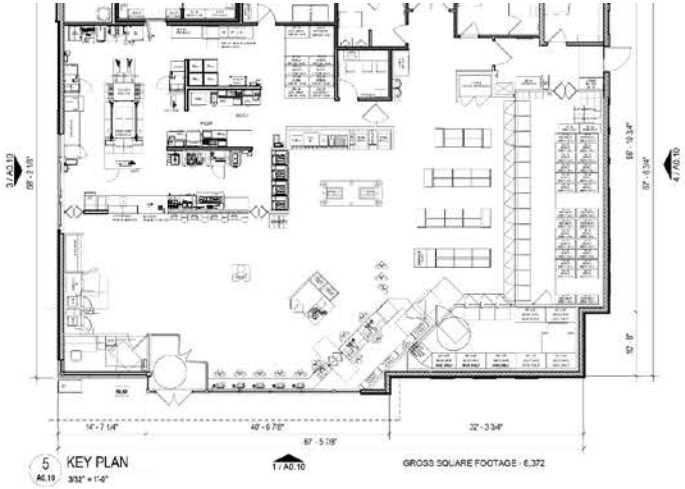
Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

1 FRONT ELEVATION

Pleasant Avenue

2 REAR ELEVATION

Rear



5 KEY PLAN

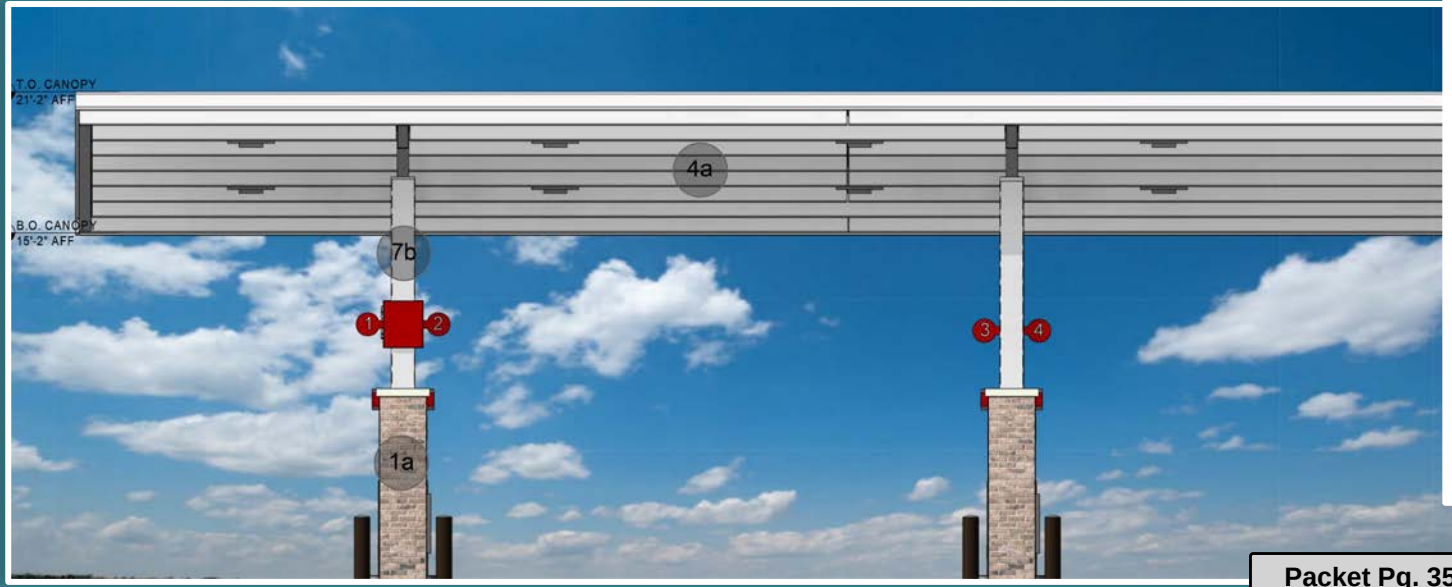
MATERIALS:

John Gray

North

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Wawa
Wawa
Wawa
Wawa
Wawa


T.O. CANOPY
21'-2" AFF
B.O. CANOPY
15'-2" AFF
4a
7b
1
2
3
4
1a

Wawa
WELCOME TO FAIRFIELD

Wawa

Walgreens
Wawa

FAIRFIELD OHIO

Project Information

www.Fairfield-city.org/162/development-services

- Meeting Schedule
- Aerial of the site
- Site Plan
- Elevations
- Traffic Impact Study
- Staff Reports
- Presentation Slides

Meeting Schedule

June 10, 2024 – Council 1st Reading

July 8, 2024 – Joint Public Hearing, 7:00 pm

July 10, 2024 – Planning Commission, 6:00 pm

July 24, 2024 – Planning Commission (2nd meeting if needed)

August 12, 2024 – Council 2nd Reading, 7:00 pm

September 9, 2024 – Council 3rd Reading, 7:00 pm

Questions or Comments?

PUD Zone Map Amendment and Concept Development Plan

- John Gray Road at Pleasant Avenue
- Vacant – 24.1 Acres
  - 4.6 Acres for Wawa store at intersection
  - 19.5 Acres donated to City of Fairfield
- STNL Development – developer
- John & Paul McGilliard – owners
- Bayer Becker – project engineer
- McBride Dale Clarion – planner
- Wawa store – future tenant

WAWA
CONCEPT DEVELOPMENT PLAN
JOHN GRAY RD & PLEASANT AVE
SECTION 2, TOWN 1, RANGE 2 BTM
CITY OF FAIRFIELD
BUTLER COUNTY, OHIO

GENERAL NOTES

A. ITEM NUMBERS REFER TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) CONSTRUCTION AND MATERIAL SPECIFICATIONS (CURRENT EDITION) AND ALL CONSTRUCTION WORK SHALL BE DONE ACCORDING TO SAID SPECIFICATIONS AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF THE CITY OF FAIRFIELD. WHEN IN CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL GOVERN.

B. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION AND ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION OR EARTH MOVING OPERATIONS.

C. FORTY-EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTOR SHALL NOTIFY THE OHIO UTILITY PROTECTION SERVICE (OUPS) AND ALL OTHER AGENCIES WHICH MAY HAVE UNDERGROUND UTILITIES INVOLVED IN THIS PROJECT AND ARE NOT MEMBERS OF OHIO UNDERGROUND PROTECTION, INC.

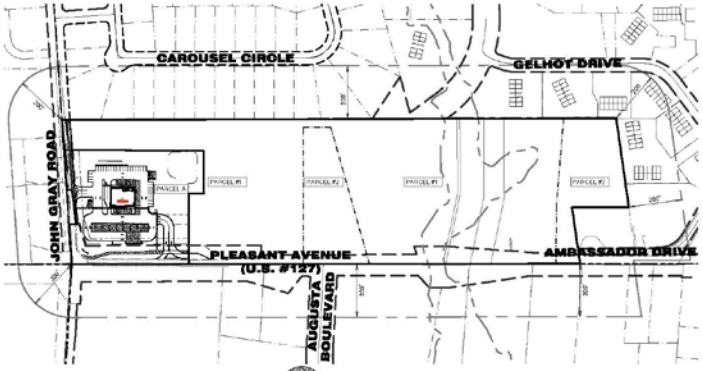
D. CONTRACTOR AND OWNER SHALL VERIFY AND ACCEPT ALL QUANTITIES PRIOR TO BEGINNING CONSTRUCTION.

E. UNLESS OTHERWISE NOTED, ALL CONSTRUCTION DETAILS SHALL CONFORM WITH THE "STANDARD CONSTRUCTION DRAWINGS OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION".

F. PUBLIC WATER AND SANITARY SERVICES TO BE PROVIDED BY THE CITY OF FAIRFIELD WATER AND SEWER.

G. ELECTRIC & GAS TO BE PROVIDED BY DUKE ENERGY.

H. STORM WATER MANAGEMENT FACILITIES ARE TO BE MAINTAINED BY OWNER.



AREA MAP
1"=200 FT

VICINITY MAP
NO SCALE

ENGINEER / SURVEYOR
LANDSCAPE ARCHITECT

BAYER BECKER
8300 TYLERSVILLE ROAD, SUITE A
MASON, OHIO 45040
PH: (513)336-6603

DEVELOPER

STAL DEVELOPMENT
8150 CORPORATE PARK DRIVE SUITE 110
CINCINNATI, OHIO 45242
PH: (513) 439-5150

OWNER

JOHN H. & PAUL D. MCDILLIARD
7234 THOMAS RD
NORWOOD, MO 63717

ADJOINING OWNERSHIP:
*SEE SHEETS C2.0 & C2.1 FOR ADJOINER LABELS

(A) CONNELL ROBERT N & DIXIS CONNELL TRUSTEE AC7001400001	(L) HAMBRICK RANDY H & KRISTAL E AC7001400080	(R) HILTON DONALD F & KAREN S AC7001400035	(AA) RUN REALTY CORP 5100011047
(B) PRICKETT BENJAMIN F & KRISTEN V AC7001400066	(M) JOC RICHARD WILLIAM & CAL ANN AC7001400079	(S) DIEBEL FAMILY LTD PRT AC7001400082	(AB) WARD WILLIAM T 5100011001
(C) DAFFIE DAVIN LLC AC7001400088	(N) ROLLING MEADOWS OWNER ASSOCIATION AC7001400081	(T) EDAS FREIGHT AVENUE LLC AC7001400083	(AC) WARD WILLIAM T 5100011002
(D) WISE SARAH K & JOSHUA K AC7001400098	(O) JAM RE HOLDINGS LLC AC7000300000037	(U) FAMILY VIDEO MOVIE CLUB INC AC7001400011	(AD) HAMILTON COUNTY BOARD OF COMMRS 5100011014
(E) SANDER GREGORY C & VICTORIA L AC7001400097	(P) FSI CAPITAL LLC AC7000300000012	(V) CITY OF FAIRFIELD AC7001400010	(AE) HAMILTON COUNTY BOARD OF COMMRS 5100011015
(F) BOLES NALIE A & PAULETTE AC7001400096	(Q) WARD DAFFIE LLC AC7001400001	(W) CITY OF FAIRFIELD AC7001400012	(AF) WARD WILLIAM T 5100011012
(G) DALMAN LEONDER & RUTH AC7001400095	(R) MF PLEASANT LAND DO LLC AC7000400007	(X) HAMILTON COUNTY BOARD OF COMMRS 5100011013	(AG) COCTILE SPECIAL SERVICES DO 5100011006
(H) SUBERS MELISSA A & HESS-SUBERS DAFFIE J AC7001400094	(S) FAIRFIELD STORAGE LLC AC7001400004	(Y) CITY OF FAIRFIELD AC7001400004	(AH) HAMILTON COUNTY COMMRS 5100011010
(I) BOSLEY ANTHONY C & BRANDON L AC7001400093	(T) HAWK REHAB & FITNESS SPA AC7001400004	(Z) HAMILTON COUNTY BOARD OF COMMRS 5100011012	(AI) FOTUS JOHN A & CARA A AC7001400002
(J) POLAND DAVIN T & THERESA AC7001400092	(U) CINCINNATI GAS & ELECTRIC CO AC7001400013	(AA) RUN REALTY CORP 5100011001	(AJ) ABRAHAM TROY L & SONIA A AC7001400002
(K) DUNNE SADHNA & DAVID VELCHEVAR AC7001400091	(V) CINCINNATI GAS & ELECTRIC CO AC7001400014	(AB) RUN REALTY CORP 5100011002	

ADJOINING CONDOMINIUM OWNERSHIP:
*SEE SHEETS C2.0 & C2.1 FOR ADJOINER LABELS

(1) ZITSLER JACK H FR ETAL AC7001170002212	(8) BRIGGS SALLY A AC7001170002008	(15) LUSE JANET C AC7001170001196	(22) ALPHA S ENTERPRISES INC AC7001170001175	(29) PITMAN JEFF JORDAN AC7001170001125
(2) CUMMINGS JUAN AC7001170002208	(9) PAULINO TEJADA JOSE A & GLADYS M AC7001170001144	(16) KOHANE PROPERTIES GROUP LTD AC7001170001200	(23) NORMANDY MARK L AC7001170001178	(30) IM INVESTMENTS LTD AC7001170001128
(3) HOWARD MATTHEW AC7001170002204	(10) FELDMAN THOMAS & THERI TRUSTEE AC7001170001148	(17) DRYSDALE DERRICK GERARD ST AC7001170001177	(24) GELLE KEVIN AC7001170001183	(31) BURNAL LINDA J AC7001170001129
(4) BUTLER GLORIA J AC7001170002218	(11) VERSHAW LINDSAY RENE & DANIEL W AC7001170001002	(18) POWELL ADA R AC7001170001181	(25) MCCALLISTER ERIKA AC7001170001138	(32) TRIVILLO PAULA SUE AC7001170001136
(5) ALPHA S ENTERPRISES INC AC7001170002211	(12) KOHANE PROPERTIES GROUP LTD AC7001170001193	(19) BRUNCK LAUREN ANN AC7001170001186	(26) KINNEL DUSTIN Z AC7001170001130	(33) BARR CHALONNA ETAL AC7001170001018
(6) SEUREN SENAN & MIN NGA AC7001170002207	(13) SAUER SCOTT AC7001170001197	(20) ALPHA S ENTERPRISES INC AC7001170001174	(27) PARTNER SARIANNA AC7001170001124	(34) HOWARD TERESA S AC7001170001027
(7) GREGORY BILLY & TRISHILL LISA AC7001170002214	(14) SHERMAN AMY A TR AC7001170001007	(21) STELLIN SANDRA AC7001170001176	(28) TAB RENTALS LLC AC7001170001129	(35) ROCO NICHOLAS W AC7001170001001
(8) MIDDER DARLENE AC7001170002206	(15) ELACE LEO ANN AC7001170001195	(22) SMITH RACHEL AC7001170001185	(29) PROBERT CHRISTINE A AC7001170001133	(36) HIGHTS PATRICK D AC7001170001005
(9) HOFFMAN JORDAN M AC7001170002205	(16) SCOTT JUDY AC7001170001199	(23) SKIRCOSKIE WAYNE AC7001170001179	(30) BURLEY LORENZO & MARION R AC7001170001137	(37) HIRST MUSA F AC7001170001003
(10) BRESKY MICHAEL AC7001170002211	(17) EDWARS LLC AC7001170001202	(24) PHILLIPS DAVID AC7001170001180	(31) SHAW CHARLES DR AC7001170001137	(38) MCCRESH TRUD AC7001170001009
(11) SFP LLC AC7001170002210	(18) HOOKER JOEL G & JEAN AC7001170001192	(25) SCHMIDT THOMAS E AC7001170001184	(32) TRIM DUANE T & SHANENA AC7001170001131	(39) WITTMER FRANCIS D AC7001170001004

INDEX OF SHEETS

DRAWING NO.	DRAWING TITLE	ISSUE DATE	REVISION NO.	REVISION DATE
C1.0	TITLE SHEET	05-31-24	1	05-31-24
C2.0	OVERALL PLAN	05-31-24	1	05-31-24
C3.0	LAYOUT PLAN	05-31-24	1	05-31-24
C4.0	UTILITY PLAN	05-31-24	1	05-31-24
C5.0	GRADING & EROSION CONTROL PLAN	05-31-24	1	05-31-24
Z1.0	ZONING REQUIREMENTS PLAN	05-31-24	1	05-31-24
L1.0	ZONING MINIMUM LANDSCAPE PLAN	05-31-24	1	05-31-24
L1.1	LANDSCAPE SECTION	05-31-24	1	05-31-24

Item	Revision Description	Date	Drwn	Chk
1	REVISED PER CITY OF FAIRFIELD COMMENTS	05-31-24	GJS	

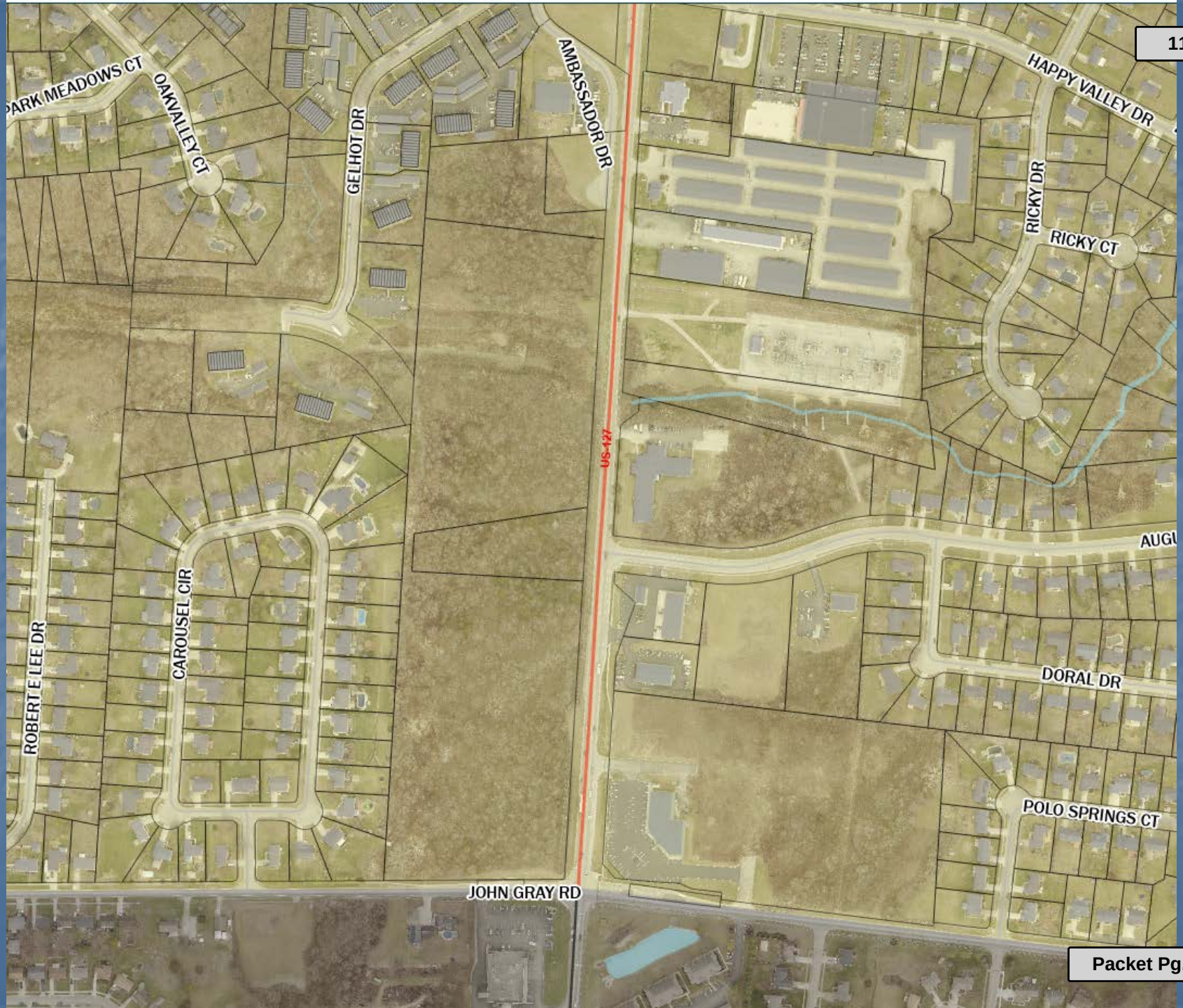
WAWA
CONCEPT DEVELOPMENT PLAN
JOHN GRAY RD & PLEASANT AVE
SECTION 2, TOWN 1, RANGE 2 BTM
CITY OF FAIRFIELD
BUTLER COUNTY, OHIO

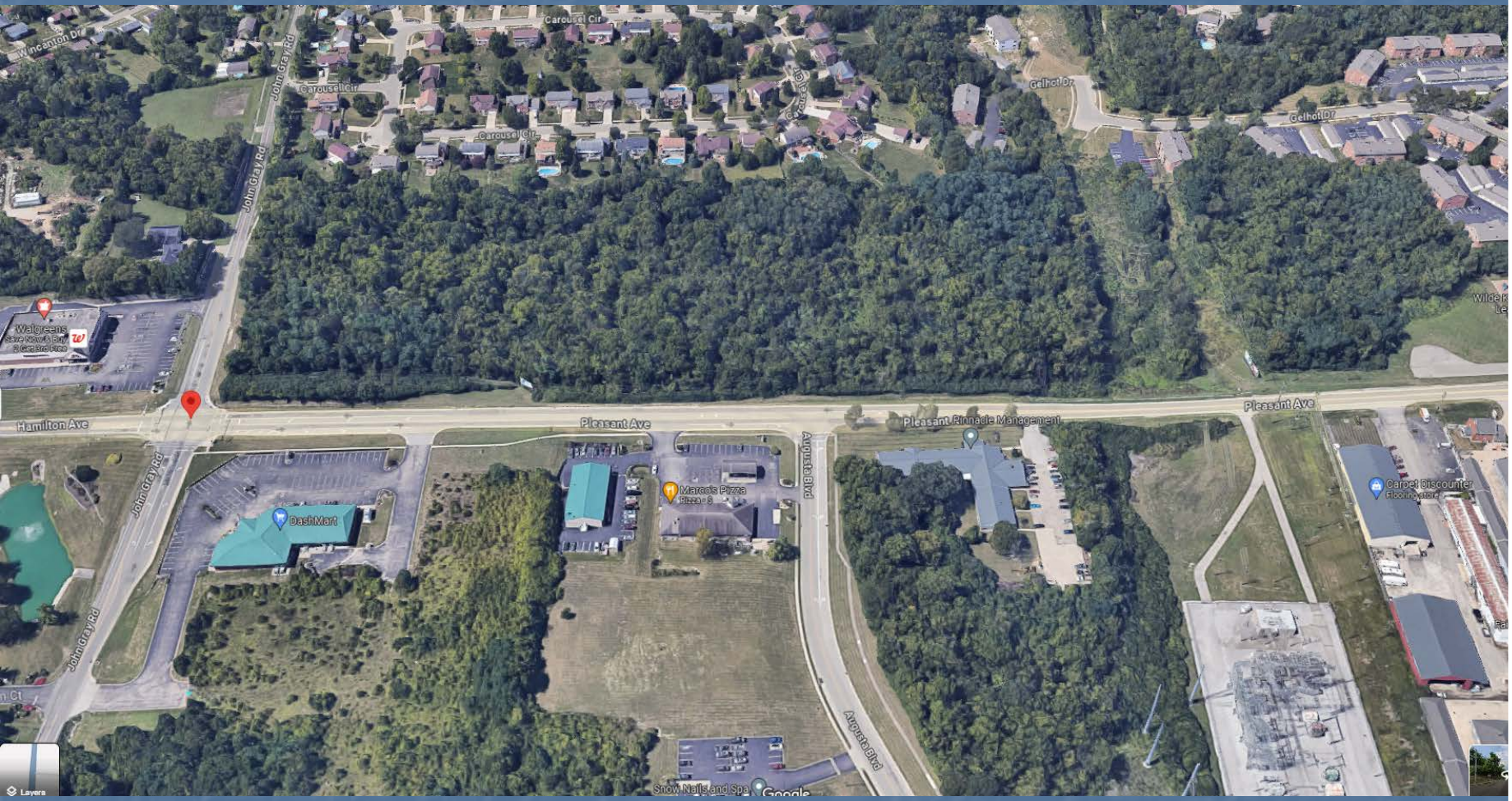
bayer

Drawing 20-0004
Drawn by
Checked by
Issue Date
Sheet
C1.0

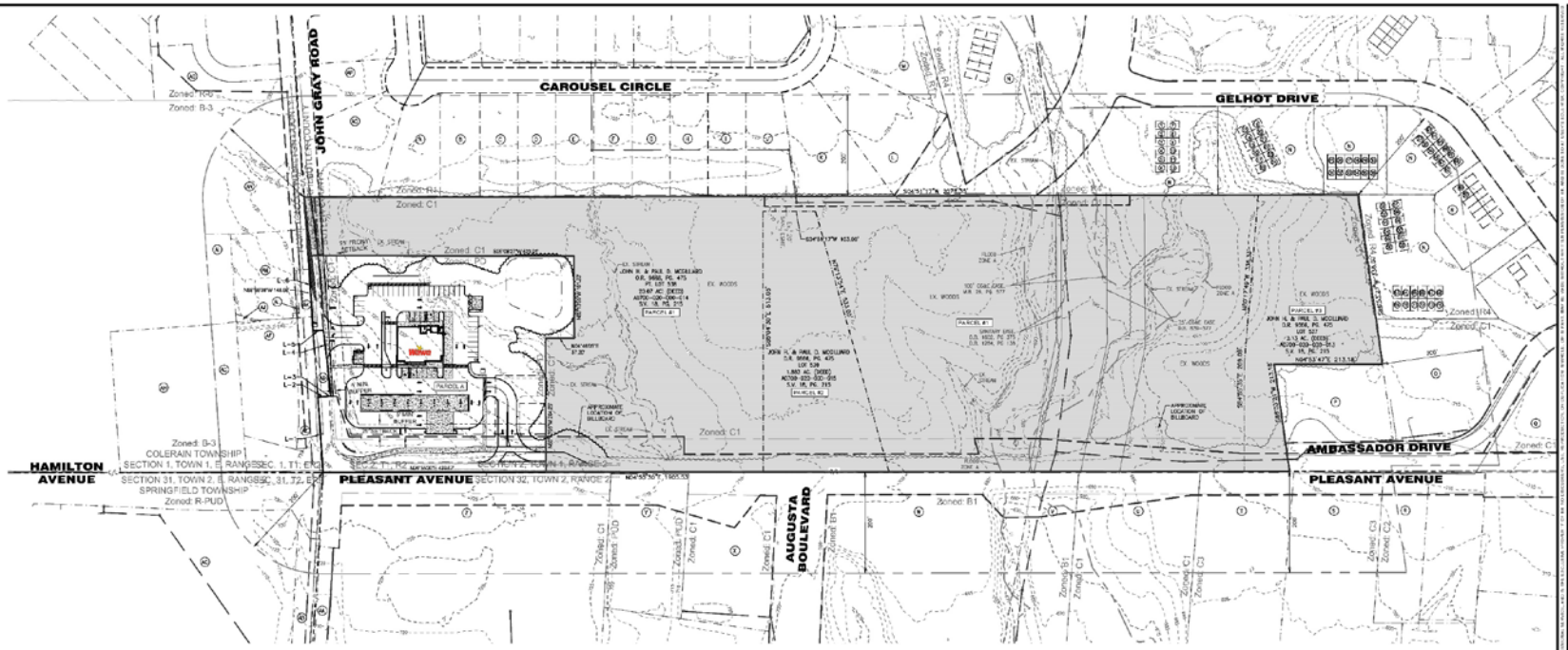
Plot Date: May 31, 2024 - 11:17am
Drawing name: J:\2020\20-0004\CAD\20-0004 Concept Plan.dwg - Layout: Title (C1.0 Title Sheet)

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)


PARK MEADOWS CT
OAKVALLEY CT
GELHOT DR
AMBASSADOR DR
HAPPY VALLEY DR
RICKY DR
RICKY CT
US-127
AUGU
ROBERT E LEE DR
CAROUSEL CIR
DORAL DR
POLO SPRINGS CT
JOHN GRAY RD



Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



LINE TABLE		
Line	Direction	Distance
L-1	N88°55'36"W	148.98'
L-2	N01°04'01"E	20.00'
L-3	N05°18'57"E	6.02'
L-4	S88°27'37"W	131.60'
L-5	S01°04'24"W	20.00'
L-6	N88°55'36"W	263.17'

LEGEND

19.50± AC. COMPRISED OF PARCEL 1 REMAINDER, EXISTING PARCEL 2, AND EXISTING PARCEL 3 TO REMAIN ZONE C-1 AND BE TRANSFERRED TO THE CITY OF FAIRFIELD

NOTE:

SEE TITLE SHEET FOR PROPERTY ADJOINERS

OVERALL PROPERTY SUMMARY

EXISTING PARCELS

PARCEL 1:

PARCEL # A0700-020-000-014
PARCEL AREA = 20.67 AC

PARCEL 2:

PARCEL # A0700-020-000-015
PARCEL AREA = 1.983 AC

PARCEL 3:

PARCEL # A0700-020-000-013
PARCEL AREA = 2.13 AC

TOTAL AREA: 24.783 AC

EXISTING ZONING: C-1, NEIGHBORHOOD BUSINESS DISTRICT
EXISTING USE: VACANT

PROPOSED PARCELS

PARCEL A:

AREA = 4.56± AC. INCLUDES R/W TO BE DEDICATED ALONG JOHN GRAY RD.
PROPOSED ZONING: PUD, PLANNED UNIT DEVELOPMENT
PROPOSED USE: RETAIL/FOOD SERVICE AND VEHICLE FUELING

SETBACKS
FRONT: 25
SIDE: 0
REAR: 0

BUFFERS
FRONT: 5' FROM R/W

PARCEL 1 REMAINDER:

PARCEL # A0700-020-000-014
PARCEL AREA = 15.49 AC

PARCEL 2:

PARCEL # A0700-020-000-015
PARCEL AREA = 1.983 AC

PARCEL 3:

PARCEL # A0700-020-000-013
PARCEL AREA = 2.13 AC

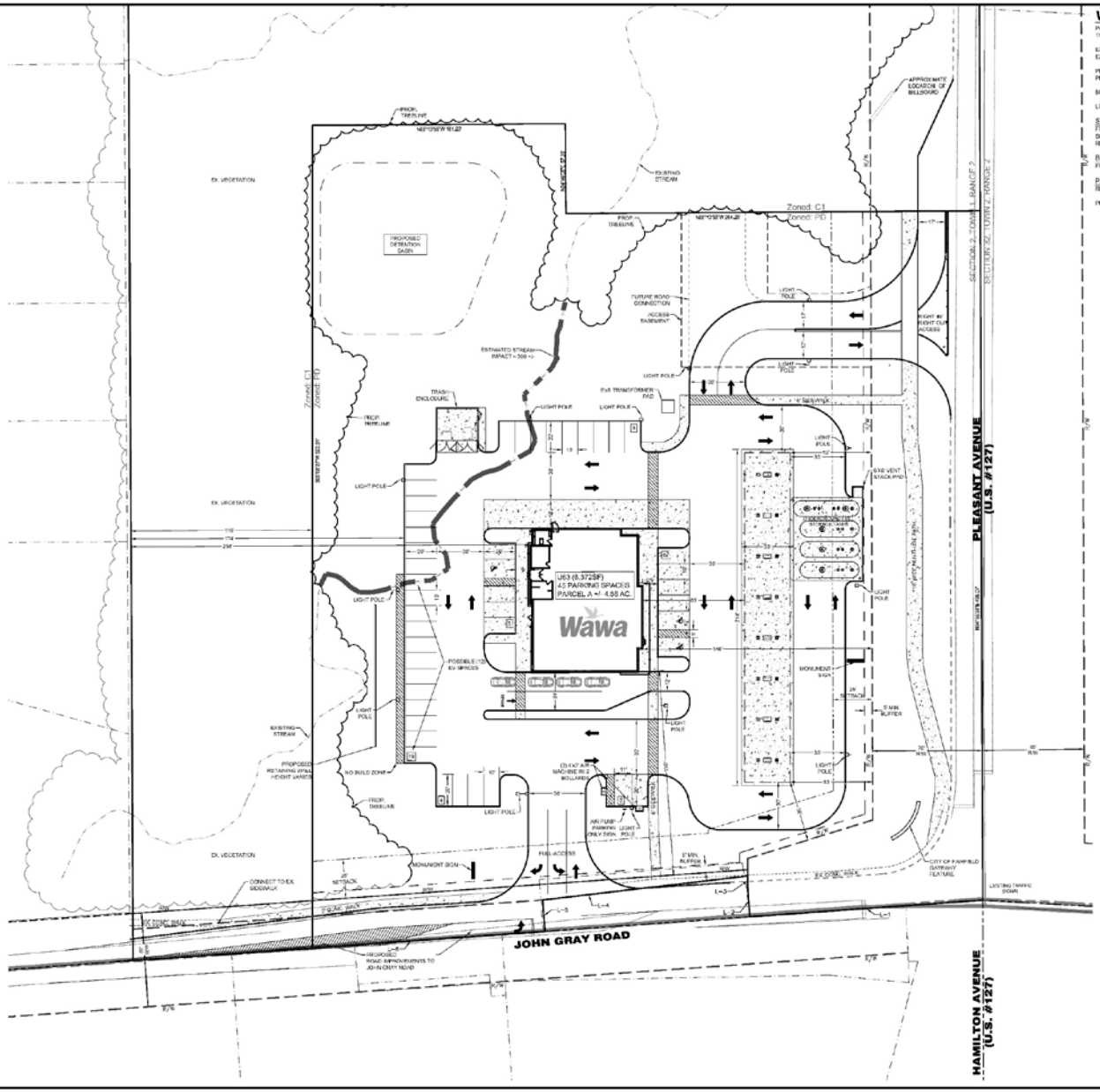
PARCEL 1 REMAINDER, PARCEL 2, PARCEL 3 TOTAL AREA: 19.50± AC
PROPOSED ZONING: C-1, NEIGHBORHOOD BUSINESS
PROPOSED USE: VACANT

WAWA
CONCEPT DEVELOPMENT PLAN

bayer

C2.0

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



WAWA SITE SUMMARY

PARCEL A:
TOTAL AREA = 4.58± AC.

EXISTING ZONING: DISTRICT C-1, NEIGHBORHOOD BUSINESS
EXISTING USE: VACANT

PROPOSED ZONING: PUD, PLANNED UNIT DEVELOPMENT
PROPOSED USE: RETAIL/FOOD SERVICE AND VEHICLE FUELING

BUILDING AREA: 6,372± SF

LOT COVERAGE: 1.79 AC (38.9%)

SETBACKS
FRONT: 25'
SIDE: 0
REAR: 0

BUFFERS
FRONT: 5' FROM R/W

PARKING
REQUIRED: 16 SPACES (1 PER 400 SF)

PROVIDED: 45 SPACES (3 ADA)

LINE TABLE		
Line	Direction	Distance
L-1	N88°55'36"W	148.98'
L-2	N01°04'01"E	20.00'
L-3	N05°18'57"E	5.02'
L-4	S88°27'37"W	131.60'
L-5	S01°04'24"W	20.00'
L-6	N88°55'36"W	253.17'

Basis: State Plane
SCALE

Date	Revision Description	Dwn	Chk
5-17-24	REVISED PER CITY OF KAMPSVILLE COMMENTS		

Bayer

WAWA
CONCEPT DEVELOPMENT PLAN

LAYOUT PLAN

Drawing: 20-25
Drawn By:
Checked By:
Issue Date:
Sheet
C3.0

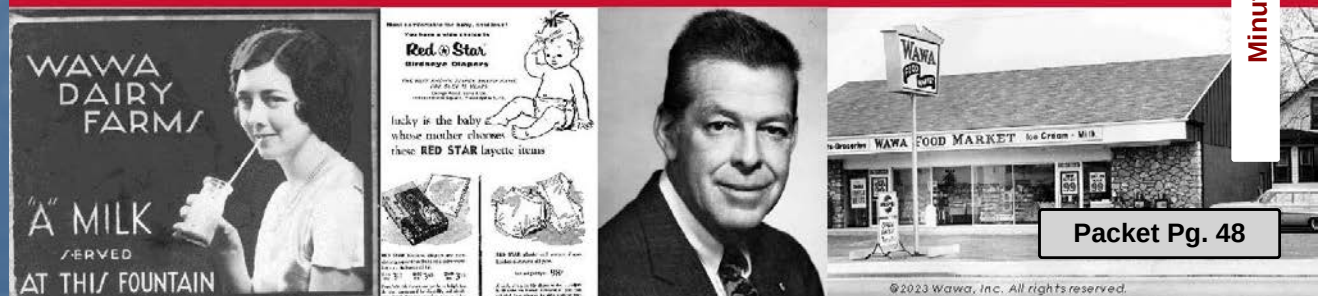
Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Plotted: May 21, 2024 - 11:25am
Drawing name: J:\2023\23-0054 PK Wawa\23-0054 Concept Plan.dwg - Layout Tab: C3.0 Layout Plan

The Wawa Story

Our History & Culture

We trace our roots back more than 200 years as a Family-Owned Business.



©2023 Wawa, Inc. All rights reserved.

What is Wawa?

More than a Convenience Store

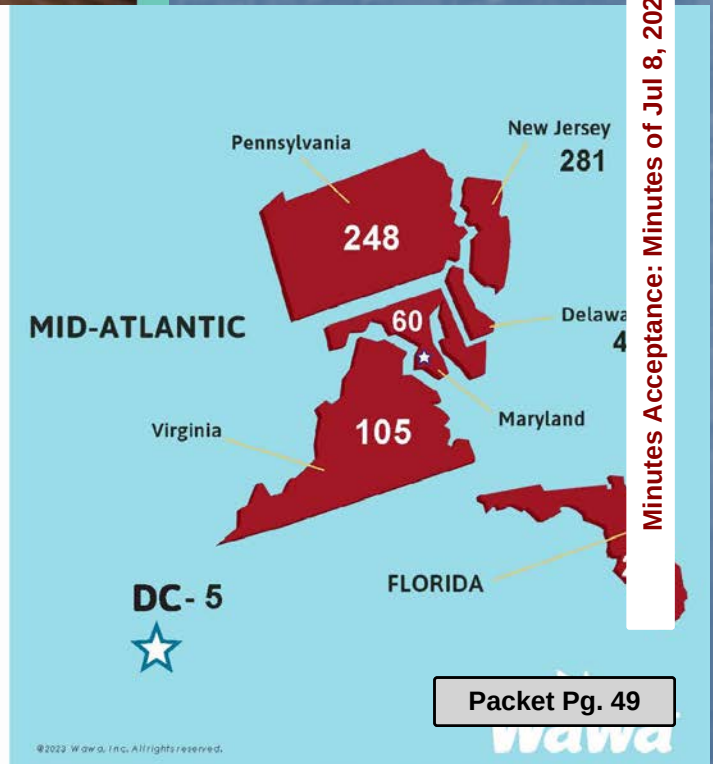
Known for:

- Family-like atmosphere
- Built-to-order fresh food
- Competitive fuel pricing
- Community devotion
- Emotional connection with customers

©2023 Wawa, Inc. All rights reserved.

Who Are We Today?

- Strong Personal Connections & Culture continue to define us
- 1,000 stores; 6 states + D.C.
- Privately Held
- 45,000 associates



©2023 Wawa, Inc. All rights reserved.

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

CONNECTING THE GOOD

Our Community Commitment & Support

Make In-Kind Donations

Fight Hunger Through The Wawa Food Share Program

Offer Emergency Support

Wawa: A Beloved Brand

©2023 Wawa, Inc. All rights reserved.

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

A Day in the Life...

©2023 Wawa, Inc. All rights reserved.

Every Day Wawa Serves:

1.6 million customers

300,000 hoagies

175,000 Sizzlis

500,000 cups of coffee

1 million cold beverages

Every Day at a Wawa More than a Million:

- Doors are held
- Smiles formed
- Cravings tamed
- Lives fulfilled

Our Community Commitment to our Friends and Neighbo

With every new store we build, we become part of the neighborhood, helping to support and improve the community in many ways.

COMMUNITY INVESTMENT

$6.5 Million

AVERAGE STORE INVESTMENT

$2 Million+ Local Contractor Fees

$250,000 Local Worker Fees

$50,000 Local Landscaper Fees

LOCAL LONG-TERM JOBS

MORE THAN **39%** of the Company is owned by Wawa Associates

40 average long-term retail jobs created with each new store

ASSOCIATE BENEFITS

- Competitive wages
- 401(k) Plan
- Employee Stock Ownership Plan (ESOP)

GIVING BACK THROUGH THE WAWA FOUNDATION

$135 Million+

Contributed by The Wawa Foundation and Wawa since The Foundation's inception in 20

The Wawa Foundation

Supporting organizations committed to health, hunger and everyday heroe

THE WAWA FOUNDATION NATIONAL PARTNER

American Red Cross

Children's Miracle Network Hospitals

CHECK-OU HUNGER

JDRF

LEUKEMIA & LYMPHOMA SOCIETY

LIGHT THE NIGHT

Special Olympics

©2023 Wawa, Inc. All rights reserved.

Fresh Food & Access

- Delicious, Fresh Menu items around the clock, from breakfast to dinner
- Built to order hoagies, fresh custom-made beverages; dinner menu including burgers and pizza.

©2023 Wawa, Inc. All rights reserved.

Our Fresh Food & Beverage Experience

Fresh First

- Delicious, Fresh Menu items around the clock, from breakfast to dinner

Built to Order

- Most of our food offerings are available Built-to-Order at the touchscreen. Mix and match tons of delicious ingredients to design your perfect meal, guaranteed to be freshly made and quickly served by our customer service associates.

Ready to Go

- Try one of our famous Sizzli breakfast sandwiches or a stuffed pretzel, or visit the Express Case for salads, wraps, fresh fruits and more.

Breakfast, Soups & Sides, Hoagies & Sandwiches, Salads & W s

Fresh Built to Order Beverages

"Restaurant to Go"

STATS:

#6 in the Nation for Brewed Coffee Market Share

#1 in current market for Built to Order Sandwiches & Hoagies

#1 for Breakfast Sandwich share in most markets served

Wawa Claims, Names 'Fast-Casual-to-C Segment

CEO Stoeckel guided by Blue Ocean Strategy

By PAT COBE

CSP Daily News | April 5, 2012

SCOTTSDALE, Ariz.— Convenience stores have been taking a page or tw the fast-casual playbook for a while now, but Pennsylvania-based c-store Wawa is rewriting entire chapters.

As the 592-unit Mid-Atlantic brand expands south into Florida, it has redes its prototype, upgraded its menu and ramped up service. The new stores wi and act a lot more like fast-casual concepts than c-stores, explained Wawa CEO and "lead goose" Howard Stoeckel during a packed general session a recent Restaurant Leadership Conference (RLC). He's using the tagline "fast casual-to-go" to define this new direction.

"Wawa has always been viewed as store, but we now want to be viewed a restaurant that sells gas. We want be more like you when we grow up," Stoeckel told the audience of restaur franchisors and franchisees in Scottsdale, Ariz.

Stoeckel's redirection was guided by the principles of Blue Ocean Strategy.

Howard Stoeckel

ANNUAL VOLUME:

80 MILLION
Hoagies & sandwiches

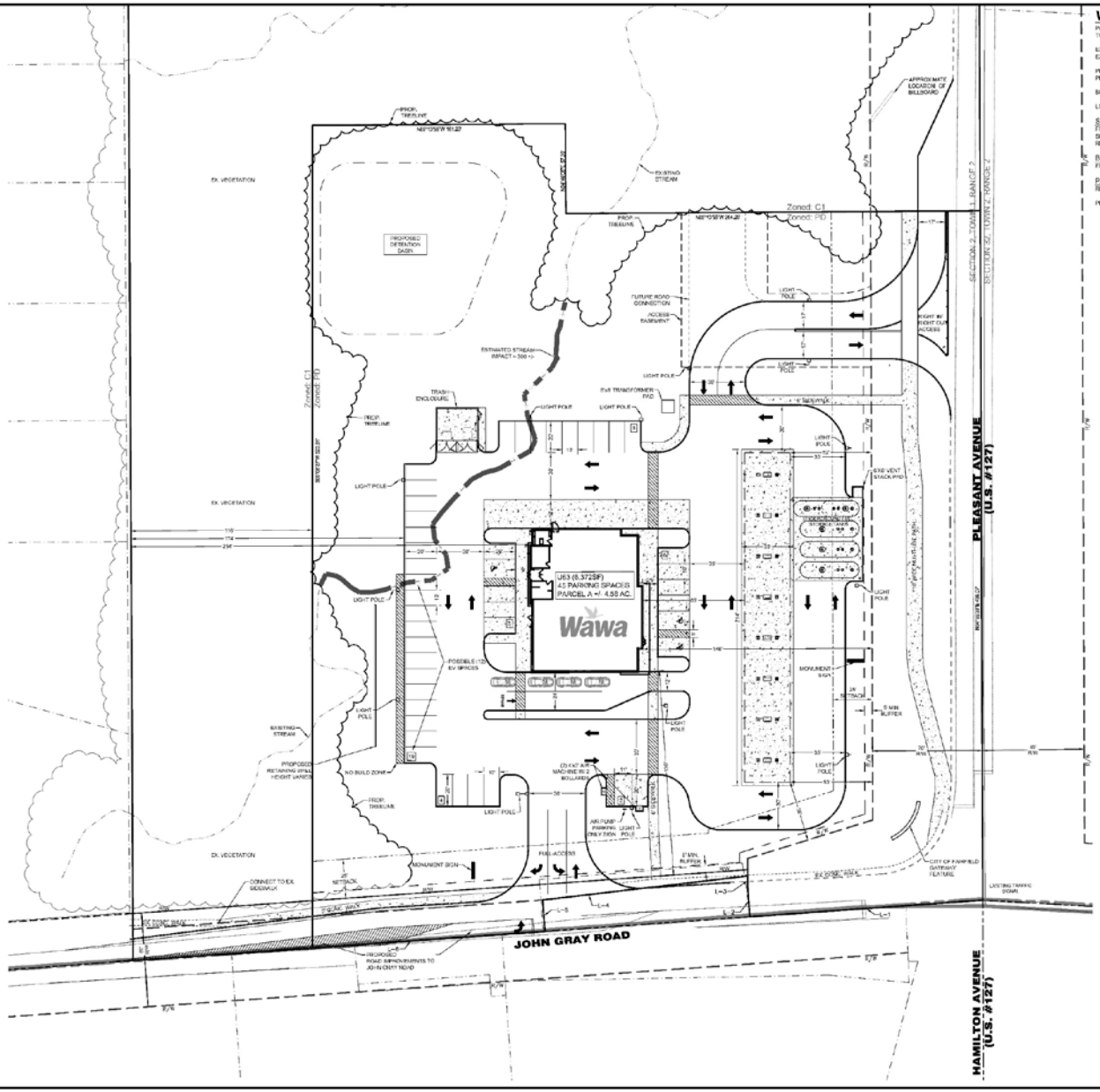
175 MILLION
cups of freshly brewed coffee

Delivery & Curbside Services

Wawa Favorites Accessible without leaving your car or home:

- Curbside Pick-up
- Delivery
- Mobile Order through the Wawa App
- Catering

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



WAWA SITE SUMMARY

PARCEL A
TOTAL AREA = 4.58± AC.

EXISTING ZONING: DISTRICT C-1, NEIGHBORHOOD BUSINESS
EXISTING USE: VACANT

PROPOSED ZONING: PUD, PLANNED UNIT DEVELOPMENT
PROPOSED USE: RETAIL/FOOD SERVICE AND VEHICLE FUELING

BUILDING AREA: 6,372± SF

LOT COVERAGE: 1.79 AC (38.9%)

SETBACKS
FRONT: 25'
SIDE: 0
REAR: 0

BUFFERS
FRONT: 5' FROM R/W

PARKING
REQUIRED: 16 SPACES (1 PER 400 SF)

PROVIDED: 45 SPACES (3 ADA)

LINE TABLE		
Line	Direction	Distance
L-1	N88°55'36"W	148.98'
L-2	N01°04'01"E	20.00'
L-3	N05°18'57"E	5.02'
L-4	S88°27'37"W	131.60'
L-5	S01°04'24"W	20.00'
L-6	N88°55'36"W	253.17'

Basis: State Plane

Date	Revision Description	Dwn	Chk
5-17-24	REVISED PER CITY OF KAMPSVILLE COMMENTS		

Bayer

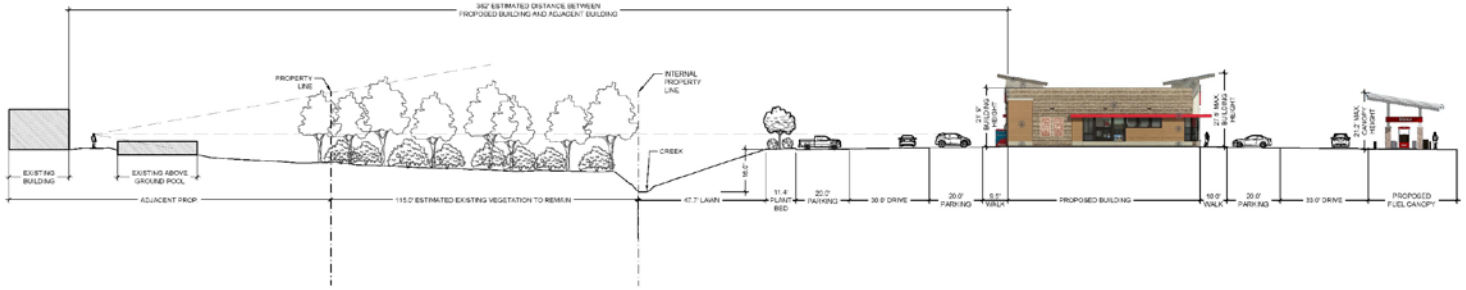
WAWA
CONCEPT DEVELOPMENT PLAN

LAYOUT PLAN

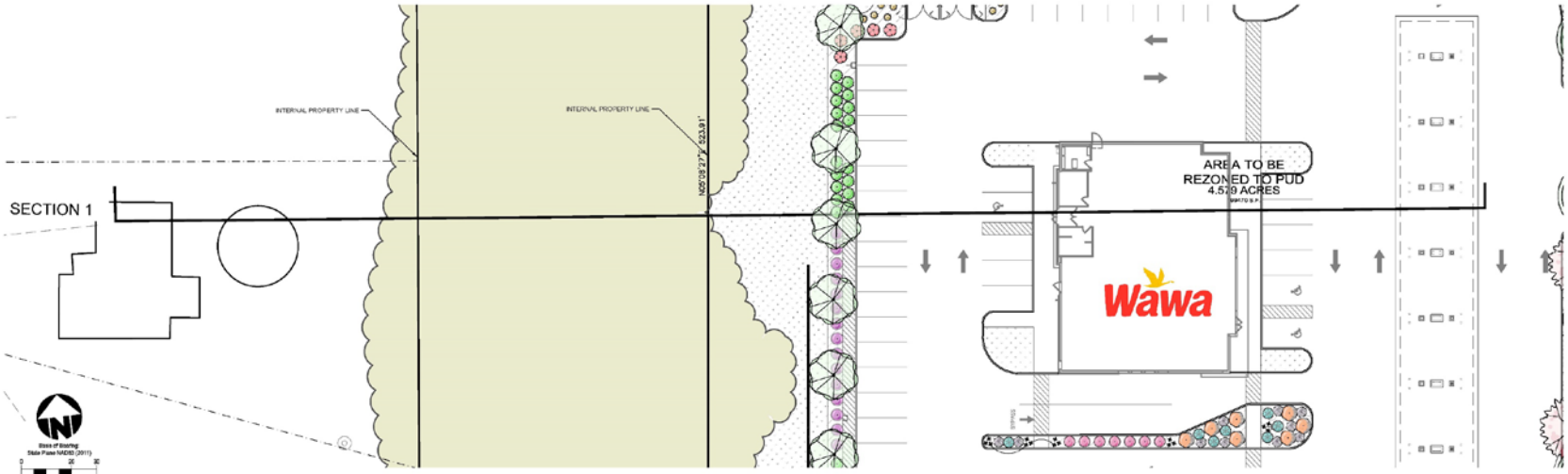
Drawing: 20-25
Drawn by:
Checked By:
Issue Date:
Sheet
C3.0

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Revisions: May 21, 2024 - 11:25am
Drawing name: J:\2023\23-0054 PK (WAWA)\23-0054 Concept Plan.dwg - Layout Tab: C3.0 Layout Plan



SECTION 1: WEST RESIDENTIAL PROPERTY LINE
SCALE 1" = 20'



SECTION 1 SITE PLAN
SCALE 1" = 20'

Date	Description	Dwn	Chk
1	REVISED PER CITY OF FAIRFIELD COMMENTS	CCD	CJC

WAWA
CONCEPT DEVELOPMENT PLAN
JOHN O'GRAY RD & PHEASANT AVE

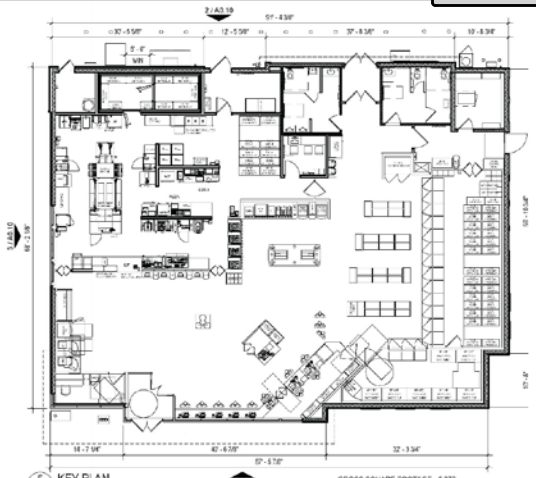
boyer

Drawing
Drawn by
Checked By
Issue Date
Sheet
Z1.1

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

1 FRONT ELEVATION

2 REAR ELEVATION



5 KEY PLAN

GROSS SQUARE FOOTAGE - 6,372

MATERIALS:

3 LEFT ELEVATION

4 RIGHT ELEVATION

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

HFA

U63FB FLY-THRU - STORE #TBD

2373 JOHN GRAY ROAD
FAIRFIELD, OH 45231

Wawa

HFA

U63FB FLY-THRU - STORE #TBD

2373 JOHN GRAY ROAD
FAIRFIELD, OH 45231

Wawa

HFA

U63FB FLY-THRU - STORE #TBD

2373 JOHN GRAY ROAD
FAIRFIELD, OH 45231

Wawa

HFA

U63FB FLY-THRU - STORE #TBD

2373 JOHN GRAY ROAD
FAIRFIELD, OH 45231

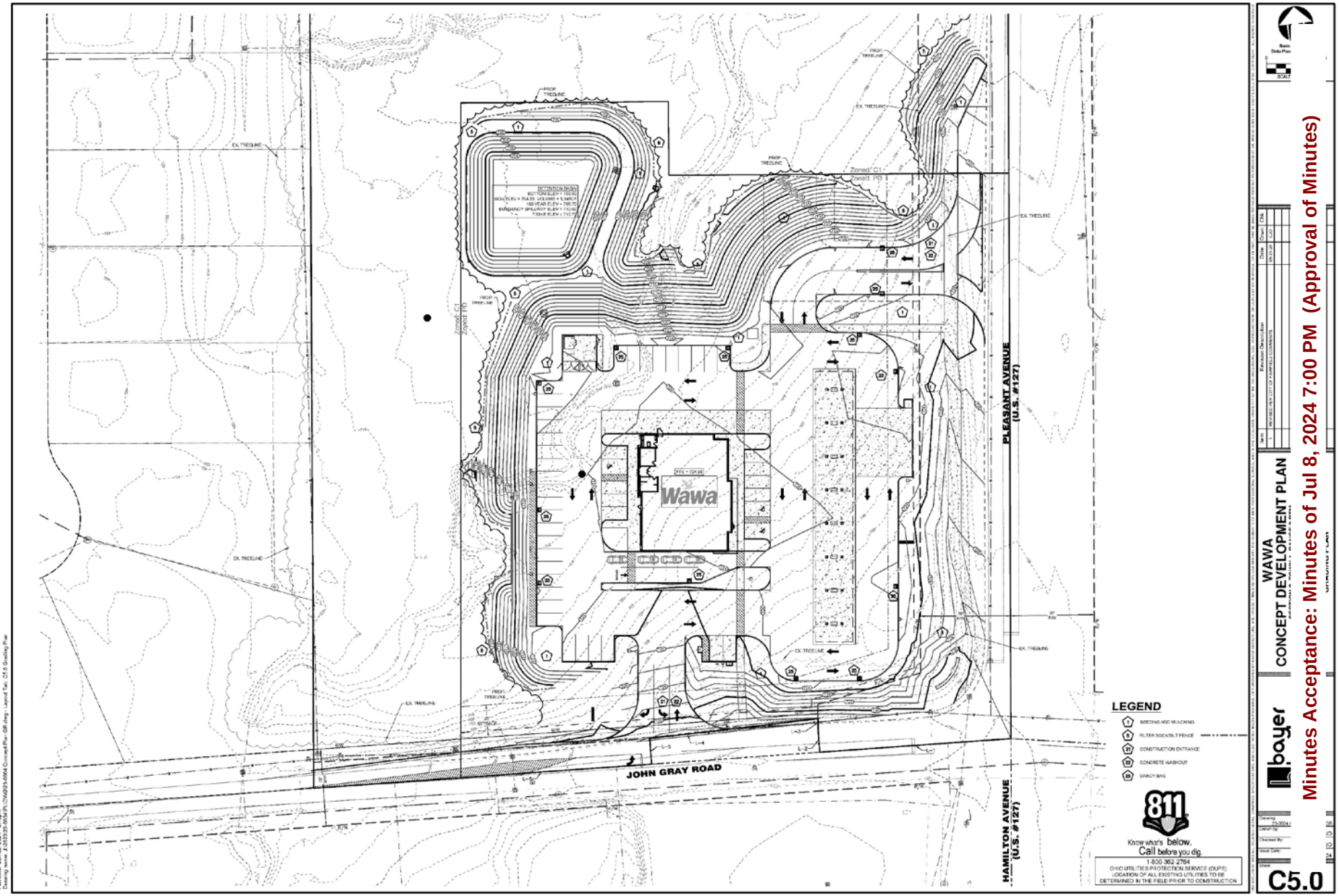
Wawa

Request Approval of the PUD Zone Map Amendment and Concept Development Plan

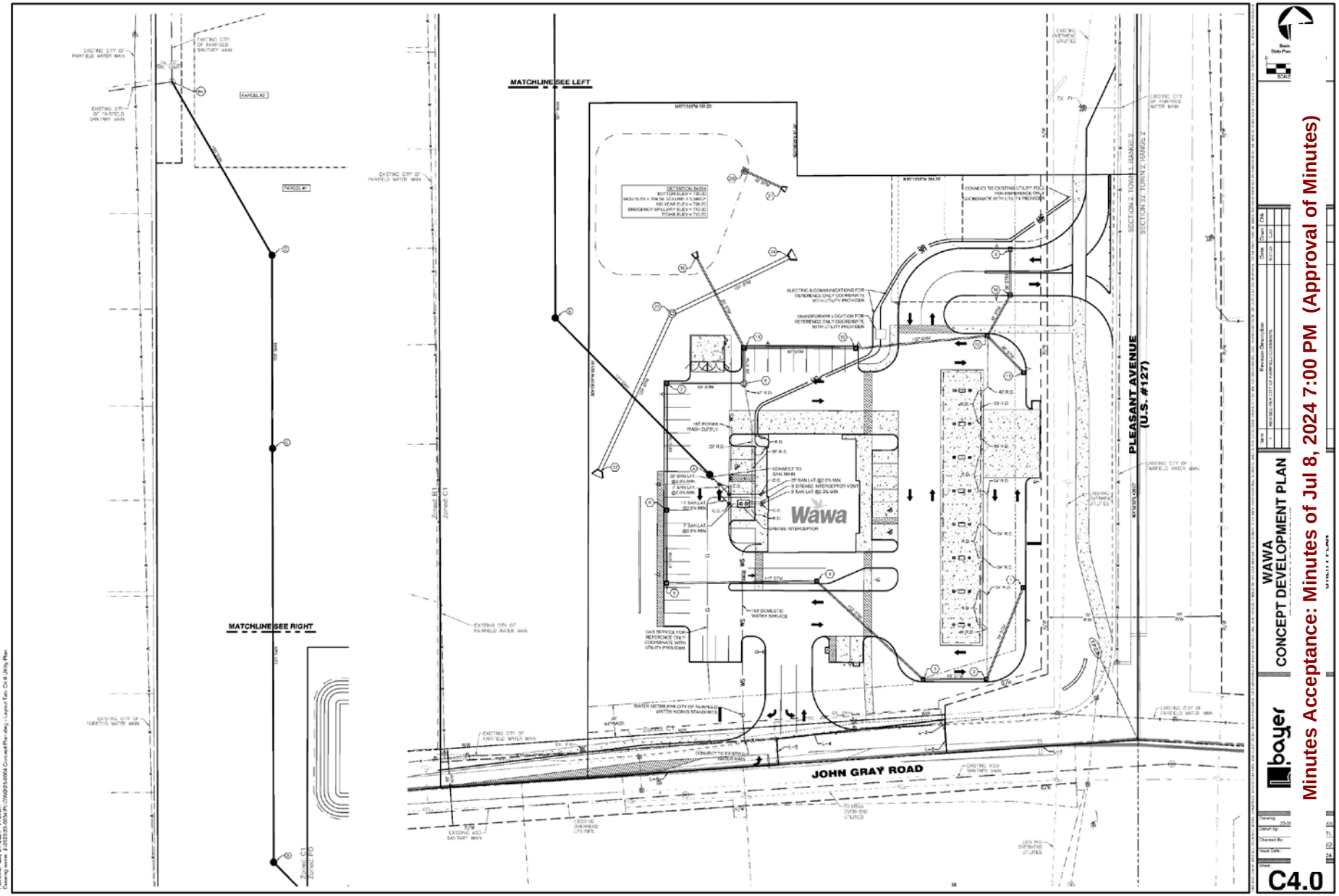
THANK YOU

EXTRA SLIDES IF NEEDED

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

ZONING SUMMARY

CURRENT SITE: C-1 (NEIGHBORHOOD BUSINESS) - REZONED TO PUD
ADJACENT NORTH: C-1 (NEIGHBORHOOD BUSINESS) - REZONED TO PUD
ADJACENT SOUTH: JOHN GRAY ROAD
ADJACENT EAST: PLEASANT AVENUE
ADJACENT WEST: RESIDENTIAL (R-1D)

FAIRFIELD PLANNING & ZONING CODE (ADOPTED)

1132.05 JOHN GRAY/PLEASANT OVERLAY DISTRICT

(G) LANDSCAPING/SCREENING

1) LANDSCAPING REQUIRED. LANDSCAPING AND SCREENING SHALL COMPLY WITH CHAPTER 1152.0 AND THE FOLLOWING:

A) TREE PRESERVATION: EXISTING TREES WITHIN THE OVERLAY SHOULD BE PRESERVED AND PROTECTED AS FEASIBLE DURING ANY DEVELOPMENT OR REDEVELOPMENT PROCESS IN ACCORDANCE WITH SECTION 1152.09.

B) ROAD FRONTAGES: FOR EVERY 50 LF ROAD FRONTAGE, A MINIMUM OF ONE (1) TWO-INCH (2") CALIPER SHADE TREE OR THREE ONE-INCH CALIPER GROUPED ORNAMENTAL TREES SHALL BE PLANTED BEHIND THE SIDEWALK ALONG ALL ROADWAY FRONTAGES.

C) FOUNDATION PLANTINGS: FOUNDATION PLANTS SHALL BE PLANTED ALONG THE FRONT AND SIDE EXTERIOR WALLS OF THE BUILDING.

D) SCREENING: ALL GROUND-MOUNTED MECHANICAL AND UTILITY BOXES SHALL BE SCREENED FROM THE PUBLIC RIGHT-OF-WAY.

1152.0 LANDSCAPING AND BUFFERING

1152.07 PLANTING AND INSTALLATION REQUIREMENTS

A) DECIDUOUS TREES SHALL BE PLANTED AT A MINIMUM SIZE OF ONE AND ONE HALF (1.5") CALIPER INCHES IN DIAMETER, MEASURED SIX (6") INCHES ABOVE GRADE.

B) SHRUBS THAT ARE TO BE USED IN BUFFERING OR SCREENING SHALL BE A MINIMUM SIZE OF 24 INCHES IN HEIGHT AT THE TIME OF PLANTING AND PROVIDE YEAR-ROUND SCREENING. SHRUBS USED IN THE INTERIOR OF PARKING AREAS, ALONG BUILDING FRONTAGES, OR IN OTHER SUCH MANNERS SHALL NOT BE SUBJECT TO MINIMUM HEIGHT OR SIZE REQUIREMENTS.

C) EVERGREEN TREES THAT ARE TO BE USED IN BUFFERING OR SCREENING SHALL BE A MINIMUM SIZE OF SIX FEET IN HEIGHT AT THE TIME OF PLANTING.

D) TREES THAT ARE REQUIRED ALONG A LINEAR FRONTAGE CAN BE CLUSTERED OR SPACED IN A NON-UNIFORM MANNER IN ORDER TO AVOID UTILITY INFRASTRUCTURE, SIGNAGE, ACCESS DRIVES, OR OTHER SUCH ITEMS. SUCH ALTERNATE SPACING SHALL NOT REDUCE THE NUMBER OF REQUIRED TREES.

E) TREE SPACING REQUIREMENTS ALONG A LINEAR FRONTAGE SHOULD BE MEASURED FROM THE CENTER-POINT OF THE PROPOSED TREE TO THE CENTER-POINT OF THE ADJACENT TREE.

F) EXISTING LANDSCAPING CAN BE USED TO MEET THE REQUIREMENTS OF THIS CHAPTER IF SUCH LANDSCAPING IS IDENTIFIED ON THE LANDSCAPE PLAN AND MEETS THE PLANTING AND MATERIAL SPECIFICATIONS OF THE LANDSCAPING AND BUFFERING REQUIREMENTS.

1152.08 PARKING AND VEHICULAR USE AREA LANDSCAPING REQUIREMENTS

A) PERIMETER REQUIREMENTS. WHEN ANY OFF-STREET PARKING LOT FOR ANY MULTI-FAMILY DWELLING USE, NON-RESIDENTIAL USE, OR MIXED-USE DEVELOPMENT IS PROPOSED TO ABUT A PUBLIC STREET, OR A PROPERTY UPON WHICH A SINGLE FAMILY DWELLING OR TWO FAMILY DWELLING EXISTS, A LANDSCAPE BUFFER SHALL BE PROVIDED THAT CONSISTS OF THE FOLLOWING:

1) A MINIMUM WIDTH OF FIVE FEET (5) ADJACENT TO THE PARKING LOT;

2) ONE (1) DECIDUOUS TREE LOCATED EVERY THIRTY LINEAR FEET (30) A MINIMUM OF ONE TREE IS REQUIRED); AND

3) SHRUBS PLANTED EVERY THREE LF (3)

B) INTERIOR REQUIREMENTS. ALL PARKING LOTS GREATER THAN 10 SPACES SHALL ADHERE TO THE FOLLOWING LANDSCAPING REQUIREMENTS:

1) ALL PARKING LOTS SHALL CONTAIN A LANDSCAPED AREA EQUAL TO FIVE PERCENT (5%) OF THE ENTIRE PARKING LOT. EACH AREA SHALL CONTAIN SHRUBS, FLOWERS, TREES, AND/OR GRASS.

2) TREES SHALL BE PROVIDED AT A RATE OF ONE (1) TREE PER TWENTY (20) PARKING SPACES.

3) LANDSCAPE AREAS SHALL BE DISTRIBUTED THROUGHOUT THE PARKING LOT. ROWS OF PARKING SPACES SHALL BE INTERRUPTED, AT A MINIMUM, EVERY TWENTY (20) SPACES BY A PLANTING ISLAND THAT IS A MINIMUM OF EIGHT FEET (8') WIDE AND EIGHTEEN FEET (18') IN LENGTH.

4) IF LANDSCAPING REQUIREMENTS INTERFERE WITH THE PARKING REQUIREMENTS OF CHAPTER 1121.0, FLEXIBILITY IN THE LANDSCAPING REQUIREMENT AND/OR PARKING REQUIREMENT MAY BE PERMITTED BY THE PLANNING COMMISSION.

CONCEPT GRAPHICS SCHEDULE

VEHICULAR USE AREA
73,943 SF x 5% =
3,697 SF INTERIOR LANDSCAPED AREA REQUIRED
Takeoff: 63,477 sf

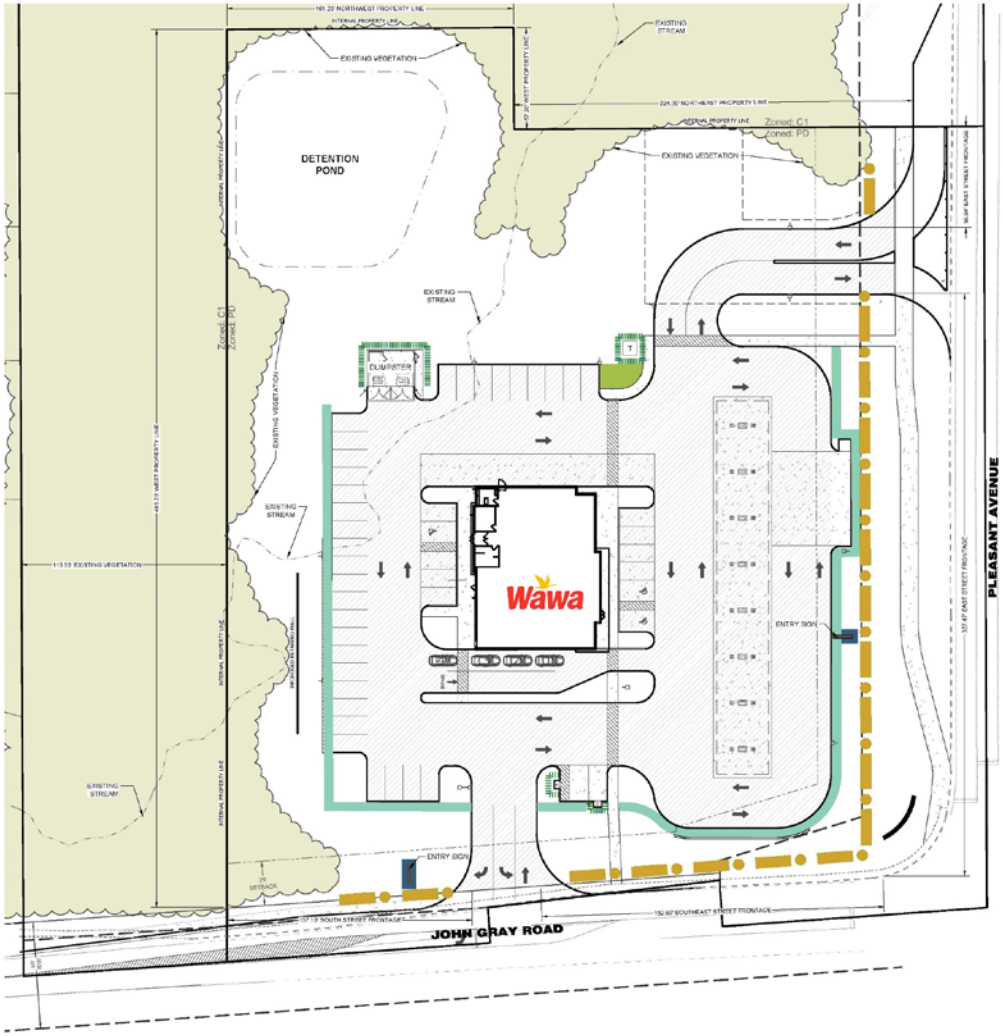
INTERIOR LANDSCAPED AREA
3,697 SF PLANTED AREA REQUIRED
45 PARKING SPACES / 20 = 3 SITE TREES REQUIRED
Takeoff: 4,044 sf

SIGN LANDSCAPING
Takeoff: 253 sf

VUA PERIMETER
ONE (1) TREE / 30 LF
ONE (1) SHRUB / 3 LF
741 LF / 30 LF = 25 TREES REQUIRED
741 LF / 3 LF = 247 SHRUBS REQUIRED
Takeoff: 741 lf

MECHANICAL SCREENING
Takeoff: 214 lf

STREET FRONTAGE
ONE (1) DECIDUOUS TREE AT TWO INCH (2") CALIPER INSTALL SIZE
608 LF / 50 LF = 12 STREET TREES REQUIRED
Takeoff: 608 lf



State of Ohio State Plane
SCALE:

Date	Dwn	Chk
06/06/24	CJD	CJD

Date	Revision Description
1	REVISED PER CITY OF FAIRFIELD COMMENTS

WAWA
CONCEPT DEVELOPMENT PLAN
JOHN GRAY RD & PLEASANT AVE

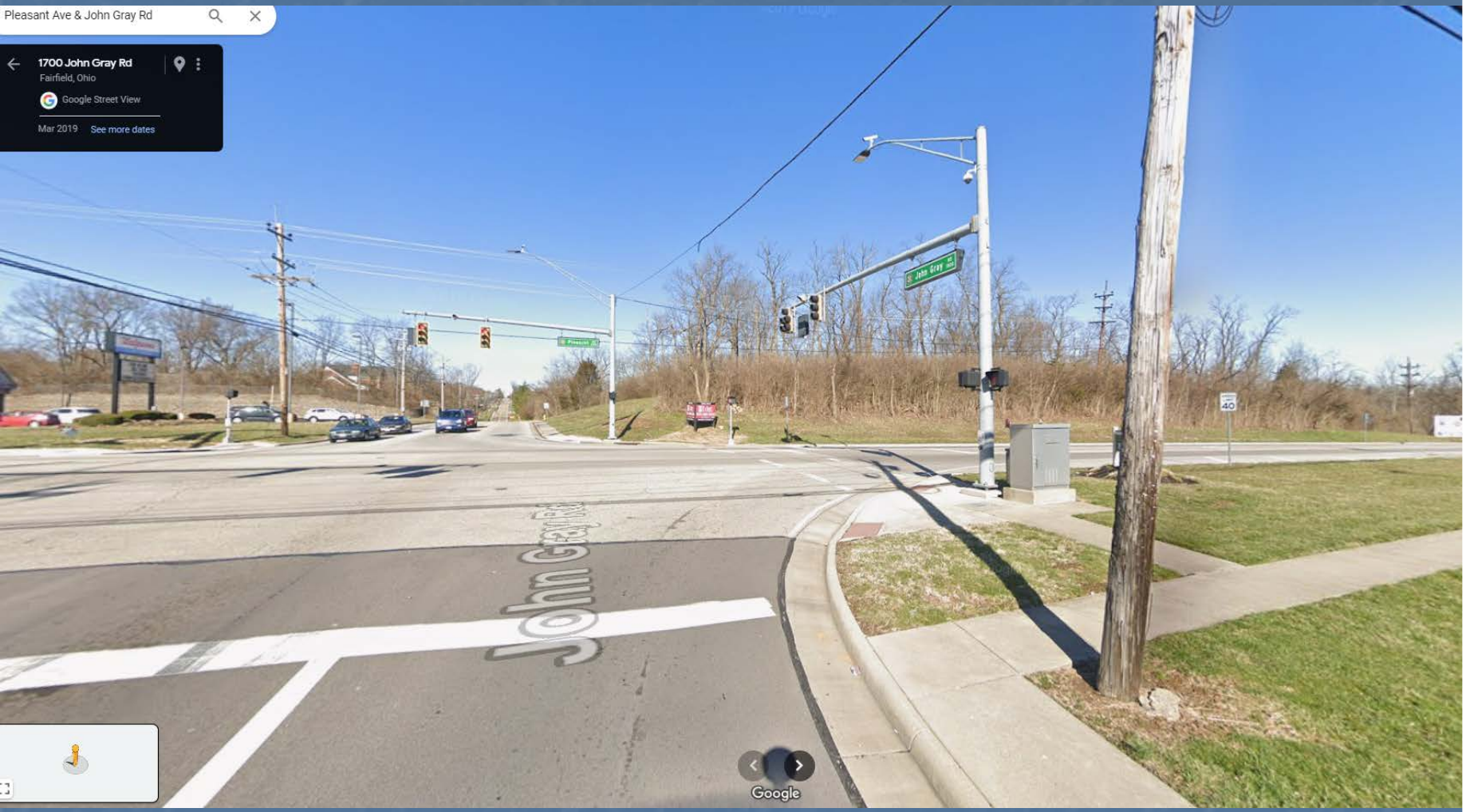
boyer

Drawing
Drawn by
Checked By
Issue Date
Sheet
Z1.0

File time: Jun 06, 2024, 11:59am
Drawing name: J:\2023\23-0806_ARDW\025-0004 Z1.dwg - Layout Tab: Z1.0 Zoning

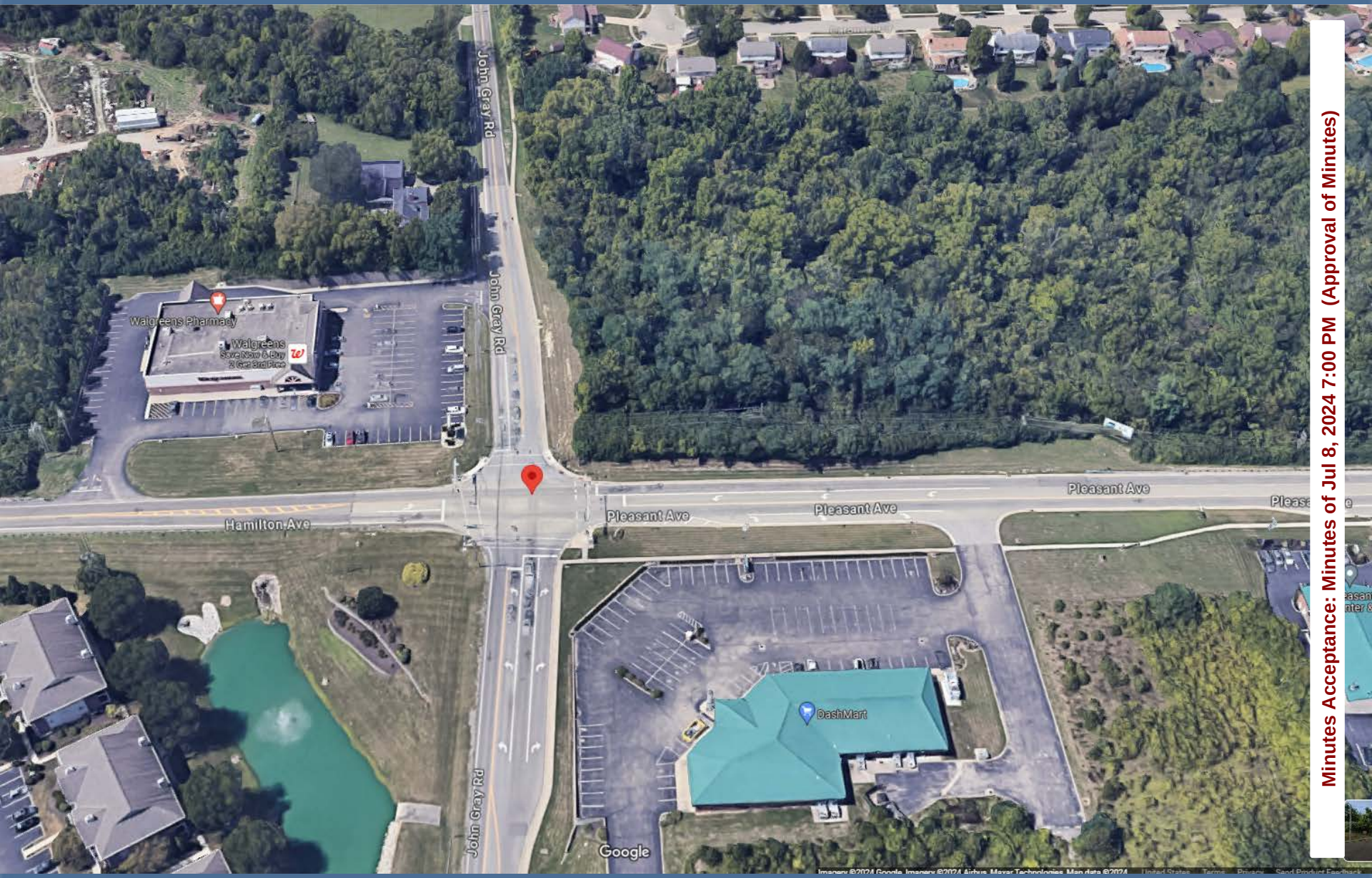
Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

ZONING SUMMARY

CURRENT SITE:	C-1 (NEIGHBORHOOD BUSINESS) - REZONED TO PUD
ADJACENT NORTH:	C-1 (NEIGHBORHOOD BUSINESS) - REZONED TO PUD
ADJACENT SOUTH:	JOHN GRAY ROAD
ADJACENT EAST:	PLEASANT AVENUE
ADJACENT WEST:	RESIDENTIAL (R-1D)

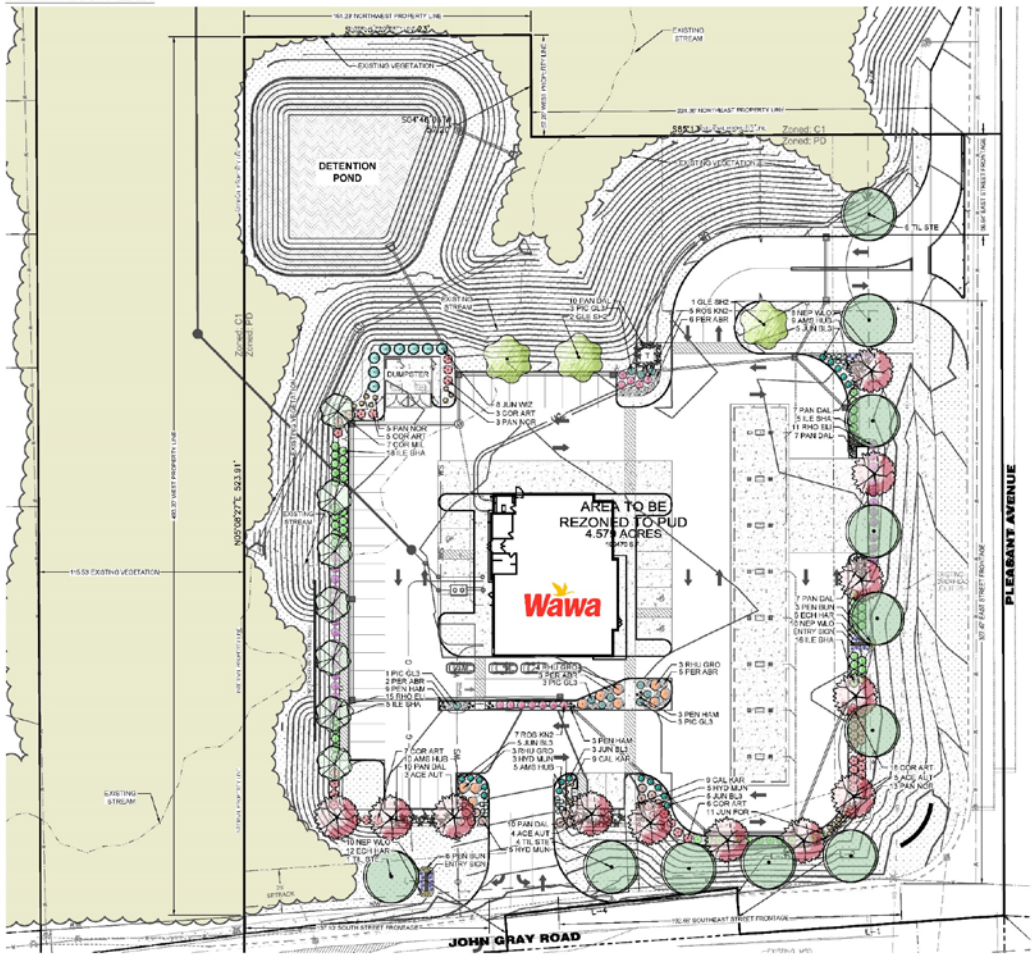
PLANT SCHEDULE

CODE	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY
DECIDUOUS TREES				
ACE AUT	Acer rubrum 'Autumn Blaze' / Autumn Blaze Red Maple	B & B	1.5" Cal	12
GLE SH2	Gleditsia triacanthos inermis "Shademaster" TM / Shademaster Locust	B & B	1.5" Cal	3
TIL STE	Tilia tomentosa "Sterling" / Sterling Silver Linden	B & B	2.0" Cal	11
EVERGREEN TREES				
JUN AIR	Juniperus scopulorum 'Wichita Blue' / Wichita Blue Juniper	B & B	6' Ht.	8
ORNAMENTAL TREES				
COR MIL	Cornus kousa 'Milky Way' / Milky Way Kousa Dogwood	B & B	1.5"Cal	7
ANNUALS/PERENNIALS				
AMS HUB	Amsonia hubrichii / Arkansas Blue star	2 gal	Clump	24
ECH HAR	Echinacea x 'Harvest Moon' / Coneflower	2 gal	Clump	18
NEP WLO	Nepeta x 'Walker's Low' / Walker's Low Catmint	2 gal	Clump	28
DECIDUOUS SHRUBS				
COR ART	Cornus sericea 'Arctic Fire' / Arctic Fire Dogwood	5 gal	24" Ht.	39
HYD MUN	Hydrangea quercifolia 'Munchkin' / Oakleaf Hydrangea	5 gal	24" Ht.	13
PER ABR	Perovskia atriplicifolia / Russian Sage	3 gal	24" Ht.	16
RHO ELI	Rhododendron aurlea 'Elite PJM' / Elite PJM Azalea	5 gal	24" Ht.	36
RHU GRO	Rhus aromatica 'Grro-Low' / Gro-Low Fragrant Sumac	5 gal.	18" Ht.	10
ROS KN2	Rosa shrub 'Knock Out' / Knock Out Rose	5 gal.	24" Ht.	12
EVERGREEN SHRUBS				
ILE SHA	Ilex glabra 'Shamrock' / Inkberry	B & B	24" Ht.	44
JUN FOR	Juniperus chinensis 'Sea Green' / Sea Green Juniper	B & B	24" Ht.	11
JUN BL3	Juniperus horizontalis 'Blue Chip' / Blue Chip Juniper	5 gal.	18" Ht.	16
PIC GL3	Picea pungens 'Globe' / Dwarf Globe Blue Spruce	B & B	24" Ht.	10
ORNAMENTAL GRASSES				
CAL KAR	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	2 gal		18
PAN DAL	Panicum virgatum 'Dallas Blues' TM / Dallas Blues Switch Grass	5 gal		51
PAN NOR	Panicum virgatum 'North Wind' / Northwind Switch Grass	2 gal		21
PEN HAM	Pennisetum alopecuroides 'Hameln' / Hamelin Dwarf Fountain Grass	2 gal		15
PEN BUN	Pennisetum alopecuroides 'Little Bunny' / Little Bunny Fountain Grass	1 gal		9

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
	SOD	62,012 sf
	RIVER ROCK GRAVEL (3" STONE) -ALUMINUM EDGING AROUND RIVER ROCK (DeanLine Aluminum Edging by Permalok)	4,451 sf
	MULCH	5,574 sf
	NATIVE WETLAND MIX	11,423 sf

PLANTING PLAN



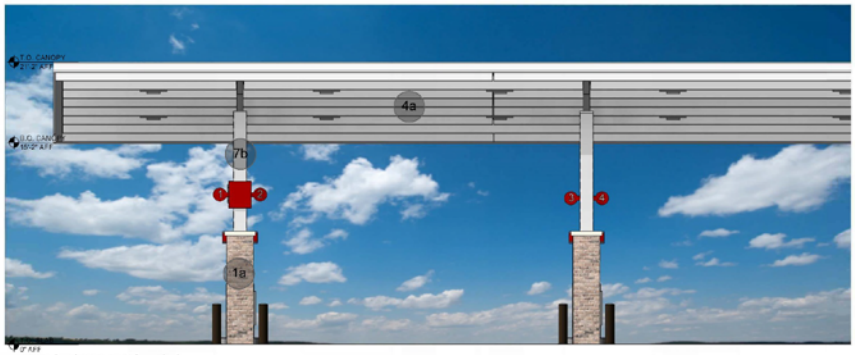
WAWA
CONCEPT DEVELOPMENT PLAN
JOHN GRAY RD & PLEASANT AVE

boyer

L1.0

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)

7 FUEL CANOPY ELEVATION
1/4" = 1'-0"

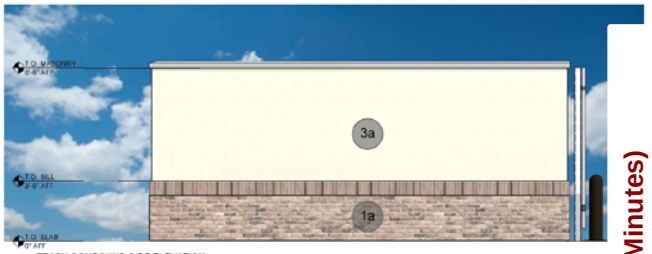


4 FUEL CANOPY ELEVATION - LONG
1/4" = 1'-0"

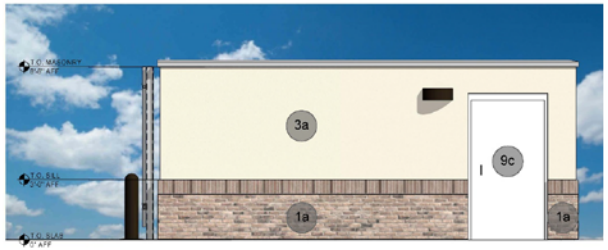
1 FUEL CANOPY PERSPECTIVE

MATERIALS:

1a BRICK-1	1a BRICK-1
7b METAL: WHITE	3a EIFS OR STUCCO
4a ROOF: TATANIUM	7b METAL: WHITE
	9c PAINT: CEILING BRIGHT WHITE

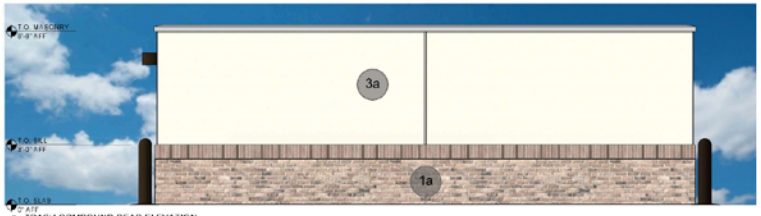


6 TRASH COMPOUND SIDE ELEVATION
3/8" = 1'-0"



5 TRASH COMPOUND SIDE ELEVATION
3/8" = 1'-0"

3 TRASH COMPOUND FRONT ELEVATION
3/8" = 1'-0"



2 TRASH COMPOUND REAR ELEVATION
3/8" = 1'-0"

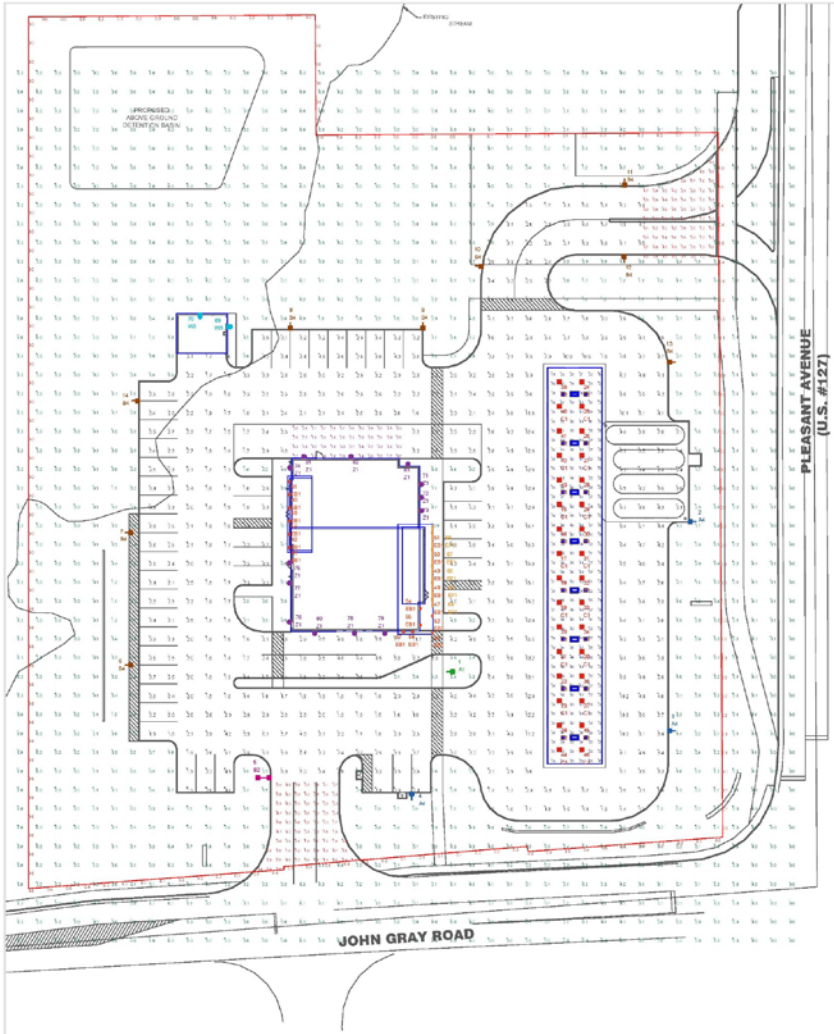
HFA

FUEL CANOPY: 8-STRAIGHT TRASH COMPOUND: STANDARD R

2373 JOHN GRAY ROAD
FAIRFIELD, OH 45231

Wawa

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)



THIS SITE IS LOCATED IN A REGION WHERE LIGHTING IS REGULATED BY LOCAL ORDINANCES

LUMINAIRE LOCATION SUMMARY		
LUM NO.	LABEL	MTG. HT.
1	A1	20.5
2	A4	20.5
3	A4	20.5
4	A4	20.5
5	B2	20.5
6	B4	20.5
7	B4	20.5
8	B4	20.5
9	B4	20.5
10	B4	20.5
11	B4	20.5
12	B4	20.5
13	B4	20.5
14	B4	20.5
15	C1	18.21
16	C1	18.21
17	C1	18.21
18	C1	18.21
19	C1	18.21
20	C1	18.21
21	C1	18.21
22	C1	18.21
23	C1	18.21
24	C1	16.21
25	C1	16.21
26	C1	16.21
27	C1	16.21
28	C1	16.21
29	C1	16.21
30	C1	16.21
31	C1	16.21
32	C1	16.21
33	C1	16.21
34	C1	16.21
35	C1	16.21
36	C1	16.21
37	C1	16.21
38	C1	18.21
39	C1	18.21
40	C1	18.21
41	C1	18.21

LUMINAIRE LOCATION SUMMARY		
LUM NO.	LABEL	MTG. HT.
42	C1	18.21
43	C1	18.21
44	C1	18.21
45	C1	16.21
46	C1	16.21
47	EB1	10.5
48	EB1	10.5
49	EB1	10.5
50	EB1	10.5
51	EB1	10.5
52	EB1	10.5
53	EB1	10.5
54	EB1	10.5
55	EB1	10.5
56	EB1	10.5
57	EB1	10.5
58	EB1	10.5
59	EB1	10.5
60	EB1	10.5
61	EB1	10.5
62	EB1	10.5
63	EB1	10.5
64	EF1	12
65	EF1	12
66	EF1	12
67	EF1	12
68	EF1	12
69	W3	8
70	W3	8
71	Z1	15
72	Z1	15
73	Z1	15
74	Z1	15
75	Z1	15
76	Z1	15
77	Z1	15
78	Z1	15
79	Z1	15
80	Z1	15
81	Z1	15
82	Z1	15
83	Z1	15

FOOTCANDLE LEVELS CALCULATED AT GRADE USING INITIAL LUMEN VALUES					
LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN
CANOPY	36.96	49	18	2.05	2.72
DELIVERY AREA	3.19	4.4	1.7	1.88	2.59
ENTRANCES & EXIT DRIVES	3.00	6.9	0.4	7.50	17.25
PARKING & INTERIOR DRIVE AISLES	3.80	14.5	1.0	3.80	14.50
PROPERTY LINES	0.11	0.5	0.0	N.A.	N.A.
UNDEFINED	0.51	10.9	0.0	N.A.	N.A.

NOTES:
- ALL AREA LIGHTS ON 20 FT. POLES MOUNTED ON 6 IN. CONCRETE BASES

LUMINAIRE SCHEDULE										
SYMBOL	QTY	LABEL	ARRANGEMENT	LUMENS	LLF	BUG RATING	WATTS/LUMINAIRE	TOTAL WATTS	MANUFACTURER	CATALOG LOGIC
	1	A1	SINGLE	12319	1.000	B3-U0-G3	134.2	134.2	Cree Lighting	ARE-EDG-3M-DA-06-E-UL-XX-700-57K
	3	A4	SINGLE	6891	1.000	B1-U0-G2	134	402	CREE, INC.	ARE-EDG-3MB-DA-06-E-UL-XX-700-57K
	1	B2	BACK-BACK	12978	1.000	B3-U0-G2	134	268	Cree Inc.	ARE-EDG-4M-DA-06-E-UL-XX-700-57K
	9	B4	SINGLE	9549	1.000	B1-U0-G2	134	1206	CREE, INC.	ARE-EDG-4MB-DA-06-E-UL-XX-700-57K
	32	C1	SINGLE	10912	1.000	B3-U0-G1	101	3232	CREE, INC.	CAN-304-SL-RD-06-E-UL-XX-525-57K
	17	EB1	Single	1388	1.000	B1-U1-G0	19	323	WAC Lighting	WP-LED119-30
	5	EF1	SSL_4_1	992	1.000	B1-U1-G0	17.444	348.88	FC Lighting	CVLWET1.5-4-4K-80CRI-1040
	2	W3	SINGLE	1557	1.000	B0-U0-G1	25	50	CREE, INC.	SEC-EDG-3MB-WM-02-E-UL-XX-350-57K
	13	Z1	Single	3348	1.000	B1-U0-G1	25.4	330.2	COOPER LIGHTING SOLUTIONS - McGRAW-	ISC-SA1B-740-U-SL4-VIH

REDLEONARD ASSOCIATES
1340 Kemper Meadow Dr. Forest Park, OH 45240
513-574-9500 | redleonard.com

REV.	BY	DATE	DESCRIPTION
-	-	-	-

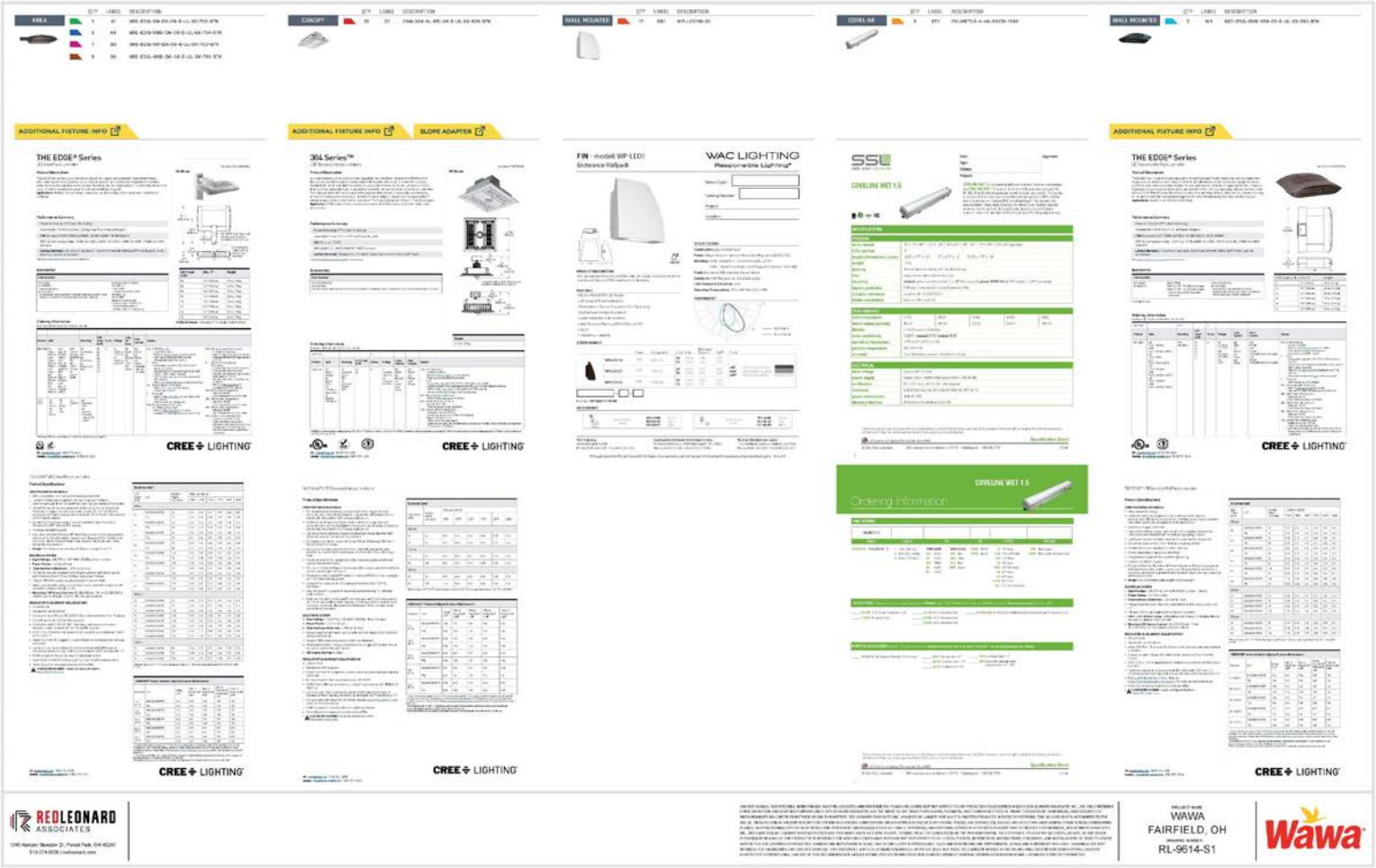
DISCLAIMER

SCALE: 1" = 30'
PAPER SIZE: D
LAYOUT BY: LMP
DATE: 05/13/24

PROJECT NAME:
WAWA
FAIRFIELD, OH
DRAWING NUMBER:
RL-9614-S1

Waw

Minutes Acceptance: Minutes of Jul 8, 2024 7:00 PM (Approval of Minutes)


ADDITIONAL FIXTURE INFO
THE EDGE® Series
CREE LIGHTING
304 Series™
SLOPE ADAPTER
WAC LIGHTING
Responsible Lighting
COVELINE WET 1.5
Ordering Information
REDLEONARD ASSOCIATES
WAWA
FAIRFIELD, OH
RL-9614-S1
Wawa

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Erin Lynn, Planning Manager
Submitting Department: Development Services

Subject:
Wawa Planned Unit Development

Legislation Title:
Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01 (B)(2), the City of Fairfield, Ohio, Zoning Map by approving the concept and final development plan for the Wawa Planned Unit Development.

Recommendation:
It is recommended that City Council have a first reading on this item at the June 10, 2024 meeting, set the joint public hearing date for July 8, and await the written recommendation from the Planning Commission.

Background/Synopsis:
The applicant, STNL Development, has an option to purchase approximately 24.1 acres on the west side of Pleasant Avenue between John Gray and the terminus of Ambassador Drive. A Wawa gas station and convenience store is proposed to be constructed on 4.5 acres at the northwest corner of Pleasant Avenue and John Gray Road. The remaining 19.6 acres is proposed to be donated to the city. The property is zoned C-1, Neighborhood Business District, which does not permit motor vehicle fueling stations, and is located in the John Gray/Pleasant Overlay District.

The entire 24.1-acre property consists of three undeveloped parcels that are heavily wooded with mature trees and vegetation. It contains five existing billboards, undulating topography, several streams, a 100-year floodplain and high-power overhead electric lines that traverse the site east to west near the existing Duke substation located on the east side of Pleasant Avenue.

The following is a list of proposed improvements to the 4.5-acre site:

- The convenience store is proposed to be approximately 6,400 square feet with a pick-up window for food service on the south side of the building.
- The pick-up window is proposed only for pre-ordered and online customers. It will not have a menu board or speaker system.
- Eight double side fuel dispensers (16 pumps) are proposed to be located under a canopy structure along Pleasant Avenue.
- A full access curb cut is proposed on John Gray Road that will be aligned with Walgreen's curb cut across the street.
- A right-in/right-out access drive is proposed on Pleasant Avenue.
- A 170-foot buffer is proposed between the residential subdivision to the west and the proposed Wawa parking lot. The buffer, which will be located on proposed city owned

property and the Wawa site, will consist of existing vegetation and landscaping.

- In accordance with Fairfield Connects, the city's active transportation plan, a multi-use path is proposed to be constructed along the entire Pleasant Avenue frontage.
- In accordance with Fairfield Forward (comprehensive plan), additional right-of-way will be dedicated for a future city gateway feature at the corner of Pleasant Avenue and John Gray Road. Approval of the design and construction will be determined by the city.

Financial Impact:
None. This is a land use decision.

Emergency Provision Explanation:
NA

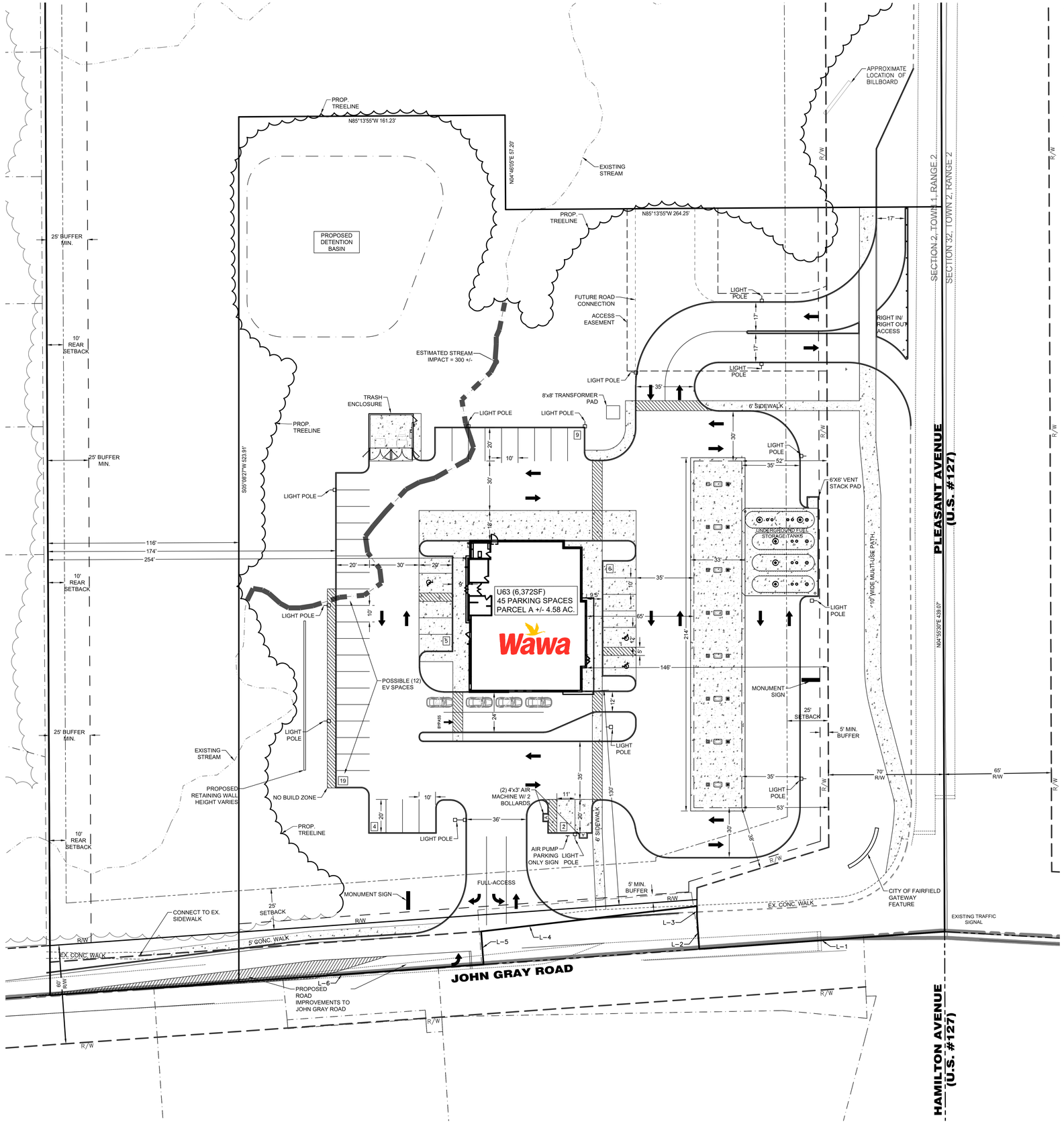
Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. Wawa Aerial_city council
2. Wawa site plan
3. Wawa Store Elevations
4. Wawa Canopy Elevations
5. WAWA PUD-ORD
6. Rec to Council Memo Wawa John Gray_Pleasant 7.10.24-SL
7. Letters from Neighbors Wawa
8. PCMinutes-7-10-24
9. Withdrawal Letter - STNL Development PUD Concept Plan 7-25-2024

Proposed Change in Zoning From C-1 to PUD

Attachment: Wawa Aerial_city



WAWA SITE SUMMARY

PARCEL A
TOTAL AREA = 4.58± AC.

EXISTING ZONING: DISTRICT C-1, NEIGHBORHOOD BUSINESS
EXISTING USE: VACANT

PROPOSED ZONING: PUD
PROPOSED USE: RETAIL & SERVICE AND VEHICLE REFUELING

BUILDING AREA: 6,372± SF

LOT COVERAGE: 1.78 AC (38.9%)

SETBACKS
FRONT: 25'
SIDE: 0'
REAR: 0'

BUFFERS
FRONT: 5' FROM R/W

PARKING
REQUIRED: 16 SPACES (1 PER 400 SF)

PROVIDED: 45 SPACES (3 ADA)

Basis of Bearing:
State Plane NAD83 (2011)

0 30 4
SCALE: 1" = 30'

Item	Revision Description	Date	Drwn:	Chk:

WAWA
CONCEPT DEVELOPMENT PLAN
JOHN GRAY RD & PLEASANT AVE
SECTION 2, TOWN 1, RANGE 2 BTM
CITY OF FAIRFIELD
BUTLER COUNTY, OHIO

LAYOUT PLAN

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

LINE TABLE		
Line	Direction	Distance
L-1	N88°55'36"W	148.98'
L-2	N01°04'01"E	20.00'
L-3	N05°18'57"E	6.02'
L-4	S88°27'37"W	131.60'
L-5	S01°04'24"W	20.00'
L-6	N88°55'36"W	263.17'

Drawing: 23-0004 CONCEPT P
Drawn by: M
Checked By: C
Issue Date: 05-21
Sheet: C3.0

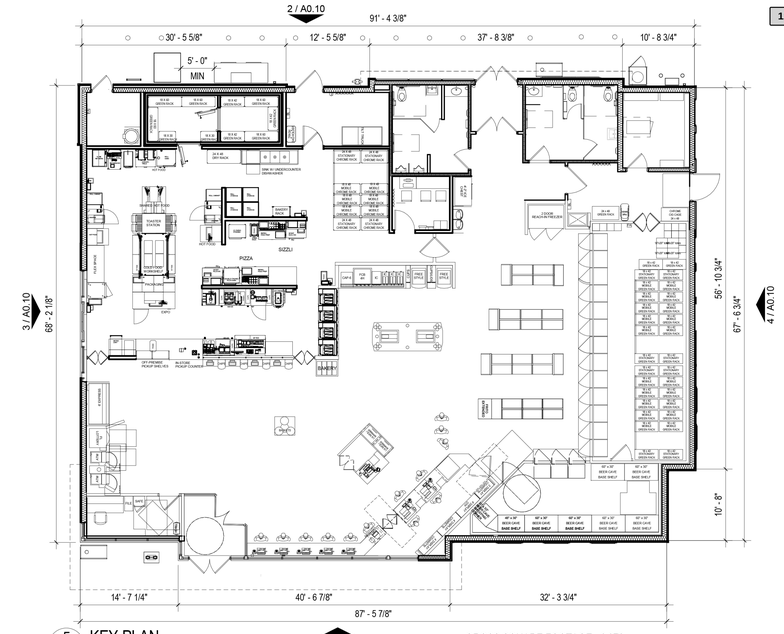
THIS DOCUMENT AND ALL RELATED DETAIL DRAWINGS, SPECIFICATIONS, AND ELECTRONIC MEDIA PREPARED OR FURNISHED BY BAYER BECKER (BB) ARE PROVIDED AS MADE IN THE USA AND ARE INSTRUMENTS OF BB'S PROFESSIONAL SERVICE, AND IS THE EXCLUSIVE PROPERTY OF BB. NO DISCLOSURE, USE, REPRODUCTION, OR DUPLICATION IN WHOLE, OR IN PART, MAY BE MADE WITHOUT WRITTEN PERMISSION OF BB, AND IS DONE SO AT USER'S SOLE RISK. COPYRIGHT - ALL RIGHTS RESERVED

Attachment: Wawa site plan (3976 : Wawa Planned Unit Development)

Plot time: May 23, 2024 - 11:22am
Drawing name: J:\2023\23-0004\PL\DWG\23-0004 Concept Plan.dwg - Layout Tab: C3.0 Layout Plan

1 A0.10 FRONT ELEVATION
3/16" = 1'-0"

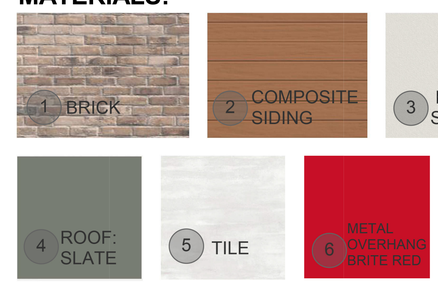
2 A0.10 REAR ELEVATION
3/16" = 1'-0"



5 A0.10 KEY PLAN
3/32" = 1'-0"

GROSS SQUARE FOOTAGE - 6,372

MATERIALS:



3 A0.10 LEFT ELEVATION
3/16" = 1'-0"

4 A0.10 RIGHT ELEVATION
3/16" = 1'-0"

HFA

U63FB FLY-THRU - STORE #TBD

2373 JOHN GRAY ROAD
FAIRFIELD, OH 45231

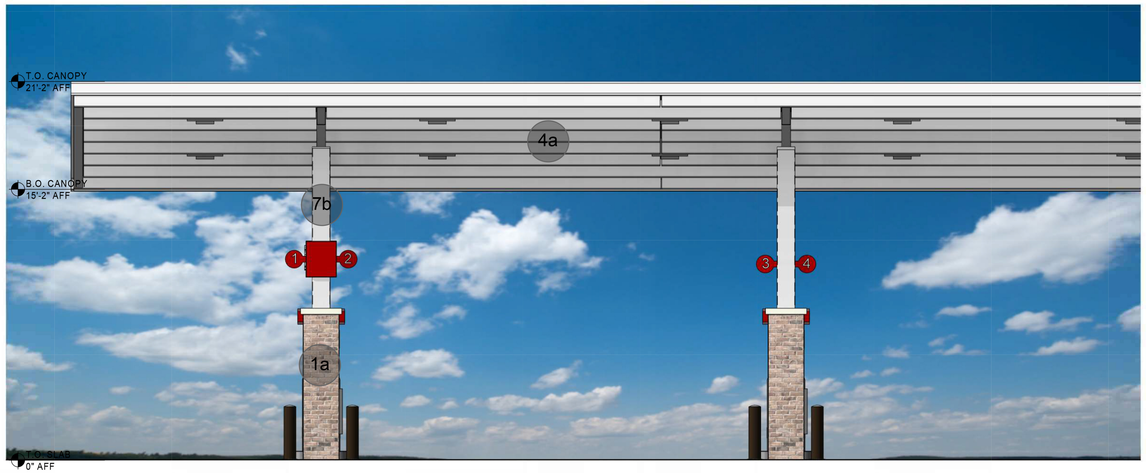
Wawa

Attachment: Wawa Store Elevations (3976 : Wawa Planned Unit Development)

MATERIALS:

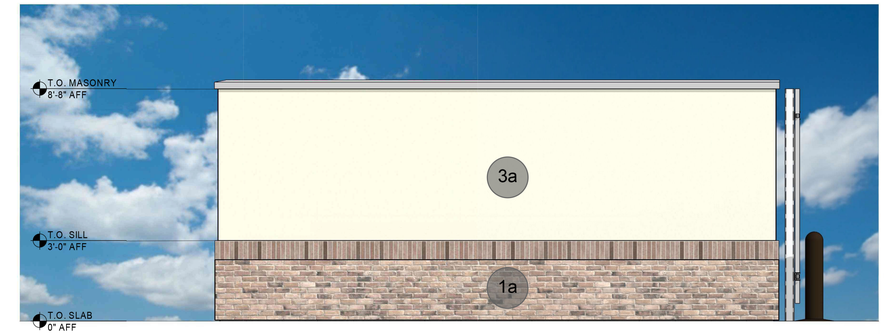
1a BRICK-1	1a BRICK-1
7b METAL: WHITE	3a EIFS OR STUCCO
4a ROOF: TATANIUM	7b METAL: WHITE
	9c PAINT: CEILING BRIGHT WHITE

7 FUEL CANOPY ELEVATION
1/4" = 1'-0"

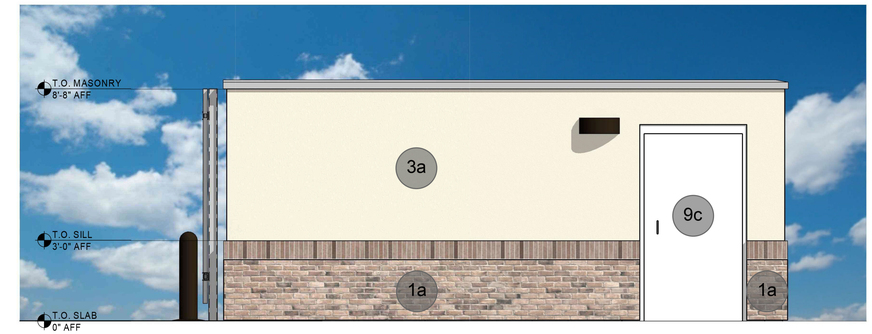


4 FUEL CANOPY ELEVATION - LONG
1/4" = 1'-0"

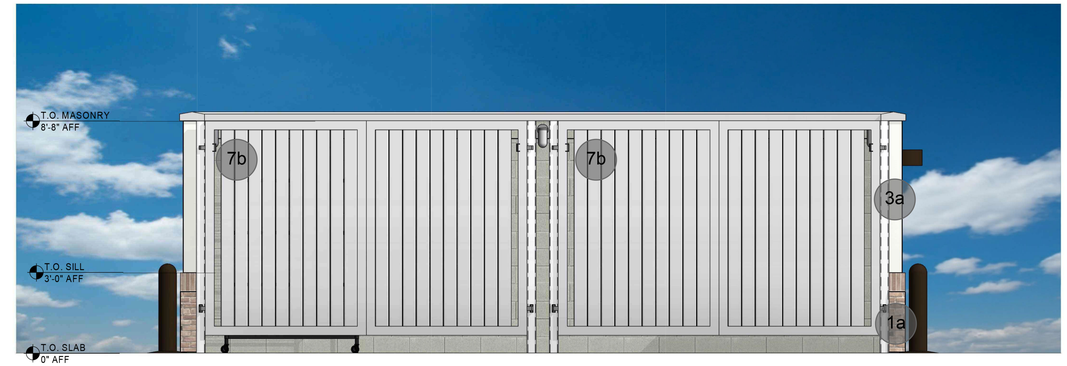
1 FUEL CANOPY PERSPECTIVE



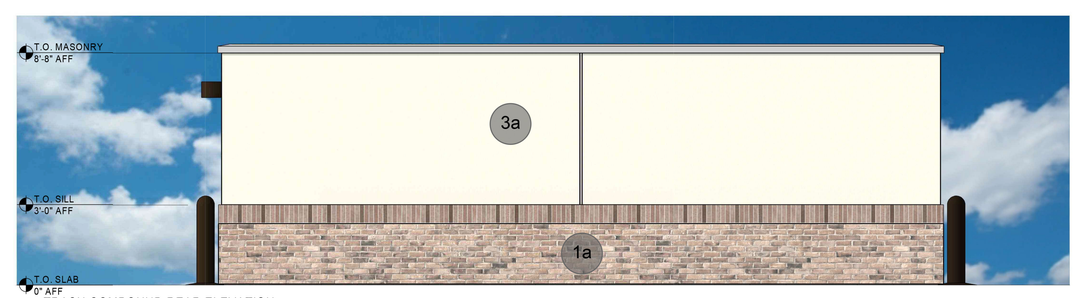
6 TRASH COMPOUND SIDE ELEVATION
3/8" = 1'-0"



5 TRASH COMPOUND SIDE ELEVATION
3/8" = 1'-0"



3 TRASH COMPOUND FRONT ELEVATION
3/8" = 1'-0"



2 TRASH COMPOUND REAR ELEVATION
3/8" = 1'-0"

HFA

FUEL CANOPY: 8-STRAIGHT TRASH COMPOUND: STANDARD R

2373 JOHN GRAY ROAD
FAIRFIELD, OH 45231

Wawa

Attachment: Wawa Canopy Elevations (3976 : Wawa Planned Unit Development)

ORDINANCE NO._____

ORDINANCE AMENDING ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, SECTION 1130.01(B)(2), THE CITY OF FAIRFIELD, OHIO, ZONING MAP BY APPROVING THE CONCEPT AND FINAL DEVELOPMENT PLAN FOR THE WAWA PLANNED UNIT DEVELOPMENT.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The official Zoning Map of the City of Fairfield, Ohio, which is incorporated into Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), is hereby amended by changing the zoning classification of the 24.1 acres located at the northwest corner of Pleasant Avenue and John Gray Road entire lots 537 and 539 and part lot 538 from its present C-1, Neighborhood Business District classification by approving the concept and final development plan for the WAWA Planned Unit Development, a copy of which plan, including the written terms and conditions which constitute a material part thereof, is on file in the office of the Clerk of Council and which are incorporated herein by reference.

Section 2. The Director of Development Services is hereby directed to change the official Zoning Map of the City of Fairfield, Ohio in accordance with this ordinance.

Section 3. This ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\WAWA PUD-ORD

Attachment: WAWA PUD-ORD (3976 : Wawa Planned Unit Development)

FAIRFIELD
OHIO

DEPARTMENTAL CORRESPONDENCE

To: Mayor Rhodus and City Councilmembers
From: Scott Lepsky, Planning Commission Chairman
Subject: Planning Commission Recommendation
Date: 7/24/24

Please be advised that at the Planning Commission meeting held on Wednesday, July 10, 2024, the Planning Commission voted 4-0 to recommend denial of the Concept Plan for a PUD for a Wawa Gas Station & Convenience Store at the northwest corner of John Gray Road and Pleasant Avenue.

Scott Lepsky, Chairman
Fairfield Planning Commission

cc: Scott Timmer, City Manager
Alisha Wilson, Clerk of Council
Steve Wolterman, Law Department

Attachment: Rec to Council Memo Wawa John Gray_Pleasant 7.10.24-SL (3976 : Wawa Planned Unit Development)

Greg Kathman

From: Scott Lepsky <scott.lepsky@gmail.com>
Sent: Wednesday, July 10, 2024 5:56 PM
To: Greg Kathman
Subject: Received 7/10/24 @ 7:38A

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mayor Rhodus & council members,

We have been residents of Fairfiled for 30+ years. We were unable to attend last night's meeting, but were able to watch it on line today. Thank you all for your time and willingness to hear from our fellow citizens.

We are opposed to any zoning changes that will allow a 24/7business to develop the intersection at John Gray & Pleasant. Our primary concerns include:

- Increased traffic congestion at this intersection
  - It is especially concerning that John Gray Road will be the 'primary' entrance/exit into the gas station
  - This intersection is already heavily congested - we can't imagine a 24x7 gas station not requiring widening John Gray to allow turn lanes...
- The proposed buffer will not prevent light spilling onto the private homes on Carousel Circle & streets beyond
  - The proposed site sits upon a hill which will cause the light polution to be magnified
- The presence of a Wawa will encourage other trafic heavy businesses from wanting to develop additional sites at and near this intersection
- A giant gas station like this will likely force smaller buisinesses at and near this intersection to close
- Environmental concerns - especially problems with water drainage

This is simply not a good location for a high-trafic, 24/7 business. Previous city planners understood this, which is why the zoning limits were placed on this property.

Furthermore, it would be a great disservice to the nearby home owners who rely on city leaders for protection from this type of threat to property values and life style. The City of Fairfield has always been a great place for family-friendly neighborhoods and also for busines development - both have thrived in Faifield because of good, common sense zoning restrictions. Please deny any zoning changes for this property.

Thanks,

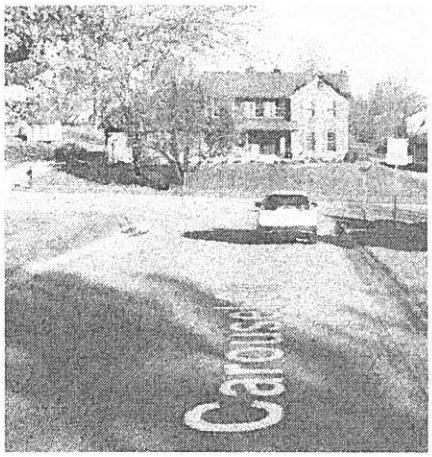
Steve & Mary Doerger
15 Bracken Place

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

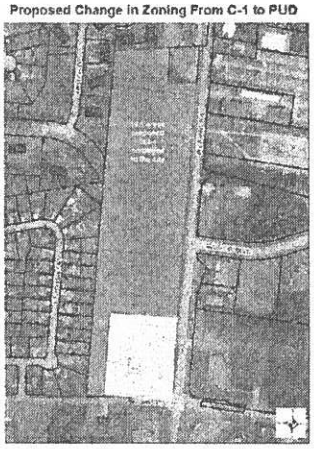
Re: Wed, July 10th, 2024 Fairfield, OH Planning Commission Meeting

Bullet point issues regarding Wawa at corner of Pleasant Ave/John Gray

Home Owner: Gary/Terrie Webb, 54 Carousel Fairfield, OH 45014 Circle (house pic below), 513-829-7195 (resident since 1990, raised 3 children). Live in a great neighborhood with great neighbors I call friends and would consider family!



Proposed Change in Zoning From C-1 to PUD



Issues:

1. **Safety within Carousel Circle** with addition traffic at intersection (have some credibility as I see it every day where my house sits):
    - Grandparents/Moms/Dads walking kids and pushing strollers thru intersection
    - Kids riding scooters, battery powered jeeps, tricycles etc. thru intersection
    - With only one way out of Wawa (across from Walgreens exit no less), if heading anywhere except south on Pleasant Ave. Even with extended left turn from John Gray to north Pleasant left turn lane will be backed up and Wawa customers will turn right onto John Gray and then right into Carousel Circle, do a U turn at the stop sign (mostly likely not stopping at all) and then turn left on John Gray.
2. **Crime**
    - Nothing ever happens good after midnight.
    - Have a Carousel Circle neighbor raising with full custody their 5 yr. twin grandsons because their son was out after midnight (not far from Fairfield, OH) and their dad is not with us anymore
3. **Addition Flooding for East side of neighborhood**
    - Currently there are several houses backyards that flood with heavy rain (red color on radar). Cars on the street at times have had water seep into them. This project only adds to the issue as discussed at 7/8/24 Public Hearing meeting
4. **Property Values**
    - As addressed by Tim Meyers at 7/8/24 public hearing meeting
    - Do not think a study was done on this topic!
5. **Lighting, Noise etc.**
    - With back entrance, this issue is only magnified.
6. **Trash**
7. **Would a Wawa really be a "Welcome to Fairfield" statement along a main Fairfield corridor?**
8. **Does Fairfield actually need 4 Wawa's?**
    - Can get to one end of Fairfield to the other in about 15 mins. Can get to the other 3 Wawa's in Fairfield in about 10 mins and I live on the Butler/Hamilton County line so others in Fairfield are even closer.
    - Would think Wawa would purchase the Pleasant John Gray property and donate all the acreage to Fairfield as a thank you for the current 3 locations!
9. **Understand thru a neighbor he heard at the 7/8/24 public hearing that the Wawa rep. lives in West Chester. If so, how many Wawa's are slated for West Chester in its upscale communities?**

Thank you for your time!

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

Lynda McGuire

To: Troy-Donna Abraham
Subject: RE: WaWa Gas Station Public Hearing

From: Troy-Donna Abraham <tdabraham@live.com>
Sent: Sunday, July 7, 2024 11:26 AM
To: DevelopmentWEB <development@fairfield-city.org>
Cc: Troy-Donna Abraham <tdabraham@live.com>
Subject: FW: WaWa Gas Station Public Hearing

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello

My name is Donna Abraham along with my husband Troy live at 33 Carousel Circle which is directly impacted by the proposed development of WaWa Gas station and convenience store. Our property backs up to John Gray Road and the greenspace and waterway of the proposed location. We would like to bring our voice to the public hearing via this email as we our out of town and not available to join in person.

Our concerns regarding the development of a gas station adjacent to our property and neighborhood are as follows:

1. Light pollution into the night: The installation of a gas station can potentially lead to light pollution during nighttime, which can have a negative impact on our property and the neighboring residential area.
2. Noise pollution: The operation of a gas station, with its traffic and machinery, can generate excessive noise that may disrupt the peaceful environment of the surrounding homes.
3. Trash in the woods: There is a concern that the development of the gas station may result in an increase in littering and improper disposal of waste, which can have a negative aesthetic and environmental impact on the woods nearby.
4. Traffic increase on John Gray: The addition of a gas station may contribute to an increase in traffic on John Gray Road, which is already a busy intersection. This could cause further congestion and potentially impact the smooth flow of traffic in the area.
5. People loitering in woods: There is a concern that the gas station may attract individuals who may loiter in the woods adjacent to the development site, leading to safety and security issues for our propery and the neighboring community.
6. Decrease in property values: The proximity of the gas station to the residential properties may result in a decrease in property values for the affected homes.
7. Crime and safety decline in residential area: The presence of a gas station can sometimes be associated with an increase in criminal activities and safety concerns, which could have a negative impact on the overall residential neighborhood.

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

8. Removal of greenspace: The construction of the gas station at the intersection may result in the removal of greenspace or natural areas, which can have adverse effects on the local environment and wildlife habitat.
9. Not a welcoming entry into Fairfield: The concerns have been raised that the proposed gas station at the main entryway of the city may not present an aesthetically pleasing or welcoming appearance to visitors, potentially affecting the overall image of the city.
10. Zoning regulations: The neighbors state that the site is not currently zoned for a gas station but rather for small family or commercial businesses, highlighting the need for rezoning if the gas station development proceeds.
11. FDA impact to creek and waterway: It has been mentioned that the development of the gas station may have impacts on the to creek and waterway: It has been mentioned that the development of the gas station may have impacts on the nearby creek and waterway due to potential pollution or disruption caused by the facility

Thank you

Donna and Troy Abraham

33 Carousel Circle

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

Lynda McGuire

To: Gwen Ritchie
Subject: RE: Planning Commission 7/10/2024 - Citizen Comment regarding the Wawa Proposed Development & Zoning change to a PUD

From: Gwen Ritchie <gwenritchie@fuse.net>
Sent: Tuesday, July 9, 2024 2:45 PM
To: DevelopmentWEB <development@fairfield-city.org>
Cc: scott.lepsky@gmail.com
Subject: Planning Commission 7/10/2024 - Citizen Comment regarding the Wawa Proposed Development & Zoning change to a PUD

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning Commissioners,

Since I am unable to attend the July 10, 2024 Planning Commission meeting, I am sending you my concerns about the proposed Wawa for the John Gray/Pleasant Ave intersection. Please consider these observations when making your decision about allowing Wawa to build a Wawa Gas Station/Convenience store to be built at this location.

I am OPPOSED to the proposed plan for Wawa to locate at the corner parcel at the John Gray/Pleasant Avenue intersection. Following are two reasons the Planning Commission should DENY Wawa's proposed development at this location.

1. **A large Gas Station/Convenience Store w/Pickup Window does not meet the requirements in Fairfield's 2019 Comprehensive Plan:** The Fairfield Forward Comprehensive plan was adopted December 2019 after the discussions and hundreds of hours of work from the 50+volunteers, consultants and input from the Fairfield community. With this plan was the adoption of a John Gray/Pleasant Overlay District[1]
    a. Goal JGP7[2] specifically states, *"Discourage automobile-related businesses (e.g. gas stations, car washes, auto repair, etc.) and self-service storage facilities from locating in this area."* **Wawa is proposing a large gas station, which is EXACTLY one of the types of business that this Overlay District calls out as prohibited.**
    b. Goal JGP 4, Policy 4.1 states, *"Focus on attracting non-fast-food restaurants, neighborhood retail and service type establishments."* The business practice of Wawa to have a drive-thru pickup window will mimic a fast-food restaurant type operation since it will encourage quick in/out traffic count. **Again, this type of business has been specified to be discouraged for the John Gray/Pleasant Overlay District**.
    c. As a member of the Fairfield Forward Steering Committee - the intention of this Comprehensive Plan was to ensure that future development and plans are consistent with what Fairfield City and its community needs and wants, as well as, to prevent the mistakes of the past when there were either no guidelines established or the guidelines that existed

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

were not followed. **Please follow the John Gray/Pleasant Overlay District goals & guidelines and DENY a gas station (or other automobile-related business) from building on this corner or in this district area.**

2. **Increase Traffic Congestion will occur if this Wawa is built**: The current road infrastructure at this intersection offers a two-lane plus a left-turn lane approach for the John Gray Road and Pleasant/Hamilton Avenue roads that intersect at the proposed Wawa corner development. There have been numerous accidents at this intersection due to the number of vehicles that turn left or cross the intersection – I have personally observed 3 such accidents in the past 10 years. From the proposed plan the main access entrance/exit for the Wawa is planned to be located across from the Walgreens entrance/exit on John Gray Road. This in my opinion is too close to the intersection and will cause more traffic congestion and accidents from the much-increased quantity of cars entering and exiting the proposed Wawa. Cars already stack up on John Gray Rd in the left-turn lane to turn onto Pleasant Avenue north; so additional traffic from a gas station/food mart going onto John Gray at that location will be a nightmare.

I hope that both the Planning Commission and Fairfield's City Council will DENY the proposed Wawa at the John Gray/Pleasant Ave intersection.

Thank you for your consideration.

Gwen Ritchie
6152 Primrose Lane
Fairfield, OH 45014

[1] The John Gray/Pleasant area "is a main gateway into Fairfield, ... that will be well-designed, small-scale mixed-use area supported by low intensity retail and services that support the surrounding neighborhoods, and low to medium density residential uses".
[2] Specified on p62 of the Fairfield Forward 2019 Comprehensive Plan.

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

Lynda McGuire

To: Erin Lynn
Subject: RE:

From: Theresa <ruby.tcb@gmail.com>
Sent: Wednesday, July 10, 2024 12:06 AM
To: Erin Lynn <ELynn@fairfield-city.org>
Cc: tannermeyers92@gmail.com
Subject:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

July 10 - Meeting notes

cc:Tanner Meyers

Erin, my name is Theresa Mangold, 35 year resident and original homeowner 11 Carousel Circle.

I was at the meeting Monday night and I didn't get to voice my concern. I spoke with Tim Meyers after the meeting and expressed that I cannot make the Planning meeting Wednesday. I asked if there was anyone I could give my notes to for the meeting. He introduced me to Tanner Meyers who gave me your email address and said you would be the person to send these to.

Many of my concerns were mentioned by neighbors and other Fairfield residents and will likely be mentioned Wednesday.

I appreciate all of the work that has been put into this proposal. However any benefits are far outweighed by the adverse effects on residents, property values, traffic and safety. And frankly the developer and Wawa are the ones that will reap the real benefits here.

*My concern that I didn't get to mention at the meeting Monday is traffic/safety.

*Current traffic lanes have a hard time with traffic delays now. The developer's proposal is asking for traffic-related concessions for entrances/exits specifically John Gray Road. Fairfield's Design, Construction, and Materials Specifications Handbook requires the driveway to be 600' from Pleasant Avenue. This was put in place for a reason but already developers want Fairfield to concede this safety factor and allow them to build the John Gray access to be only 250' from Pleasant Avenue which would align it with Walgreens' driveway. Anyone who has driven west on John Gray from Pleasant Avenue and has seen traffic stopped for someone turning left into Walgreens already knows how traffic can stack up quickly for anyone trying to make the light to get across the intersection. Add another driveway directly cross from that and the likelihood of an accident intensifies. John Gray has not only seen many terrible traffic accidents but fatalities on both sides of Pleasant Avenue. My own family was hit right outside

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

of our street. Some drivers cannot seem to stay in their lane traversing the hilly road. Several neighbors as well as myself have been run off the road right before Carousel Circle.

Other points

1. Fairfield zoned this John Gray/Pleasant overlay district C-1 to promote and protect and to keep it neighborhood-oriented with small-scale land use for a reason.
2. We bought our homes here knowing the current zoning supports residents of surrounding neighborhoods.
3. This superstation is, simply put, too large for this area.
4. The fact that it's a 24 hour location brings not only increased traffic but also all night traffic and noise and statistically, an invitation to crime. A neighbor and a police officer at the meeting expressed concern that Carousel would be the likely escape route for the inevitable crime be it just shoplifting or robbery as seen multiple times at the Speedway at Kemper Road.
5. There have been other proposals brought before Fairfield for this corner that have not been approved. This one seems to be another that just doesn't fit. And just because they have the deep-pockets it takes to overcome some of the land development challenges doesn't mean it is the best fit for the gateway into Fairfield.

Thank you for reading this and bringing the concerns to the meeting.

I appreciate it very much as well as all of the work involved on the part of Fairfield.

Sincerely, Theresa Mangold

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

Lynda McGuire

From: Lynda McGuire
Sent: Tuesday, June 11, 2024 3:33 PM
To: Erin Lynn; Greg Kathman
Subject: Call re: Rezoning @ John Gray/Pleasant

A concerned citizen called to say she has no problem with the project, as long as traffic is maintained. She said she is concerned that the small business "Grab and go" across the street will go out of business if a Wawa is constructed there. She did not want to leave her name.

Lynda McGuire

Administrative Assistant - Development Services
City of Fairfield, Ohio
5350 Pleasant Avenue
Fairfield, OH 45014
513-867-5345

FAIRFIELD
DEVELOPMENT SERVICES

www.fairfieldoh.gov

The City of Fairfield is subject to Ohio sunshine laws relating to public records. Email sent to received by City employees are subject to these laws. Unless otherwise exempted from the public records law, senders and recipients of City email should be aware that their emails may be subject to disclosure upon request. This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain private, confidential or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, employee or agent responsible for delivering this message, please contact the sender by reply e-mail and destroy all copies of the original e-mail message.

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

Lynda McGuire

From: John Foyles <foylesja@gmail.com>
Sent: Monday, June 3, 2024 11:38 AM
To: DevelopmentWEB
Subject: Fwd: Rezoning John Gray and Pleasant for Wawa

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Development team,

I am writing to voice my concern of rezoning the land and letting Wawa build a gas station.

This idea is horrible in my opinion and does not create a great entrance into Fairfield because who wants to be known for a horrible gas station as soon as you enter the limits. Small locally owned businesses are what Fairfield is known for. Please do not accept the "BRIBE" from Wawa of 19 acres of land either, what will the city be able to do with that land? Nothing at all. The land that would be needed for the city is the exact plot Wawa wants because of how awful the traffic is at the light already.

I moved into Carousel Circle because of how quaint it is and I love the community. It is quiet. I can tell you that adding a gas station will add a lot of noise pollution. There is also a water drainage issue on the east side of Carousel Cir between the houses and Pleasant and it floods whenever we get a fair amount of rain, you want to know what Wawa will do? They will make sure it doesn't flood their land and excavate the land to push the issue more to the property owners side. I work in corporate America and I know how they play.

I will have to say if Wawa was voted in, I would do my best to get everyone who is for, not reelected for the next term. It may not impact them, but it will impact those of who live near the site and everyone who has to drive on Pleasant and deal with the awful traffic.

Please for the sake of our amazing community use the long-term plan and keep the zoning for small business, do not take this land bribe and do the right thing and so no to the rezoning and to the Wawa. Sometimes things are just meant to be trees and hold the beauty of the natural environment.

Please do the right thing and keep our community beautiful and remember what really powers the City of Fairfield, small businesses.

Thanks you,
John Foyles

Attachment: Letters from Neighbors Wawa (3976 : Wawa Planned Unit Development)

MINUTES OF A REGULAR VOTING MEETING OF THE FAIRFIELD PLANNING COMMISSION JULY 10, 2024

Scott Lepsky called the Regular Meeting of the Fairfield Planning Commission to order.
Members present were: Scott Lepsky, Don Hassler, Marty Medler, and Tanner Meyers. Also, in attendance were John Clemmons, Law Director, Greg Kathman, Development Services Director, Erin Lynn, Planning Manager, and Lynda McGuire, Secretary. Motion to excuse Missy O'Brien, Matt Davidson, and Doug Robertson carried unanimously.

MINUTES OF THE PREVIOUS MEETING

The minutes of the June 26, 2024 Planning Commission meeting were approved as submitted.

OLD BUSINESS

NEW BUSINESS

Concept Plan for PUD – Wawa Gas Station & Convenience Store – 6283 Pleasant Ave.

An application has been submitted for a concept plan for a PUD for a Wawa gas station and convenience store on 4.6 acres on the northwest corner of Pleasant Avenue and John Gray Road. Mr. Kathman stated that he wanted to clear up some misunderstandings he has heard since the Public Hearing on Monday. There are questions as to why "the city wants this project". Mr. Kathman stated that Wawa is a private company that is working with a private developer and property owner. Mr. Kathman gave an overview of zoning. Any property owner can request a zone change, and staff is required to accept the application and take it through the process outlined in the City Charter. When the application is submitted, staff will research the request and present their findings at the Joint Public Hearing. Planning Commission will then hear the request and make a recommendation to City Council, who will then make the final decision on the request. Mr. Kathman stated that each PUD has its own zoning and restrictions. The Planning Commission can go above and beyond and apply additional conditions of approval if the project is approved.

Ms. Lynn gave an overview of the request. She stated that there are three sets of regulations that the property needs to comply with; the PUD requirements, the John Gray/Pleasant Overlay District requirements, and the C-1 zoning district requirements. Staff is recommending that the project comply with the base regulations of the C-1 zoning district, with exemptions on use and size. Ms. Lynn explained the permitted and conditional uses in the C-1 zoning district. The site was discussed. The proposed PUD site consists of 4.6 acres at the corner of John Gray Road and Pleasant Avenue. There will be a 116-foot vegetative buffer between this site and the residential homes on Carousel Circle. The Planning and Zoning code only requires a 25-foot buffer. There is a

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

panhandle strip of land in this buffer area that the city is asking Wawa to include in the subject property and put in an easement. The buffer area is factored into the 15% open space requirement and complies with that requirement. Ms. Lynn stated that a tree preservation plan would be required. The cross-section slide was discussed. Ms. Lynn said that there is 352 feet between the store and the closest house on Carousel Circle, and the store is 250 feet from the home's rear property line. The topography plan was presented and showed the high and low elevation points of the site.

Mr. Kathman stated that there were questions and concerns on Monday regarding stormwater retention and the detention basin. He explained that there are catch basins that will be located throughout the parking lot that will collect the stormwater. The stormwater will then be routed to the detention basin where it will release slowly over time. There is an overflow structure that will route water away from the Carousel Circle neighborhood to a nearby stream in the event of a massive rainfall.

Ms. Lynn described the parking lot and building. She stated that there is an online pickup window planned on the south side of the building. There will be a 7,000 square foot canopy that will contain 8 islands with 16 gas pumps. The building itself will be 6,372 square feet, which exceeds the 5,000 square foot maximum in the C-1 zoning district. Parking was discussed. The Planning and Zoning code specifies 1 parking space per 400 square feet of building. This development would require 16 spaces; the proposed parking plan shows 45 parking spaces. Ms. Lynn asked that the applicant address reasons for the extra parking spaces. A retaining wall is shown on the west side of the property that will be required to be constructed with decorative block. The existing sidewalk along John Gray Road will be required to be rebuilt with a tree lawn buffer between the sidewalk and the road to provide a safer path for pedestrians. A ground sign is proposed near each entrance.

Lighting for the project was discussed. Ms. Lynn stated that there were some concerns at the Public Hearing about the lighting on the property at night because it is proposed to be open 24 hours a day. The applicant is proposing 20-foot-tall full cutoff pole lights around the parking lot, in addition to lighting under the canopy and wall packs on the building. Ms. Lynn suggested that turning off or dimming the lights along the west property line may create less of an impact to the houses on Carousel Circle. Ms. Lynn said the landscape plan submitted was robust around the perimeter of the property but is not reviewed until the Final Development plan is submitted. The elevations were shown to the Commissioners. The building consists of brick, cementitious siding, and EIFS. Signage is proposed on all sides of the building and the amount submitted is more than the C-1 zoning district allows. Ms. Lynn stated that the amount of signage should be reduced to meet the requirement. In addition, the canopy materials are supposed to match the building materials per the requirements, and it currently does not comply.

Mr. Kathman informed the crowd that all the project information is available online, as well as the presentation slides from Monday night. The upcoming schedule was discussed. The second reading at City Council is scheduled for August 12, and the third and final reading on September 9.

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

Mr. Meyers asked if Wawa would be responsible for the trash and debris in the vegetative buffer strip. Ms. Lynn indicated that they would be responsible. Mr. Lepsky referenced the walking path and gateway feature shown on the plans and asked if there was going to be enough right of way dedicated to accommodate the recommended future right turn lane. Mr. Kathman stated that the plans were conceptual and do not show the exact location of the gateway and walking path, but there will be enough right of way dedicated to the city for all items to be constructed. Mr. Hassler stated that he was concerned that John Gray Road cannot handle the amount of traffic from a Wawa at this location.

Mayor Mitch Rhodus was in attendance and spoke to the audience. He stated that he wanted to dispel some rumors that he has heard and answer some questions he has gotten over the last couple of days. One rumor that he heard is that if the Wawa project is not approved, then Section 8 housing is going to be built there. This rumor is untrue. A question he said he has been hearing is "How do we allow" all of these Wawa stores to open in Fairfield? He stated that the other 3 locations that have been approved were zoned commercial and did not need special approval. He discussed drainage concerns and stated that drainage in the area will be better with this project. Mr. Rhodus urged the audience to "be careful what you wish for" and addressed the permitted uses that could go in with no restrictions. He stated that all but 25 feet of tree line may be removed with any of the listed uses and Planning Commission and City Council would not have any control over those.

Jonathan Wocher, with McBride Dale Clarion and representing the applicant, was in attendance. He stated that they have been working on the plans for this project for many months. The PUD process gives Planning Commission more control over the details and produces a better development. Mr. Wocher stated that the original submission was to develop 4.6 acres of the parcel and to donate 19.5 acres of remaining land to the city, which includes a substantial buffer between the houses and the proposed building. 30% of the parcel is being developed, while 70% of the site will be open space. With the city's request that Wawa keep the strip of vegetative buffer for easements, the breakdown becomes 5.9 acres for development and 18.2 acres to be donated to the city. A retaining wall is planned along the west property line that will be 90 feet long and 8-10 feet high at the highest point. He stated that they will be creating a flat pad for the building to be constructed on that will be at approximately the same elevation as the houses on Carousel Circle, but a few feet lower than both John Gray Road and Pleasant Avenue. The buffer zone provided between the development and the houses will be 5-7 times what is required by zoning. Mr. Wocher discussed drainage. He stated that there will be catch basins to capture water on the site and be routed to the detention basin. Eventually the water will be released to a creek downstream. Mr. Hassler asked if there would be an incline when pulling out onto John Gray Road. Mr. Wocher stated that there will be a flat pad when pulling out onto John Gray Road.

The traffic impact study (TIS) was discussed. Mr. Medler referenced the trip generation numbers. The study showed 506 AM peak trips, or 253 in and out of the Wawa, and 430 pm peak trips, or 215 in and out of the store. The city engineer added 5 conditions of approval as a result of the TIS that

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

Wawa has already agreed to. Mr. Lepsky noted that 60% of the AM peak traffic and 70% of the PM peak traffic is on John Gray Road. He stated the northbound left turn lane on John Gray Road is already short by 50%, according to the TIS. Mr. Wocher stated that they are planning to extend the left turn lane with this project. Mr. Lepksy also stated that the peak hour traffic numbers do not include the rest of the consumer stops. Mr. Wocher said that the TIS considers the worst-case scenario. There will be other cars driving through the traffic study area that will not stop at the Wawa.

Mr. Meyers asked if noise concerns have been addressed, since considerable morning traffic is expected. Mr. Wocher indicated that there is a substantial buffer with trees to help reduce noise on the site. Any noise ordinances will be followed. Mr. Wocher also stated that based on comments from the public hearing, he is proposing additional conditions of approval. One of those conditions is to construct a privacy or opaque fence along the west property line to provide additional screening, to prevent headlights from shining into the Carousel Circle neighborhood, to prevent garbage and debris from blowing from the Wawa property, and to keep people from loitering and cutting through the buffer area. Another condition that he is proposing is to add evergreen trees or more landscaping to address the potential problem of the lack of winter foliage on the existing trees. Mr. Wocher stated that they intentionally provided more detail than required to show how good the plans are. They are planning to provide robust landscaping, pedestrian connections to the proposed walking path, and a good elevation design.

Patrick Warnement, with Wawa Corporate, was in attendance. Mr. Lepsky asked that he address the issues with sign overage and canopy materials. Mr. Warnement stated that they can increase the stone veneer on the canopy posts to run it all the way up to the top. He said he can also work with staff to decrease the amount of signage. Mr. Wocher stated that they submitted a photometric plan of the site, and the plans meet the zoning code requirements. He added that they will propose to reduce the height of the 3 poles along the west property line from 20 feet to 15 feet. The area will be well lit, but not shining on other properties. They are also planning to remove the billboards that are on the site. Mr. Warnement stated that Wawa is not just a gas station. The food that is offered is of a higher level, making it a top market convenience store. He said this area is desirable and he believes the Wawa store is the highest and best use for this property. Other users could not afford to make the required site improvements that they are doing. He has worked with Hamilton County, Fairfield city staff, and provided a TIS. Parking was discussed. He stated that they need more parking because they serve food. They also plan to have 8-9 employees working during the day. Wawa stores typically have 50 parking spaces, this one will be just shy of that. Ms. Lynn asked if they have done a parking study to determine the amount of parking needed. Mr. Warnement stated that they would do one if needed.

PUBLIC COMMENT

Jay Patel, owner of Grab and Go, 6330 Pleasant Avenue was in attendance. He stated that he was concerned about the Wawa and asked why the city would change so many rules and regulations for

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

a gas station.

Josh Large, 29 Carousel Circle, was in attendance. He provided the Commission with pictures of flooding taken at his property. He stated that other uses that would be permitted on the property are not 24 hour businesses. He said there are 9 gas stations within two miles of each other in the area. He asked how many Wawas needed to be in Fairfield, as there are already 3 approved.

Karly Monahan, 52 Carousel Circle, was in attendance. She stated that there is already significant traffic in the area, sometimes backed up all the way to 275. People will use Carousel Circle to turn around and circle back to get on John Gray Road. She noted that there are no sidewalks on the other side of John Gray Road in that area.

Greg Sander, 28 Carousel Circle, was in attendance. He has lived in Fairfield for 36 years. He stated that sometimes things do not go as planned. The current flooding wasn't planned and what if the flooding gets worse with this development? He stated that removing the vegetation behind their homes may make it worse. If the project is approved, property values may be affected. He stated that this Wawa is different because it is the only one that infringes on residential properties. He stated that the developer mentioned challenges with the site, and he would rather take his chances with another use. He asked the Commission to deny the request.

Mike Keller, 13 Carousel Circle, was in attendance. He stated he was concerned about crime and he said people tend to group around stores and loiter.

Steve Meyer, 6293 Robert E. Lee Drive, was in attendance. He has lived in Fairfield for 46 years. He referenced the Meijer Store on Kolb Drive and how difficult it is to pull onto Mack Road from Kolb Drive. He said this would be similar, because pulling out left onto John Gray Road from Walgreens is already difficult because of the large retention wall and hill on John Gray Road. Any taller vehicles on John Gray Road will block the view from traffic pulling out from Wawa.

Mr. Lepsky referenced the City of Fairfield Construction Handbook and stated that the handbook requires the curb cut to be 600 feet from Pleasant Ave. Mr. Kathman stated that John Gray Road is considered a collector street, which requires the entrance to be 300 feet from John Gray Road and 600 feet from Pleasant Avenue. He stated that the engineers decided to line up the driveways for Walgreens and Wawa for safety purposes.

Gary Webb, 54 Carousel Circle, was in attendance. He sent a letter to the Commission prior to the meeting listing his concerns about the project. He suggested that the minimum 25 foot buffer requirement be made larger. He stated that he was concerned about flooding, because the neighborhood already has flooding issues. Mr. Kathman stated that the subdivision drainage was constructed in the 1970s and requirements have changed since then. He stated that the Wawa development would not affect drainage to the properties on Carousel Circle. Mr. Webb said he was concerned about noise from a gas station. He asked if there needed to be 4 Wawas in Fairfield.

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

Don Moser, 5293 Marcel Drive, was in attendance. He stated that he would not be affected by this development, but his office is 2 doors down from the Wawa on Dixie Highway and Symmes Road. He stated that he thinks so many Wawas will do economic harm to existing businesses in Fairfield by taking away business. Other businesses will suffer and close.

Denise Radford, from Hunter Stand, was in attendance. She said the project does not make sense. Why do they need to develop land that has been zoned commercial for 40 years? The project will displace wildlife. She said she is concerned about gas running underground within 300 feet of houses and about underground water sources. She stated she is concerned about the elevation of the property. She is opposed to the development and thinks it will do more harm than good.

Gemma Singer, 6372 Jamesfield Court, was in attendance. She stated that she is concerned about traffic, because it is already a dangerous intersection. She said the Comprehensive Plan was approved just 4 years ago, and Wawa is asking the city to overrule the work that was done. She said she is concerned about the right in/right out on Pleasant Ave because it will not bring business to Fairfield, it will direct people out of the city. She stated that the turn lanes are not long enough and will back up traffic. She said the Overlay District prohibits gas stations and fast food, and this development brings both of those uses. She said she is concerned about the water piping under the pavement and that it is not big enough to get the water to the creek. She said she is concerned about the environmental implications of gas and oil getting into the creek from the parking lot of the gas station. Ms. Singer stated that she is concerned about Wawa being a 24 hour business and adding traffic in the middle of the night to the area.

Mary Ann Phillips, 24 Carousel Circle, was in attendance. She stated that the other 3 Wawas in Fairfield are located in commercial districts; they are trying to fit this one into a residential area. She stated that she is concerned about how long the turn lane will be and where it will come out in relation to Carousel Circle. She noted that there is a school bus stop on Carousel Circle, and she is concerned about the additional traffic that will be added to the area. She said she was concerned about dimming the lights on the west side of the property, because it will be dark on that side of the parking lot and could invite crime.

Dave Groen, 6 Carousel Circle, was in attendance. He stated that he agreed with the concerns about traffic problems. He said he thinks there will be a conflict with left turns out of Walgreens and left turns out of Wawa onto John Gray Road. He stated that the John Gray turn lane is already undersized, and this development will make it worse. He stated that the businesses that are permitted in the C-1 zoning district are lower impact uses than the Wawa and won't bring in the same amount of traffic. He referenced the detention basin and said that Carousel Estates empties into that basin. Moving dirt on the adjacent property will impact the flooding. It has been much worse over the last 5 years. He is worried that if this project is approved it will set a precedent of allowing gas stations in the C-1 zoning district.

Joe Monahan, 52 Carousel Circle, was in attendance. He said he agrees with all of the other

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

concerns stated. He stated that he lived in New Jersey before moving here and Wawa was popular there. He stated that there was a lot of loitering and garbage at those locations. He said that cars already speed up and down Pleasant Avenue and this will make it worse.

Bill Rawe, 1622 Oak Valley Court, was in attendance. He told the Commission that he appreciated them hearing the audience comment and asked if the comments made a difference in their decision. Mr. Lepsky replied that people's voices matter, but the Planning Commission only makes a recommendation to City Council. City Council has the final vote. Mr. Rawe stated that Pleasant Avenue and John Gray Road are two lane roads that experience a lot of closures. Fairfield is also experiencing more traffic from Hamilton on 127. He asked if Wawa had received a tax abatement for this project. Mr. Kathman said they did not. Mr. Rawe stated that he thinks Wawa will hurt Kroger and UDF, which have their corporate offices in Cincinnati.

Donald Grimm, 6292 Stonewall Lane was in attendance. He stated that he agreed with everyone's comments about traffic and crime. He said his wife doesn't even drive on Pleasant Avenue because of the traffic.

Mr. Warnement addressed the Commission. He stated that neighborhood drainage issues sound like an existing issue that has nothing to do with this project. Regarding the Pleasant Avenue curb cut 600 feet from the intersection, they had a TIS performed, and that study was reviewed by Fairfield and Hamilton County engineers and both entities were fine with it. He discussed the lighting and stated that 20 feet tall poles were the standard, but he is willing to work with staff to dim or lower them. He stated that precedent has already been set because there is a gas station across the street and they have been permitted in the C-1 district up until recently. Mr. Lepsky noted that the gas station was developed 20 years ago.

Mr. Meyers stated that the applicants have obviously spent a lot of time and money on the request. He said that Fairfield has 30 parks, but they are only known for car lots, vape shops, and gas stations. He stated he doesn't want one of those businesses as soon as you enter the city. The zoning code was updated to allow those auto uses to be reduced. He stated that Fairfield is business friendly, but there is a reason the code was changed. Mr. Medler stated that he agreed with Mr. Meyers. He also stated that he used to live outside of Philadelphia and is very familiar with Wawa. They run a good company and are a good store, but this is not a good location for all of the reasons heard tonight. Mr. Hassler stated that he cannot support the request due to traffic concerns.

Scott Lepsky stated that for reasons specified in the Comprehensive plan, including:

1. The John Gray/Pleasant Overlay District prohibits motor vehicle related businesses.
2. Small Area Goal JGP7 discourages automobile related businesses from locating in this area.
3. Small Area Goal HN1 notes to protect and preserve existing residential neighborhoods.

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

Also, for the traffic and safety concerns as stated in the and the City Engineer's memo and traffic study, including:

4. City specifications requiring the John Gray Road driveway to be 600' from Pleasant Avenue.
5. An estimate of approximately 506 am trips, 60% entering and leaving John Gray Road and 430 pm trips, 70% entering and leaving John Gray Road at peak hours.
6. Inadequate storage and stacking length on Pleasant Avenue and John Gray Road. The east bound left lane is currently less than half of the required length, according to the traffic study, and the north bound left currently needs to be increased by about 50%.

And for several reasons expressed by the community this evening, he motioned to recommend denial of the concept plan to City Council. Motion carried 4-0. Motion carried unanimously.

Infill Parcel Approval – 5311 Muskopf Road

An application has been submitted for infill parcel approval for the construction of a new single-family residence in the R-1 zoning district. Ms. Lynn gave an overview of the request. The proposed home will be located on the west side of Muskopf Road. The parcel was originally owned by Fairfield West Baptist Church, but recently was split off and sold. Neighboring areas surrounding this parcel contain homes that were built in the 1960s to the 1980s. The applicant is proposing to construct a 2,550 square foot, two-story home. The first floor will consist of brick, with the second floor consisting of vertical vinyl siding. The sides and rear of the home will be horizontal vinyl siding. The design standards in the zoning code require infill housing to provide a minimum of 25% brick, stone, stucco, wood, or fiber cement board on the side and rear façade. A minimum of two building materials are also required on the house. Sidewalks exist on the east side of Muskopf Road, but there are none on the west side of the street until close to River Road and south of the church.

Scott Willis, with W Homes, was in attendance. He stated that up and down both sides of the street the homes contain a lot of vinyl siding. The home is designed to fit in with the surrounding neighborhood. He said the siding is a high quality 4.4-gauge vinyl siding. He asked for a waiver on the requirement to install a sidewalk. Mr. Kathman indicated that it is a low priority location for sidewalk installation. The rectangle on the side elevation was discussed. It is a transom window located in the master bedroom. Mr. Lepsky said he doesn't like all of the siding on the back, but it does fit in with the neighborhood. Mr. Medler stated there was no reason to install a sidewalk since there are none in the area.

Scott Lepsky, seconded by Tanner Meyers, motioned to approve the infill house as submitted, and to waive the sidewalk requirement. Motion carried 4-0.

REPORTS/STUDIES/GENERAL DISCUSSION

Greg Kathman stated that Development Services has two items on the August City Council meeting agenda and there are two planned Joint Public Hearings on August 12.

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

Motion to adjourn carried unanimously.

_____ _____

Scott Lepsky, Chairman Lynda McGuire, Secretary

DRAFT

Attachment: PCMinutes-7-10-24 (3976 : Wawa Planned Unit Development)

McBrideDALE CLARION

July 25, 2024

Erin Lynn, AICP
Planning Manager
City of Fairfield
5350 Pleasant Avenue
Fairfield, OH 45014

Via Email – elynn@fairfield-city.org

RE: Withdrawal of PUD Zone Change and Concept Plan Application – STNL Development
John Gray Road at Pleasant Avenue

Dear Erin:

On behalf of STNL Development, I am transmitting this letter to withdraw the PUD Zone Change and Concept Plan application filed by STNL Development for the proposed development of the property at the northwest corner of John Gray Road and Pleasant Avenue for a Wawa convenience store.

While our team believes that the proposed development was an opportunity to provide great benefits to the City of Fairfield and to the community, the lack of support for the project indicates that the withdrawal of the PUD Application is the appropriate action.

We appreciate the time and effort of the City staff and members of City Council and Planning Commission on this application.

Please confirm receipt of this request and that the application will be withdrawn from future City Council agendas.

Thank you for your assistance. Please contact me as needed.

Sincerely,

Jonathan Wocher, AICP, LEED GA
MDC #5253
Copy: STNL; Wawa

Planning ▪ Zoning ▪ Development Services
5721 Dragon Way, Suite 300 ▪ Cincinnati, Ohio 45227 ▪ (513)561.6232 ▪ fax: (513)561.1615

Attachment: Withdrawal Letter - STNL Development PUD Concept Plan 7-25-2024 (3976 : Wawa Planned Unit Development)

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Erin Lynn, Planning Manager
Submitting Department: Development Services

Subject:
QuikTrip rezoning

Legislation Title:
Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map.

Recommendation:
It is recommended that City Council have a first reading on this item at the July 8, 2024 meeting, set the joint public hearing for August 12, and await the written recommendation from the Planning Commission.

Background/Synopsis:
QuikTrip, a company that owns and operates more than 1,000 fueling stations and convenience stores in 17 states, is proposing to construct a motor vehicle fueling facility on Dixie Highway between Speedway gas station and Cincinnati Christian Schools near the southern end of the city. The development site contains approximately 5.24 acres and is zoned C-3A, except for 0.41 acres zoned M-2. Motor vehicle fueling facilities are not a permitted use in the M-2 zone. In order to create the site, QuikTrip will purchase the land, combine multiple parcels, and dedicate right-of-way along Route 4. The rezoning will provide a single zoning district for the site and will remove an industrial zoning classification from the Route 4 commercial corridor.

The applicant is proposing to demolish the existing building (former church) and remove the soccer field to accommodate a 7,318 square foot convenience store and two fuel canopies. The canopy west of the store will contain 9 double sided fuel dispensing islands (18 pumps) for cars and the other canopy on the east side of the building will contain 5 pumps for commercial vehicles and/or semi-trucks.

Financial Impact:
None. This is a land use decision.

Emergency Provision Explanation:
NA

Rule Suspension Requested:
No

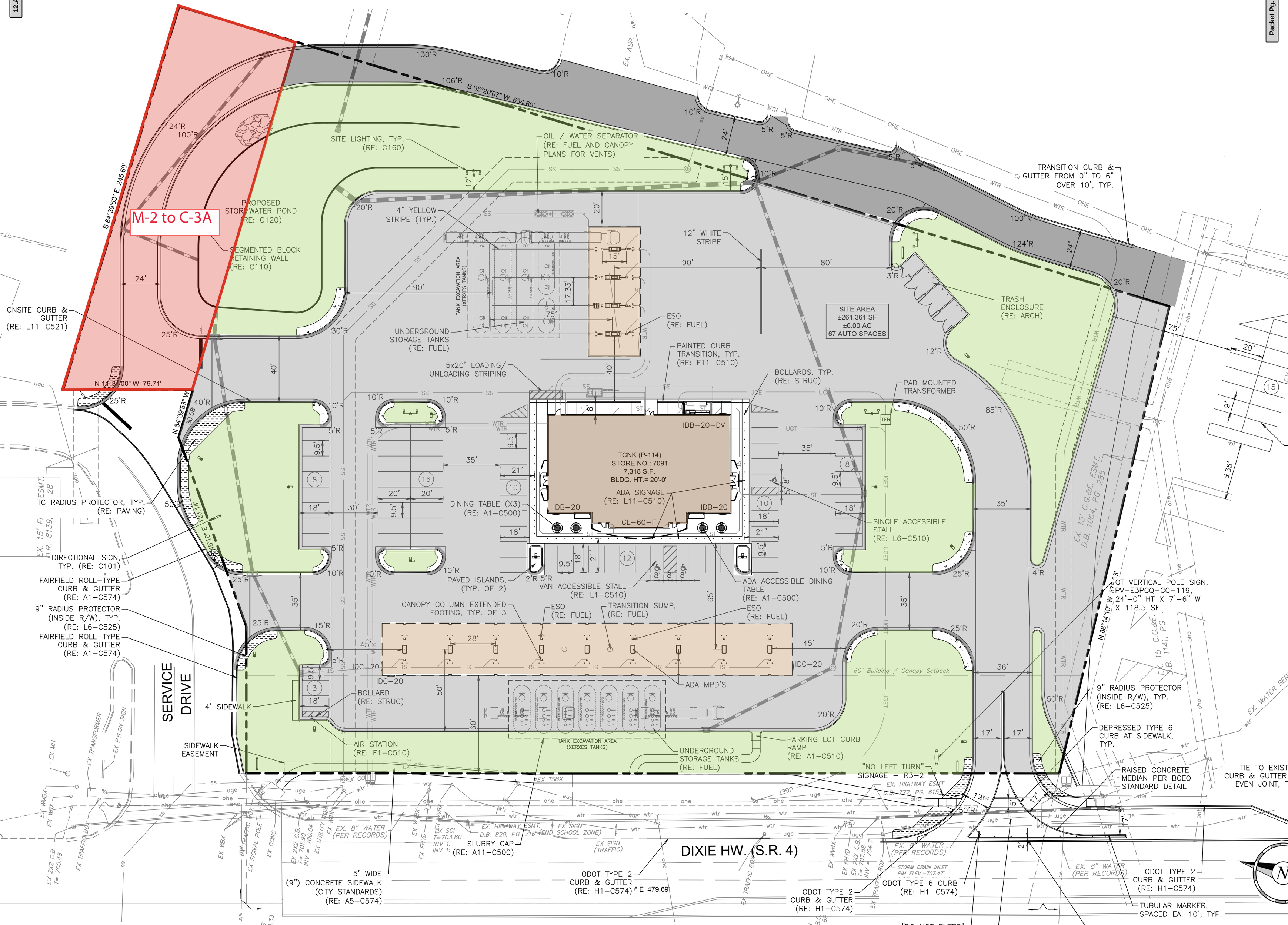
Emergency Provision Needed:

No

Attachments:
1. council aerial
2. quik trip rezoning site plan
3. ZoningMap

Proposed Change in Zoning From M-2 to C-3A

Attachment: council aerial (4000 : QuikTrip rezoning)


M-2 to C-3A
SITE AREA
±261,361 SF
±6.00 AC
67 AUTO SPACES
TCNK (P-114)
STORE NO.: 7091
7,318 S.F.
BLDG. HT.= 20'-0"
IDB-20-DV
IDB-20
CL-60-F
IDC-20
DIXIE HW. (S.R. 4)
SERVICE DRIVE
S 05°20'07" W 634.60'
S 84°39'53" E 245.60'
N 11°31'00" W 79.71'
N 84°39'53" W 30.58'
N 88°14'19" W 326.13'
PROPOSED STORMWATER POND (RE: C120)
SEGMENTED BLOCK RETAINING WALL (RE: C110)
SITE LIGHTING, TYP. (RE: C160)
OIL / WATER SEPARATOR (RE: FUEL AND CANOPY PLANS FOR VENTS)
4" YELLOW STRIPE (TYP.)
12" WHITE STRIPE
TANK EXCAVATION AREA (XERXES TANKS)
UNDERGROUND STORAGE TANKS (RE: FUEL)
ESO (RE: FUEL)
PAINTED CURB TRANSITION, TYP. (RE: F11-C510)
5x20' LOADING/UNLOADING STRIPING
BOLLARDS, TYP. (RE: STRUC)
PAD MOUNTED TRANSFORMER
TRASH ENCLOSURE (RE: ARCH)
TRANSITION CURB & GUTTER FROM 0" TO 6" OVER 10', TYP.
ONSITE CURB & GUTTER (RE: L11-C521)
TC RADIUS PROTECTOR, TYP. (RE: PAVING)
DIRECTIONAL SIGN, TYP. (RE: C101)
FAIRFIELD ROLL-TYPE CURB & GUTTER (RE: A1-C574)
9" RADIUS PROTECTOR (INSIDE R/W), TYP. (RE: L6-C525)
DINING TABLE (X3) (RE: A1-C500)
ADA SIGNAGE (RE: L11-C510)
SINGLE ACCESSIBLE STALL (RE: L6-C510)
PAVED ISLANDS, (TYP. OF 2)
VAN ACCESSIBLE STALL (RE: L1-C510)
ADA ACCESSIBLE DINING TABLE (RE: A1-C500)
CANOPY COLUMN EXTENDED FOOTING, TYP. OF 3
TRANSITION SUMP, (RE: FUEL)
ADA MPD'S
60' Building / Canopy Setback
BOLLARD (RE: STRUC)
4' SIDEWALK
AIR STATION (RE: F1-C510)
SIDEWALK EASEMENT
PARKING LOT CURB RAMP (RE: A1-C510)
"NO LEFT TURN" SIGNAGE - R3-2
RAISED CONCRETE MEDIAN PER BCEO STANDARD DETAIL
DEPRESSED TYPE 6 CURB AT SIDEWALK, TYP.
QT VERTICAL POLE SIGN, PV-E3PGQ-CC-119, 24'-0" HT X 7'-6" W X 118.5 SF
5' WIDE (9") CONCRETE SIDEWALK (CITY STANDARDS) (RE: A5-C574)
SLURRY CAP (RE: A11-C500)
ODOT TYPE 2 CURB & GUTTER (RE: H1-C574)
ODOT TYPE 6 CURB (RE: H1-C574)
TUBULAR MARKER, SPACED EA. 10', TYP.
TIE TO EXIST. CURB & GUTTER EVEN JOINT, TYP.
EX. HIGHWAY ESMT. D.B. 777, PG. 615
EX. HIGHWAY ESMT. D.B. 820, PG. 716 (END SCHOOL ZONE)
EX. 8" WATER (PER RECORDS)
EX. 15' C.G.&E. ESMT. D.B. 1064, PG. 285
EX. 15' C.G.&E. ESMT. D.B. 1141, PG.
EX. 15' El. D.R. 8139, ESMT. 28
EX. WATER SER
EX. TRANSFORMER
EX. PYLON SIGN
EX. MH
EX. SIGNAL POLE
EX. CONC
EX. TRAFFIC BOX
EX. UTILITY BOX
EX. WMBX
EX. FHYD
EX. SIGN (TRAFFIC)
STORM DRAIN INLET RIM ELEV.=707.47'
EX. 2X2 C.B. T= 700.48
EX. 2X2 C.B. T= 701.90 INV = 700.04
EX. 2X2 C.B. T= 707.58 INV = 704.7
EX. SGI T=703.80 INV 1: INV 1:
EX. TSBX
EX. CO
N

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, SECTION 1130.01(B)(2), THE CITY OF FAIRFIELD, OHIO, ZONING MAP.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The official Zoning Map of the City of Fairfield, Ohio, which is incorporated into Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), is hereby amended by changing the zoning classification of the approximately 0.41 acres of land near the southeast corner of Dixie Highway and the service drive across from Woodridge Boulevard as shown in the attached Exhibit "A" which is incorporated herein by reference from its present M-2, General Industrial District to C-3A, General Business District, Modified.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\ZONING MAP CHANGE-ORD

Attachment: ZoningMap (4000 : QuikTrip rezoning)

Attachment: ZoningMap (4000 : QuikTrip rezoning)

BASIS OF BEARING: SURVEY PLAT RECORDED IN VOLUME 42, PAGE 192

VOLUME 64 PAGE 143
BUTLER COUNTY ENGINEER
RECORD OF LOT SURVEYS

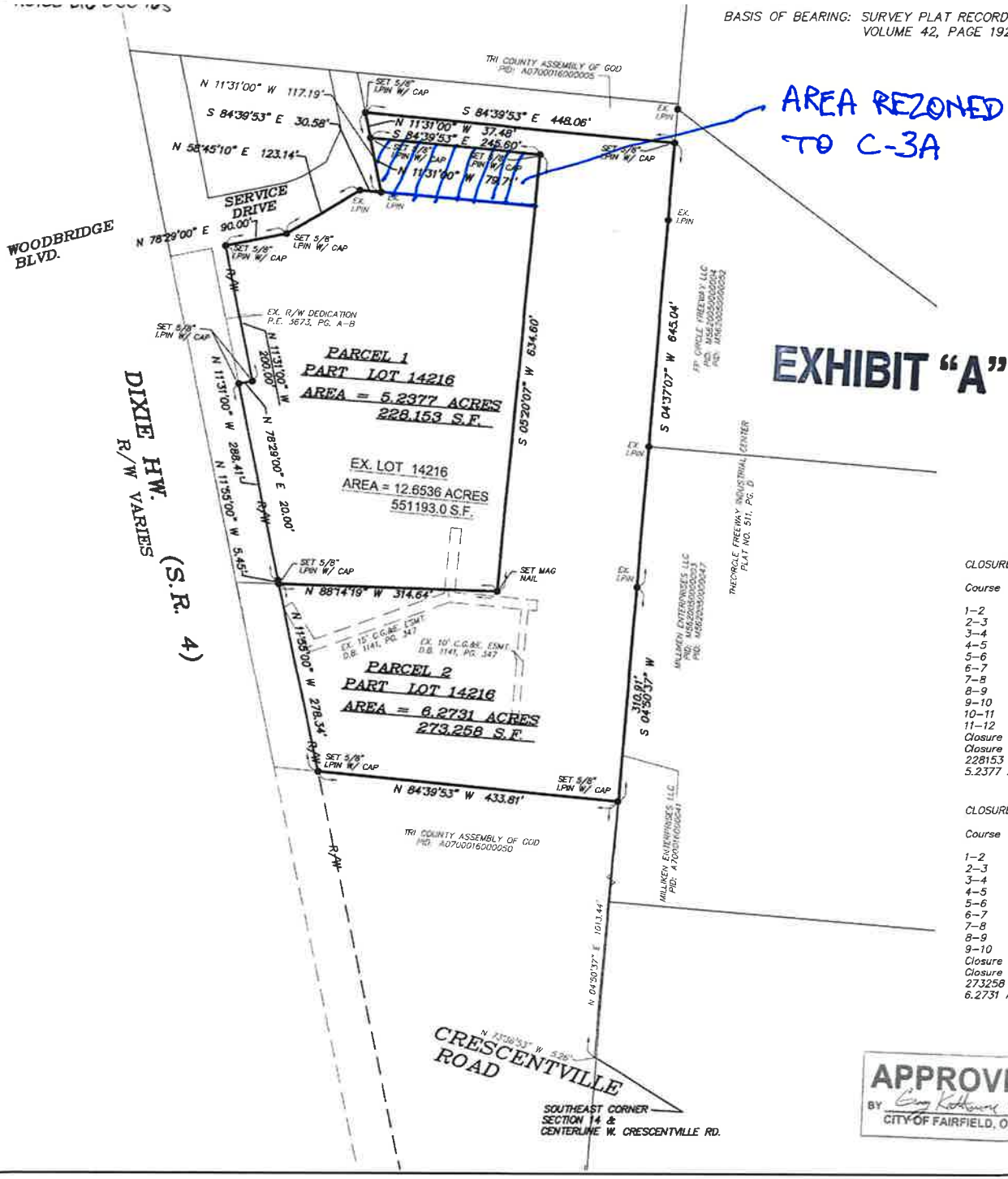


EXHIBIT "A"

GRAPHIC SCALE

100 0 50 100 200

1' = 100'

N

LEGEND

- ● EX IRON PIN
- ○ EX. IRON PIPE
- ● SET 5/8" IRON PIN WITH CAP

SURVEY NOTES

1.) OCCUPATION IN GENERAL FITS SURVEY.
2.) ALL FOUND MONUMENTATION WAS STRAIGHT AND IN GOOD CONDITION UNLESS OTHERWISE NOTED.
3.) ALL SET IRON PINS ARE 5/8" DIA. IRON RE-BAR SET FLUSH THE GROUND WITH A "TGA" CAP UNLESS OTHERWISE NOTED

REFERENCE SURVEY

BUTLER COUNTY ENGINEERS
RECORD OF LAND SURVEYS
VOLUME 42 PG. 192
VOLUME 6 PG. 19
VOLUME 54 PG. 35
VOLUME 2 PG. 37
VOLUME 1 PG. 10

DEED REFERENCE

O.R. 8935 PG. 521, VOL. 1058, PG. 93, BK. 737, PG. 703 & BK. 835, PG. 274
BUTLER COUNTY RECORDERS OFFICE

A CURRENT TITLE EXAMINATION/REPORT IS NECESSARY TO DETERMINE ANY ADDITIONAL EASEMENTS, RESTRICTIONS, COVENANTS, CONDITIONS, OR ENCUMBRANCES WHICH MAY AFFECT THE LANDS HEREIN PLATTED.

THIS PLAT MADE PURSUANT OF SECTION 5713.16 OF THE OHIO REVISED CODE

CLOSURE PARCEL 1

Course	Bearing	Distance	PT#	Northing	Easting
			1	483500.00	1407850.00
1–2	N 11°55'00" W	5.45	2	483505.33	1407848.87
2–3	N 11°31'00" W	288.41	3	483787.94	1407791.29
3–4	N 78°29'00" E	20.00	4	483791.93	1407810.89
4–5	N 11°31'00" W	200.00	5	483987.90	1407770.96
5–6	N 78°29'00" E	90.00	6	484005.87	1407859.15
6–7	N 58°45'10" E	123.14	7	484069.75	1407964.42
7–8	S 84°39'53" E	30.58	8	484066.90	1407994.87
8–9	N 11°31'00" W	79.71	9	484145.01	1407978.96
9–10	S 84°39'53" E	245.60	10	484122.17	1408223.49
10–11	S 05°20'07" W	634.60	11	483490.32	1408164.49
11–12	N 88°14'19" W	314.64	12	483499.99	1407849.99

Closure error distance> 0.009 Error Bearing> S 37°02'41" W
Closure Precision> 1 in 235261.4 Total Distance Traversed> 2032.13
228153 Sq. Feet
5.2377 Acres

CLOSURE PARCEL 2

Course	Bearing	Distance	PT#	Northing	Easting
			1	483425.00	1409850.00
1–2	N 84°39'53" W	433.81	2	483465.34	1409418.07
2–3	N 11°55'00" W	278.34	3	483737.68	1409360.60
3–4	S 88°14'19" E	314.64	4	483728.01	1409675.09
4–5	N 05°20'07" E	634.60	5	484359.86	1409734.09
5–6	N 84°39'53" W	245.60	6	484382.70	1409489.56
6–7	N 11°31'00" W	37.48	7	484419.42	1409482.08
7–8	S 84°39'53" E	448.06	8	484377.76	1409928.19
8–9	S 04°37'07" W	645.04	9	483734.81	1409876.25
9–10	S 04°50'37" W	310.91	10	483425.01	1409850.00

Closure error distance> 0.013 Error Bearing> N 06°34'25" E
Closure Precision> 1 in 254462.0 Total Distance Traversed> 3348.48
273258 Sq. Feet
6.2731 Acres

APPROVED BY Greg Kathmann 5/23/24 CITY OF FAIRFIELD, OHIO

I HEREBY CERTIFY THAT THIS A TRUE AND CORRECT PLAT OF PROPERTY SHOWN HEREON AND THAT I HAVE VERIFIED DIMENSIONS AS SHOWN.

Robert J. Trenkamp R.L.S. # 8304

THOMAS GRAHAM ASSOCIATES, INC.
• Engineers
• Surveyors
803 Compton Road
Cincinnati, Ohio 45231
513-521-4760
Fax # 521-2439

Date: APRIL 30, 2024
Scale: 1" = 100'
Job No: 8551

Revisions

No.	Date

SURVEY OF PROPERTY

SECTION 14, TOWN 2, RANGE 2
BETWEEN THE MIAMI RIVERS
CITY OF FAIRFIELD
BUTLER COUNTY, OHIO

STATE OF OHIO ROBERT J. TRENKAMP 8304 REGISTERED PROFESSIONAL SURVEYOR

ACAD FILENAME: 8551_FAIRFIELD QT-CUTUP.DWG

Sheet 1 of 1
Job No: 8551-23

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: John Clemmons,
Submitting Department: Legal

Subject:
Ordinance-Amendment Fairfield Zoning Code

Legislation Title:
Ordinance to amend Sections 1131.10, 1131.12 and 1171.02 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio to enact zoning provisions regarding marijuana cultivation, processing, testing laboratories and dispensaries and to place a limit of one (1) on the number of business locations operating as Adult Use and Medical Dispensaries permitted within the City of Fairfield.

Recommendation:
At the City Council direction, the Law Department has drafted legislation to amend the City of Fairfield Zoning Code to permit marijuana cultivation, processing, testing laboratories and dispensaries subjected to appropriate limitations upon the location and number of said uses.

Background/Synopsis:
This amendment will permit cultivation, processing and testing of marijuana in the M-2, General Industrial, zoning district and a total of one (1) business location operating as an Adult Use Dispensary and Dispensary (Medical) in the C-3, C-3A or SE zoning districts in the City of Fairfield.

Financial Impact:
None.

Emergency Provision Explanation:
No

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. ZONING CODE CHANGES-ORD
2. EXHIBIT A SECTION 1131.10
3. EXHIBIT A SECTION 1131.12 AND 1171.02

ORDINANCE NO. _____

ORDINANCE TO AMEND SECTIONS 1131.10, 1131.12 AND 1171.02 OF ORDINANCE 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO TO ENACT ZONING PROVISIONS REGARDING MARIJUANA CULTIVATION, PROCESSING, TESTING LABORATORIES AND DISPENSARIES AND TO PLACE A LIMIT OF ONE (1) ON THE NUMBER OF BUSINESS LOCATIONS OPERATING AS ADULT USE AND MEDICAL DISPENSARIES PERMITTED WITHIN THE CITY OF FAIRFIELD.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Sections 1131.10, 1131.12 and 1171.02 of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio are hereby amended to add provisions regarding marijuana uses and to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\ZONING CODE CHANGES-ORD

Attachment: ZONING CODE CHANGES-ORD [Revision 1] (4004 : Ordinance-Amendment Fairfield Zoning Code)

EXHIBIT "A"

1131.10 Non-Residential Districts Use Table and Standards

(A) **Non-Residential Use Table**. **Table 1131.10 -2: Non-Residential Districts – Use Table** lists the uses that are permitted, permitted with standards, conditional, accessory, and temporary within the non-residential zoning districts.

Table 1131.10 -2: Non-Residential Districts – Use Table

	C-1	C-2	C-3	C-3A	C-4	SE	B-1	D-1	M-1	M-2	Section
Agricultural/Residential Uses											
Dwelling, Single Family Detached					P						
Mobile Home Park			C								1131.12 (W)
Residential Facility, Small					P						
Residential Facility, Large			C	C			C				
Residential Treatment Facility, Small					P						
Residential Treatment Facility, Large			C	C			C				
Public/Institutional Uses											
Community Facility	C	P	P	P			P	P			
Cultural Facility	C	P	P	P		P	P	P			
Education Facility, Public or Private	C	P	P	P			P	C			
Education Facility, University/College/ Trade School	C	PS	PS	PS			PS	C			1131.12 (J)
Essential Service	P	P	P	P	P	P	P	P	P	P	1131.11 (F)
Governmental Facility	P	P	P	P			P	P	P	P	

P = Permitted Use PS = Permitted with Standards C = Conditional Use

Attachment: EXHIBIT A SECTION 1131.10 [Revision 1] (4004 : Ordinance-Amendment Fairfield Zoning Code)

Public/Institutional Uses											
Public Park and Open Space	P	P	P	P	P	P	P	P	P	P	
Public Recreation Facility, Indoor		P	P	P			P	P			
Public Recreation Facility, Outdoor		P	P	P			P	P			
Religious Facility	C	C	C	C	C	C	P	C	C	C	
Wireless Communication Facility			C	C					PS	PS	1131.15
Commercial Uses											
Animal Boarding/Kennel		C	C	C					C	C	1131.12 (A)
Animal Day Care		C	C	C					C	C	1131.12 (B)
Animal Hospital, Veterinary Clinic	PS	PS	PS	PS		PS	PS	PS			1131.12 (C)
Art Studio	P	P	P	P	P	P		P			
Assisted Living Facility		C	P	P			P	C			
Bar/Night Club		C	C	C		C		C			
Brewery, Distillery, Winery, Cidery (Macro)			C	C		C			C	C	1131.12 (C)4)
Brewery, Distillery, Winery, Cidery (Micro)		C	C	C		C		C	C	C	1131.12 (C)4)
Building and Related Trade Shop		C	P	P					P	P	
Check Cashing, Short Term Loan			PS	PS		PS					**1131.12 (F)**
Club/Lodge, Private	C	C	C	C	C	C	C	C			
P = Permitted Use PS = Permitted with Standards C = Conditional Use											
Commercial Uses											
Commercial Kitchen			C	C					C		

Attachment: EXHIBIT A SECTION 1131.10 [Revision 1] (4004 : Ordinance-Amendment Fairfield Zoning Code)

Day Care Center	C	C	PS	PS	C	PS	PS	C			1131.12 (I)
Entertainment Venue			C	C		P					
Event Center			C	C		P					1131.12 (K)
Financial Establishment	C	PS	PS	PS	C	PS	PS	PS	C		1131.12 (L)
Fitness/Dance Studio	P	P	P	P	P	P		P			
Flea Market			C	C							1131.12 (M)
Funeral Home	C	P	P	P				C			
Greenhouse, Wholesale									C	C	
Hospital		C	C	C			PS				1131.12 (N)
Hotel, Motel		C	P	P		P					
Landscaping Retail Facility		PS	PS	PS		PS		PS			1131.12 (P)
Landscaping Service Facility			C	C					PS	PS	1131.12 (Q)
Laundry, Commercial			P	P		P		P			
MARIJUANA: ADULT USE DISPENSARY & DISPENSARY (MEDICAL)			**PS**	**PS**		**PS**					**1131.12 (S.1)**
Media Studio	PS	PS	PS	PS		PS		PS			1131.12 (T)
Medical Office (High Intensity)		C	C	C		C	P	C	C	C	1131.12 (U)
Medical Office (Low Intensity)	P	P	P	P	P	P	P	P	C		
P = Permitted Use PS = Permitted with Standards C = Conditional Use											
Commercial Uses											
Micro-Fulfillment Center	PS	PS	PS	PS		PS		PS			1131.12 (V)
Mixed Use			C	C				C			
Motor Vehicle Fueling/Charging		C	PS	PS				C			1131.12 (X)

Motor Vehicle Repair			C	C					C	C	1131.12 (Y)
Motor Vehicle Sale/Rental Area			C	C							1131.12 (Z)
Motor Vehicle Service		C	C	C		C		C	C	C	1131.12 (AA)
Motor Vehicle Washing Facility		C	PS	PS		PS					1131.12 (DD)
Nursing and Rehabilitation Facility		C	P	P			P	C			
Office, General	P	P	P	P	P	P	P	P	C		
Outdoor Amusement Ride and						P					
Personal Service	PS	PS	P	P	P	P		P			
Recreational Facility, Indoor	C	C	P	P		P	C	C	C	C	
Recreational Facility, Outdoor	C	C	C	C		P	C	C			
Restaurant, Full Service	C	P	P	P		P		P	C		
Restaurant, Quick Service	C	PS	PS	PS		PS		PS	C		1131.12 (GG)
Retail	P	P	P	P	P	P		P	C		
Self-Storage Facility			C	C						C	1131.12 (HH)
Sexually Oriented Business			C	C							1131.12 (II)
P = Permitted Use PS = Permitted with Standards C = Conditional Use											
Commercial Uses											
Showroom	C	P	P	P				P			
Storage Shed or Barn, Carport or Play Structure Sales Area			C	C							
Teen Club		C	C	C				C			
Theater, Cinema		C	P	P		P		C			
Tobacco/Vape Store			PS	PS		PS					1131.12 (LL)

Industrial Uses											
Building Material Yard										C	1131.12 (E)
Construction and Large Equipment Rental, Sale, and Service										C	1131.12 (G)
Contractor Yard										C	1131.12 (H)
Crematorium										C	
Food Processing									C	P	
Junkyard										C	1131.12 (O)
Laundry, Industrial									C	P	
Manufacturing, Artisan			C	C					P	P	
Manufacturing, Light									PS	PS	1131.12 (S)
Manufacturing, Heavy										C	1131.12 (R)

P = Permitted Use PS = Permitted with Standards C = Conditional Use

Industrial Uses											
MARIJUANA: ADULT USE CULTIVATOR										**P**	
MARIJUANA: ADULT USE PROCESSOR										**P**	
MARIJUANA: ADULT USE TESTING LABORATORY										**P**	
MARIJUANA: CULTIVATION FACILITY										**P**	
MARIJUANA: LEVEL I ADULT USE CULTIVATOR										**P**	
MARIJUANA: LEVEL II ADULT USE CULTIVATOR										**P**	
MARIJUANA: LEVEL III ADULT USE CULTIVATOR										**P**	
MARIJUANA: LEVEL I CULTIVATOR										**P**	

MARIJUANA: LEVEL II CULTIVATOR										**P**	
MARIJUANA: PROCESSOR (MEDICAL)										**P**	
Motor Vehicle Storage										C	1131.12 (BB)
Motor Vehicle Tow Yard										C	1131.12 (CC)
Renewable Energy Facility										C	1131.12 (EE)
Research, Development, Laboratory Facility			C	C			PS		C	C	1131.12 (FF)
Stone and Monument Works			C	C					P	P	1131.12 (JJ)
Trucking or Logistics Terminal										C	1131.12 (MM)
Warehouse			C	C					PS	PS	1131.12 (NN)
Accessory Uses											
Accessory Structure	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.13 (A)
Accessory Use	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.13 (B)
Automated Teller Machine (ATM),	PS	PS	PS	PS	PS	PS	PS	PS	PS		1131.13 (C)
Charitable Drop-off Receptacle	PS	PS	PS	PS	PS	PS	PS	PS			1131.13 (D)
Drive-Through Facility		C	PS	PS	C	PS		C	C		1131.13 (E)
Dumpster, Garbage and Recycling	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.13 (F)
Dwelling, Accessory Commercial			C	C					C	C	1131.13 (G)
Electric Vehicle Charging Station	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.13 (H)
Heliport							C		C	C	

P = Permitted Use PS = Permitted with Standards C = Conditional Use

Accessory Uses

Outdoor Dining	C	PS	PS	PS		PS		PS			1131.13 (I)
Outdoor Display and Retail	PS	PS	PS	PS		PS		PS			1131.13 (J)
Outdoor Storage, Accessory			C	C					PS	PS	1131.13 (K)
Parking, Structure		PS	PS	PS		PS	PS	PS			1131.13 (L)
Parking, Surface	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.13 (M)
Retail, Accessory									PS	PS	1131.13 (N)
Showroom, Accessory									PS	PS	1131.13 (O)
Sign	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1155.0
Solar Panel	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.13 (P)
Swimming Pool	PS	PS	PS	PS	PS	PS	PS				1131.13 (Q)
Warehouse, Accessory			PS	PS		PS			PS	PS	1131.13 (R)
Wind Turbine									PS	PS	1131.13 (S)
Temporary Uses											
Contractor's Office/Trailer	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.14 (A)
Dumpster, Roll-off/ Construction	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.14 (B)
Farmers Market						PS		PS			
Food Truck/Mobile Food Unit		PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.14 (C)

P = Permitted Use PS = Permitted with Standards C = Conditional Use

Temporary Uses											
Seasonal Sale	PS	PS	PS	PS	PS	PS		PS	C		1131.14 (E)
Tent	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1131.14 (F)

P = Permitted Use PS = Permitted with Standards C = Conditional Use

1131.12 Non-Residential Districts Use Specific Standards

[No changes to this section until new paragraph (S.1).]

(S.1) MARIJUANA - ADULT USE DISPENSARY AND DISPENSARY (MEDICAL). ADULT USE DISPENSARY AND DISPENSARY (MEDICAL) USES ARE SUBJECT TO THE FOLLOWING:

1. IN ACCORDANCE WITH THE PROVISIONS OF ORC 3780.25 AND ORC 3796.29 THE NUMBER OF BUSINESS LOCATIONS OPERATING AS AN ADULT USE DISPENSARY, DISPENSARY (MEDICAL) OR BOTH PERMITTED WITHIN THE CITY OF FAIRFIELD IS LIMITED TO A TOTAL OF ONE (1).

2. AN ADULT USE DISPENSARY AND A DISPENSARY (MEDICAL) MAY BE OPERATED AT THE SAME LOCATION.

3. SHALL BE LOCATED ONLY ON A LOT WITHIN THE C-3 OR C-3A ZONING DISTRICT WITH A MINIMUM OF 100 FEET OF STREET FRONTAGE ON STATE ROUTE 4 OR ON A LOT WITHIN THE SE ZONING DISTRICT.

4. SHALL BE LOCATED IN A STAND-ALONE (SINGLE TENANT USE) BUILDING AND MAY NOT BE LOCATED IN A MULTI-TENANT OR MIXED-USE BUILDING.

5. SHALL COMPLY WITH SECTIONS 1132.02(B)(1) AND 1132.03 AND ALL OTHER APPLICABLE RULES AND REGULATIONS OF THIS ZONING CODE. FOR THE PURPOSES OF THIS SECTION, MODIFICATIONS OF EXISTING BUILDINGS WILL BE REQUIRED TO COMPLY WITH THE REQUIREMENTS FOR A MAJOR REDEVELOPMENT AS SET FORTH IN SECTION 1132.02.

6. SHALL NOT BE LOCATED WITHIN 1,000 FEET (MEASURING SHORTEST DISTANCE FROM PARCEL LINE TO PARCEL LINE) OF ANOTHER LICENSED ADULT USE DISPENSARY OR DISPENSARY (MEDICAL).

7. SHALL NOT BE LOCATED WITHIN 500 FEET (MEASURING SHORTEST DISTANCE FROM PARCEL LINE TO PARCEL LINE) OF THE FOLLOWING USES: RELIGIOUS FACILITY, PUBLIC LIBRARY, PUBLIC PLAYGROUND, PUBLIC PARK OR OPEN SPACE, EDUCATION FACILITY.

8. SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE OHIO REVISED CODE AND THE OHIO ADMINISTRATIVE CODE.

9. SHALL COMPLY WITH THE PROVISIONS OF CHAPTER 739 OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRFIELD, OHIO.

[No further changes to this section.]

1171.02 Defined Words

[No changes to this section until paragraph M.]

M

Major Redevelopment. Any project that meets one of the following conditions:

(A) The construction of one or more buildings or improvements on a site where all or part of a building or improvement has been previously demolished;

(B) The renovation, rehabilitation, addition to, or repurpose of existing buildings or improvements on a site where the cost of work performed exceeds 50 percent of the pre-renovation market value of the building or improvements as determined by the county auditor;

(C) The demolition and reconstruction of a building or structure; or

(D) Any addition that exceeds 50 percent of the square footage of the existing building or structure.

Major redevelopment does not include activities associated with routine maintenance and/or remodeling of occupied properties.

Manufacturing, Artisan. An establishment or business where an artist, artisan, or craftsperson teaches, makes, or fabricates crafts or products by hand or with minimal automation, and which may include direct sales to consumers. This definition includes uses such as small-scale fabrication, manufacturing, and other industrial uses and processes such as small-scale welding and sculpting. This use includes fabrication implements that are more industrial than that of an art studio and includes coopering, and crafting of cabinetry, furniture, and other similar small-scale manufacturing.

Manufacturing, Heavy. The manufacturing of products from raw or unprocessed materials, including recycling processes. This category shall also include any establishment or facility using large outdoor structures or storage that cannot be integrated into the building design. Any industrial use that generates noise, odor, vibration, illumination, or particulate that may be offensive or obnoxious to adjacent land uses, or requires a significant amount of onsite hazardous chemical storage shall be classified under this land use. Examples include, but are not limited to, the production of the following: lumber, milling, and planning facilities; aggregate, concrete, and asphalt plants; foundries; forge shops, open air welding, and any other intensive metal and plastic fabrication facilities; and chemical manufacturing.

Manufacturing, Light. Product assembling or mixing, where previously processed components or manufactured parts produced off-site are fitted together into a machine or blended or blown or extruded to form a non-combustible and non-explosive product. Product packaging, including bottling, canning, packing, wrapping, and boxing of products assembled. Laboratories for testing of non-hazardous materials. The assembling or packaging shall not produce noise, vibration, hazardous waste materials, or particulate that create significant negative impacts to adjacent land uses. Odors produced onsite shall not negatively affect other businesses or properties in the area. Examples of assembling include but are not limited to the production of the following: clothes, including screen printing; furniture (where wood is milled off-site); pharmaceuticals; hardware; toys; musical instruments; mechanical components; electric or electronic components and appliances; small vehicle assembly; and computer software. Examples of packaging include, but not limited to, facilities for bottling beverages, canning, and wrapping of foots, and boxing electronic components.

MARIJUANA. **THE FOLLOWING TERMS SHALL HAVE THE SAME MEANING AS DEFINED IN SECTION 3780.01 OF THE ORC:**
ADULT USE CANNABIS
CANNABIS
MARIJUANA
MEDICAL MARIJUANA
ADULT USE CANNABIS OPERATOR
ADULT USE CULTIVATOR
ADULT USE DISPENSARY
ADULT USE PROCESSOR
ADULT USE TESTING LABORATORY (ALSO INCLUDING LABORATORY TESTING OF MEDICAL MARIJUANA)
CULTIVATE
CULTIVATION AREA
CULTIVATION FACILITY
DISPENSARY
LEVEL I ADULT USE CULTIVATOR
LEVEL II ADULT USE CULTIVATOR
LEVEL III ADULT USE CULTIVATOR
LEVEL I CULTIVATOR
LEVEL II CULTIVATOR
PROCESSOR
[No further changes to this section.]

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Ordinance to Adopt 'Fairfield Sustains'

Legislation Title:
Ordinance to authorize the City Manager to approve and adopt Fairfield's Sustainability Plan called "Fairfield Sustains" plan dated June 27, 2024

Recommendation:
It is recommended that City Council introduce and then adopt the 'Fairfield Sustains' plan, dated 6/27/2024.

Background/Synopsis:

'Fairfield Sustains' is the cumulative effort of a 2-year process to develop a strategic framework to guide sustainability initiatives in Fairfield - at both the municipal and community levels.

In June 2022 Fairfield City Council requested the development of a roadmap towards sustainability. Following a targeted Council-Manager Briefing and a subsequent Council work session on the topic, an RFP was released for technical support to help the City develop a strategic sustainability plan. In June 2023 the City selected Blue Strike Environmental as the consultant to provide this support. Following many months of Council and community engagement – including engagement with the local business community and the City's Environmental Commission – a draft sustainability plan was developed. The plan was shared with stakeholders and eventually posted to the City's website for public review and comment.

The final plan, attached here for reference, will serve as a comprehensive roadmap to address environmental, economic, and liveability considerations in the City, and will be a catalyst for quality of life improvements for all residents. The plan considers elements such as energy usage in the community, open space preservation, resource protection and use efficiencies, and economic sustainability initiatives.

'Fairfield Sustains', in alignment with 'Fairfield Forward' (comprehensive plan) and 'Fairfield Connects' (transportation connectivity plan), includes goals, strategies and actions to add sustainability as a core component in municipal operations and the community. The plan has 5 primary focus areas:

- Mobility and transportation;
- Energy;
- Resource conservation;

- Nature and green community; and
- Business and community resilience.

Financial Impact:

Expenditures related to sustainability efforts will be captures in future capital and operational budgets.

Emergency Provision Explanation:

Not applicable.

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. FAIRFIELD SUSTAINS-ORD
2. Fairfield Sustain_Final Plan_7.22.24

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO APPROVE AND ADOPT FAIRFIELD'S SUSTAINABILITY PLAN CALLED "FAIRFIELD SUSTAINS" PLAN DATED JUNE 27, 2024.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Fairfield's Sustainability Plan called "Fairfield Sustains" dated June 27, 2024 is hereby approved and adopted in accordance with the plan on file in the office of the Clerk of Council.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\FAIRFIELD SUSTAINS-ORD

Attachment: FAIRFIELD SUSTAINS-ORD (4001 : Ordinance to Adopt 'Fairfield Sustains')

FAIRFIELD SUSTAINS

QUALITY OF LIFE ▸ ▸ ▸ ENVIRONMENT & NATURAL RESOURCES ▸ ▸ ▸ ECONOMIC VITALITY

SUSTAINABILITY ACTION PLAN

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

EXECUTIVE SUMMARY

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

EXECUTIVE SUMMARY

The City of Fairfield has developed this Sustainability Action Plan to ensure that Fairfield is maximizing its resources in a way that provides efficiency in City operations now and in the future. This Plan, 'Fairfield Sustains', will serve as a comprehensive roadmap for addressing environmental, economic, and liveability considerations in the City, and will be a catalyst for quality of life improvements for all residents. The Plan considers elements such as energy usage in the community, open space preservation, resource protection, and economic sustainability initiatives.

The City of Fairfield has made significant strides toward becoming a more sustainable community. Sustainability is already embedded in many aspects of municipal operations and community planning. Fairfield Sustains both acknowledges this foundational work and offers a renewed commitment to the continuation of these practices as a core aspect of Fairfield's future identity and ongoing approach to city planning. The Plan offers an ambitious vision as a City with sustainability as a core contributor to overall quality of life for Fairfield's residents, businesses and visitors, and aligns with sustainability policy goals outlined in integral planning documents including, Fairfield Forward (the City's current Comprehensive Plan), and Fairfield Connects (the City's current mobility and transportation connectivity plan). It calls on the City to lead by example through demonstration projects, efficient operations and targeted community assistance programs. Fairfield Sustains balances ambitious targets with realistic strategies and achievable actions grounded in localized data, community input, and proven best practices. Fairfield Sustains serves as an actionable roadmap to build upon the historical progress to date, and to further refine, enhance and accelerate previous and ongoing efforts for a more sustainable Fairfield.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

EXECUTIVE SUMMARY

The City's recent Comprehensive Plan, Fairfield Forward, presents sustainability as one of seven core aspects of its community identity, guiding the City's planning efforts over the next two decades. Fairfield Forward calls on the city to be a leader in responsible stewardship, healthy environments, and reduced energy consumption on both public and private property. It further outlines key sustainability efforts to date and calls for the creation of a Sustainability Plan to detail and guide these efforts moving forward. Fairfield Sustains transforms that vision into action, by offering a strategic roadmap for the City to continue, enhance and further sustainability efforts in both municipal operations and across the community as a whole.

This Plan is built on a foundation of proven best practices, key themes and policy commitments from existing planning documents, and relevant federal, state and local policies. Upon this foundation, the Plan weaves together the combined contributions gathered through public engagement with Fairfield's residential and business community, stakeholders, Environmental Commission, as well as City staff, elected officials and leadership. It is a synthesis of community survey results, workshop ideation, City Council guidance, Environmental Commission input, and focus group refinement. This Plan is further grounded in a comprehensive data analysis of 2021 municipal operations and community-wide greenhouse gas (GHG) inventories, local policies, best practices in sustainability solutions, and opportunities unique to the City of Fairfield. While it considers emissions reductions as a key priority, it aims to support an improved quality of life for residents, businesses and visitors as its principal target, by championing economic vitality, efficiency in municipal operations, and smart resource utilization for a sustainable future. In communities across the country, increased sustainability measure adoption is often also associated with improved public health outcomes, reduced risk factors or exposure to pollutants, and higher community wellness potential.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

EXECUTIVE SUMMARY

IMPROVED QUALITY OF LIFE

REDUCED GREENHOUSE GAS EMISSIONS

IMPROVED ECONOMIC VITALITY

EFFICIENCY IN MUNICIPAL OPERATIONS

SMART RESOURCE UTILIZATION

IMPROVED PUBLIC HEALTH AND COMMUNITY WELLNESS

Where emissions are considered, the Plan uses the year 2021 as the baseline for the greenhouse gas emissions inventories, as the most recent complete year of post-pandemic data available. Emissions targets contained herein will be compared against this baseline year (base year) to monitor and assess progress over time. Emissions are measured in metric tons of carbon dioxide equivalent (MT CO2e) to compare emissions from various sources against a common equivalency.

Municipal emissions are generated from internal activities and operations at the municipal scale related to the City of Fairfield's various departments, buildings, parks, and facilities. In base year 2021, Fairfield's emissions from municipal operations totaled 9,501 MT CO2e resulting from four primary sources: (1) the operation of water and wastewater treatment facilities; (2) municipal buildings and facilities; (3) City's fleet of vehicles; and (4) street lighting and traffic control systems.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

EXECUTIVE SUMMARY

Base year 2021 Community emissions totaled 391,185 MT CO2e, of which municipal emissions comprise just 2%. At the community scale, Fairfield's emissions result from three major emissions sources: (1) Buildings & Energy, comprised of residential, commercial, and industrial sectors, respectively; (2) Mobility & Transportation; and (3) Other Resources - Solid Waste, Water, and Wastewater. Additionally, fugitive emissions, which include leaks and unintentional releases of natural gas within the community, contributed a minor fraction of less than 1%. Fairfield's per capita equivalent emissions are comparable to or slightly lower than cities of similar size, at approximately 8.87 MT CO2e per capita.

Sustainability targets presented in this Plan provide mid-term and long-term time horizons to guide progress over time. These targets further align with important City milestones, marking Fairfield's 75th anniversary in 2030 and Fairfield's centennial anniversary in 2055.

Goals, strategies, and actions in support of the targets are outlined herein and are presented in two categories: Foundational and Complementary.

A. **FOUNDATIONAL STRATEGIES:** Focus on three high-impact essential sectors—Mobility & Transportation, Buildings & Energy, and Resource Conservation—to drive economic vitality, improve well-being, and optimize resource use.

B. **COMPLEMENTARY STRATEGIES:** Embrace cornerstones of Fairfield's sustainability approach through two additional sectors–Nature & Green Community, plus Business & Community Resilience–strengthening the community connection to Fairfield's unique natural spaces and supporting visible sustainable solutions across all focus sectors.

Collectively, these components of Fairfield Sustains serve as a comprehensive roadmap to guide the City in achieving its sustainability targets and giving rise to a more sustainable, engaged and resilient community for generations to come.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FAIRFIELD SUSTAINS

CONTENTS

EXECUTIVE SUMMARY 2

ACKNOWLEDGEMENTS 8

ACRONYMS 10

LETTER 11

SECTION 1 12
INTRODUCTION

- Background 13
- Engagement Activities 18
- Approach 19
  - Collaboration and Partnerships 21
  - State and Regional Planning 22
  - Local Planning 24
- Our Progress 29

SECTION 2 35
OUR IMPACT: UNDERSTANDING FAIRFIELD'S EMISSIONS

- Community Emissions Inventory 38
- Municipal Operations Emissions Inventory 39
- Emissions Projections 40
  - Adjusted Business-as-Usual Forecast 40
  - Business-as-Usual Forecast 41

SECTION 3 42
OUR SUSTAINABILITY TARGETS

- Looking Out To 2030 45
- Looking Out To 2055 48

SECTION 4 54
STRATEGIC ROADMAP

- Mobility and Transportation 58
- Buildings and Energy 61
- Resource Conservation 67
- Nature and Green Community 72
- Business and Community Resilience 75

SECTION 5 79
IMPLEMENTATION PLAN

- Implementation Overview 80
- Tracking, Monitoring and Reporting 82
- Funding the Plan 83

SECTION 6 85
APPENDICES

- APPENDIX A: What The Community Can Do 86
- APPENDIX B: Stakeholder Engagement Plan 90
- APPENDIX C: Community Survey Results 109
- APPENDIX D: Regional Goals 135
- APPENDIX E: List of Sustainability Achievements To Date 139
- APPENDIX F: Technical Annex (GHG Inventory and Forecast Report) 144
- APPENDIX G: Implementation Framework 167
- APPENDIX H: Prioritization Matrix 188
- APPENDIX I: Funding Opportunities and Programs 194
- APPENDIX J: Reference Documents 206
- APPENDIX K: Map of Open Spaces and City Parks 208

LIST OF TABLES AND FIGURES

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

ACKNOWLEDGEMENTS

CITY OF FAIRFIELD LEADERSHIP:

MAYOR:

Mitch Rhodus

CITY COUNCIL:

Tim Meyers, Council-member At-Large
(Fairfield Sustains Co-Sponsor)

Gwen Brill, Council-member At-Large
(Fairfield Sustains Co-Sponsor)

Matthew Davidson, Council-member At-Large

Leslie Besl, 1st Ward

Dale Paullus, 2nd Ward

Debbie Pennington, 3rd Ward

Adam Kraft, 4th Ward

CITY MANAGER:

Scott Timmer

FAIRFIELD ENVIRONMENTAL COMMITTEE:

Donna Faulk, Citizen Representative

Mark Mesisklis, Citizen Representative

Kent Ernsting, Citizen Representative

Vivian Paul, Citizen Representative

Jeremy Powell, Citizen Representative

Lacretia Cadle, Citizen Representative

Alison Miller, Citizen Representative

Tanner Meyers, Citizen Representative

Daniel Hongell, Parks & Recreation Board Representative

FAIRFIELD SUSTAINS PLAN DEVELOPMENT TEAM:

Adam Sackenhiem, Public Utilities Director

Erin Lynn, Development Services Planning Manager

FAIRFIELD DEPARTMENT CONTRIBUTORS:

Greg Kathman, Development Services Director

Ben Mann, Public Works Director

Brian Rose, Facilities & Fleet Manager

Mandi Brock, Parks & Recreation Director

Chris Hacker, Finance Director

Laurie Murphy, Assistant City Manager

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GRATITUDE to all the individuals, staff, businesses, nonprofits, community groups, and partners in the City of Fairfield who participated in our focus groups and workshops. We also extend our deep appreciation to the larger community for completing our sustainability survey, and to every individual who supplied data requests and offered their insights, expertise, and support in shaping Fairfield Sustains – **THANK YOU.**

ACKNOWLEDGEMENTS

OTHER CONTRIBUTORS:

BUSINESS COMMUNITY

Justin Krueger ▪ Mercy Health ▪ Fairfield Hospital

Roger Chamberlain ▪ Cincinnati Financial Corporation

George Sipka ▪ Cincinnati Financial Corporation

Kim Hall ▪ Pacific Manufacturing Ohio, Inc.

Valerie Hines ▪ Koch Foods

Doug Robertson ▪ Clippard Instrument Laboratory, Inc.

Aaron Stephenson ▪ Element Materials Technology

Mason Baumgartner ▪ Tedia Company

MIAMI UNIVERSITY INSTITUTE FOR THE ENVIRONMENT AND SUSTAINABILITY (IES) CONTRIBUTORS:

Amanda Bentley Brymer, Ph.D.

Gillian Hart

Jonathan Hauman

Alden Trotter

Colin Valentino

Bridget Dougherty

Brennen Testa

Kathryn Yurek

Andreanna Zaverl

UNIVERSITY OF DAYTON INDUSTRIAL ASSESSMENT CENTER (IAC) CONTRIBUTORS:

Bob Gilbert, Ph.D.

Zach Murphy

Hayden Beck

Sydney Baker

Scott Eardley

Sean Kapp

Olivia Wiesemann

PLAN PREPARED BY:

Blue Strike Environmental

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

ACRONYMS

ABAU	Adjusted Business-As-Usual
ARPA	American Rescue Plan Act
BAU	Business-As-Usual (BAU)
BCRTA	Butler County Regional Transportation Agency
BCSWD	Butler County Solid Waste District
BMP	Best Management Practice
CAFE	Corporate Average Fuel Economy
CAP	Climate Action Plan
CO2	Carbon dioxide
EPA	Environmental Protection Agency
EPPP	Environmentally Preferable Purchasing Policy
ESIP	Energy Storage Installation Professional
EV	Electric Vehicle
GHG	Greenhouse Gas
HHV	High Heat Value
HHW	Household Hazardous Waste
HVAC	Heating, Ventilation, and Air Conditioning
IAC	Industrial Assessment Center
ICLEI	International Council for Local Environmental Initiatives
IES	Institute for the Environment and Sustainability
KPI	Key Performance Indicators
kW	kilowatt
kWh	kilowatt hour
LEED	Leadership in Energy & Environmental Design
MPO	Metropolitan Planning Organization
MT	metric ton
MT CO2e	Metric Ton of Carbon Dioxide equivalent
OKI	Ohio-Kentucky-Indiana Regional Council of Governments
PACE	Property Assessed Clean Energy
ROI	Return On Investment
REC	Renewable Energy Credit
SAP	Sustainability Action Plan
SOP	Standard Operating Procedure
SMART	Specific, Measurable, Achievable, Relevant and Timebound
TIF	Tax Increment Financing
UD	University of Dayton
UFAP	Urban Forestry Action Plan
VFD	Variable Frequency Drive
VMT	Vehicle Miles Traveled
WCS	Waste Characterization Study
ZEV	Zero Emission Vehicle

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

LETTER FROM THE COUNCIL CO-SPONSORS

In 2023 the elected officials of the City of Fairfield made sustainability a top strategic initiative now and into the future. The plan that follows, Fairfield Sustains, provides a comprehensive roadmap which will enable the City to achieve sustainability goals with a major focus on improved quality of life, thoughtful resource utilization, and robust economic vitality.

Fairfield developed this plan in an effort to be a leader in the sustainability space – attracting a strong residential and business base, maximizing efficiencies in municipal operations, and protecting and enhancing our local environment.

Fairfield Sustains is a holistic plan constructed around five broad frameworks:

- Mobility and transportation;
- Buildings and energy;
- Resource conservation;
- Nature and green community; and
- Business and community resilience.

The City of Fairfield has grown and thrived since its inception in 1955. Fairfield Sustains provides an actionable roadmap to enable the City to continue on this trajectory, reaffirming its identity as a desirable place in which to live, play and work.

We extend our gratitude to all those who contributed to the development of this plan and express our unwavering commitment to its implementation.

Sincerely,

Tim Meyers, Council-member At-Large
(Fairfield Sustains Co-Sponsor)

Gwen Brill, Council-member At-Large
(Fairfield Sustains Co-Sponsor)

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1
INTRODUCTION

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1 INTRODUCTION

MISSION STATEMENT

"Implement a sustainable strategy into the founding tenets of quality of life within the City of Fairfield. The strategy will support and promote infrastructure innovation and programming while improving livability within the city by reducing the impact of city operations on natural resources and the environment."

–Adopted by Fairfield City Council 2022

BACKGROUND

The City of Fairfield, Ohio, located about 20 miles from Cincinnati and just north of I-275, is a community that offers quality of life, safety, and lush green spaces typically found in small towns, alongside the benefits of regional accessibility. With 87.3% of its 20-square-mile area developed, Fairfield offers limited space for new growth, highlighting the opportunity for increased adoption of smart-growth and sustainability principles in current and future planning and development. Fairfield's expansive natural systems include 935 acres of preserved open space and parks, which form a defining characteristic of the City's identity.

Fairfield, home to approximately 44,900 residents, is a City focusing on economic growth, quality of life, and sustainable development. The City is committed to understanding its environmental impact to enhance quality of life, promoting business vitality and resilience, and nurturing fairness in public policy. This approach positions Fairfield as a forward-thinking community, dedicated to maintaining its charm while fostering a balanced and sustainable future.

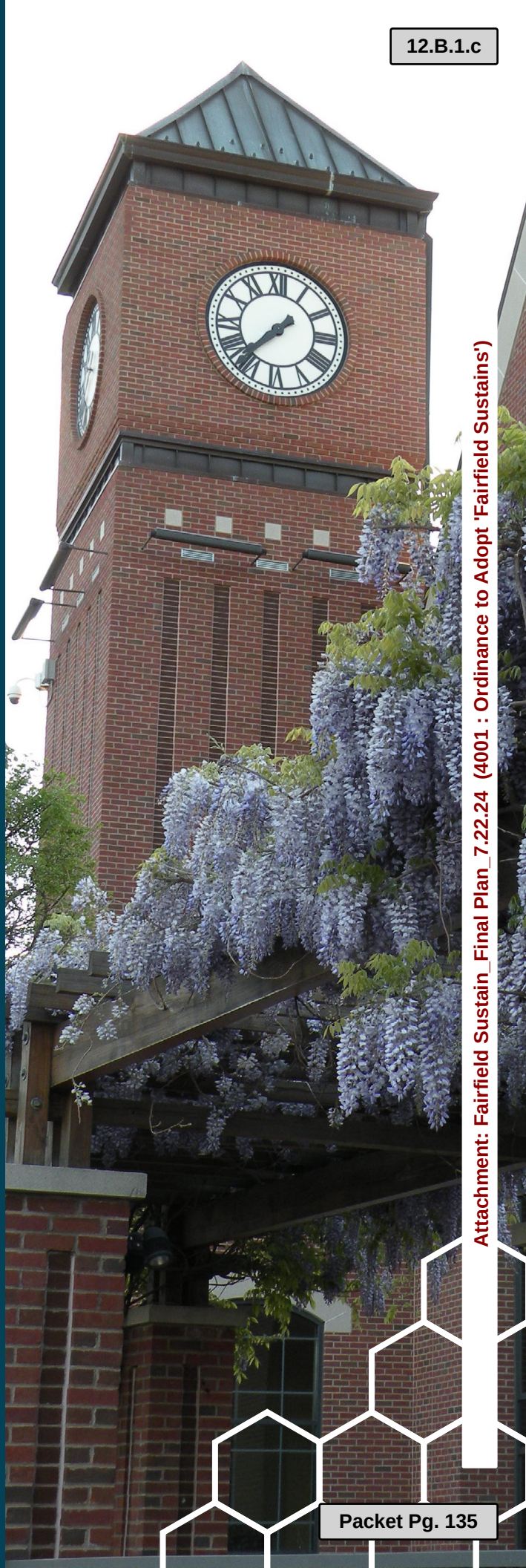
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SUSTAINABILITY

Sustainable actions support, maintain, conserve, and enhance the environmental, economic, and social systems on which communities depend to ensure these critical resources continue to be available for future generations. The City of Fairfield will be a leader in responsible stewardship, healthy environments, and reduced energy consumption on both public and private property. Fairfield has implemented sustainable initiatives such as curbside recycling, urban forestry, an environmental commission, a farmer's market, and groundwater resource protection. In order to reduce the carbon footprint at city-owned facilities, efficient lighting and mechanical systems are being installed, street lights are being replaced with energy efficient LEDs, and the City is investigating applying for grants to install electric vehicle charging stations.

Key sustainable implementation strategies include exploring alternative energy technology to power city-owned properties; revising the zoning code to require landscaping on private property when it develops or redevelops; encouraging the preservation of mature trees and planting of new trees; exploring incentives for sustainable site and building design; increasing pedestrian and bicycle infrastructure; pursuing Greenroads certification status for eligible transportation projects; and creating a sustainability plan to detail and guide these efforts.

– Fairfield Forward, 2019



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOALS & FRAMEWORKS

Fairfield's Sustainability Action Plan, (hereafter, 'Fairfield Sustains,' or 'Plan'), encompasses a variety of key elements to promote environmental stewardship and sustainable economic development across the City. Collectively these elements represent the guiding framework utilized to structure the Plan's development.

- ✔ **Business Sustainability and Support of Sustainable Business Practices:** Fairfield Sustains encourages businesses to adopt sustainable practices, aiding them in their transition towards a more resilient and economically vibrant model. This shift not only bolsters the City's sustainability profile but also strengthens its overall economic vitality.

- ✔ **Residential Sustainability:** Fairfield Sustains focuses on increasing sustainability in residential areas by increasing walkability and bikeability, promoting energy aggregation and renewable energy as well as recycling and waste reduction, and incorporating cost-saving measures to make sustainable living economically accessible to all residents.

- ✔ **Decarbonization Goals:** Fairfield Sustains sets ambitious yet sustainable, realistic, and economically viable decarbonization goals, including detailed carbon reduction projects. It emphasizes opportunity identification and prioritizes these projects based on cost, risks, and Return On Investment (ROI) metrics.

- ✔ **Building and Zoning Code Updates:** Fairfield Sustains recommends updates to building and zoning codes which can be crucial in integrating sustainability standards to promote environmentally sustainable and energy-efficient urban development.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

- ✔ **Green Infrastructure Recommendations:** Fairfield Sustains recommends the development of green infrastructure, improving air quality, reducing runoff, enhancing urban green spaces, and providing complementary health and wellness co-benefits for the community.

- ✔ **Efficiency Specified to Departmental Level:** Fairfield Sustains measures are specified at the departmental level within City operations, to support accountability, appropriate resourcing, and ensure each sector contributes to the City's sustainability goals.

- ✔ **Financial Operating Structure Updates:** Fairfield Sustains includes funding mechanisms and financial operating structures to rank, prioritize and support sustainable projects and consider sustainability criteria in procurement of goods and services.

- ✔ **Macro-Level Review:** Fairfield Sustains provides a macro-level review to assess the impacts of sustainability initiatives on City-wide operational efficiencies, emissions reductions, costs, improved quality of life, smart resource utilization, and other factors.

- ✔ **Fairness in Public Policy:** Fairfield Sustains emphasizes fairness in public policy, ensuring that sustainability initiatives are locally attuned and responsive to benefit all populations within the community.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

QUALITY OF LIFE FRAMEWORK

Sustainability serves as a powerful mechanism for enhancing quality of life, reinforcing city identity, and fostering economic vitality. With 935 acres of preserved open space and parks, the presence of natural systems, lakes and parks is one of the defining characteristics that makes Fairfield unique, attracting residents, businesses and visitors alike. By integrating sustainability into urban planning and policies, cities can distribute benefits widely, ensuring that all residents enjoy a higher standard of living while fostering a distinct city identity rooted in environmental responsibility. This approach not only improves the immediate environment but also attracts businesses and investments, catalyzing economic growth. As cities become more sustainable, they enhance their appeal as desirable places to live, work, and visit, creating a vibrant and prosperous urban ecosystem that benefits everyone. Beyond these quality of life benefits, Fairfield's focus on sustainability should result in more thoughtful and strategic resource usage in the operation of municipal affairs – improving efficiencies and impacting municipal budgets in a positive fashion.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

ENGAGEMENT ACTIVITIES

The City of Fairfield values community input and public engagement, and recognizes the importance of a collaborative process to ensure Fairfield Sustains reflects the expansive perspectives and needs of the community. Engaging the community in the planning process to gather meaningful input was a crucial component of the development of Fairfield Sustains to ensure that measures are practical, fair, and can be implemented efficiently. The City engaged with stakeholders throughout the planning process, interacting with local residents, businesses, internal operations, city leadership, elected officials and other community members (collectively referred to as "stakeholders").

Fairfield's engagement activities included community survey, business leaders workshop and multiple ideation, prioritization and development workshops and focus groups with the City's Environmental Commission, department staff and leadership, and City Council representatives. Ideas, comments and suggestions are integrated into this Plan to the best of the project's team abilities and in alignment with the data analysis results and applicable policy requirements and considerations. Ongoing collaboration with community stakeholders will continue to serve as a vital element of Fairfield Sustains implementation to strengthen community ties and increase overall effectiveness of the measures and approaches contained herein. For a list of simple actions individuals can take to support a more sustainable community, see Appendix A (What The Community Can Do). The Fairfield Sustains Stakeholder Engagement Plan, including summary of primary activities, engagement channels, community survey results and feedback is presented as Appendices B and C.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPROACH

Fairfield Sustains outlines a Strategic Roadmap to a more sustainable community by championing economic vitality, efficiency in municipal operations, and smart resource utilization, aiming to uplift the quality of life for everyone.

The Plan is built on the combined contributions gathered through extensive community engagement with the Fairfield community, stakeholders, staff, and leadership. Fairfield Sustains is a synthesis of community survey results, workshop ideation synthesis, and focus group refinement, along with key themes and policy commitments from existing planning documents and policies. The Plan is grounded in comprehensive data analysis of 2021 Municipal and Community greenhouse gas inventories, local policies, best practices in sustainability solutions, and opportunities unique to the City of Fairfield. It goes beyond emissions reduction, embracing a broad approach to sustainability with an improved quality of life as the core objective.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FAIRFIELD SUSTAINS IS ORGANIZED INTO SIX SECTIONS:

➜ **SECTION 1**

Presents an introduction to the Plan including background, engagement, policy and progress to date information;

➜ **SECTION 2**

Provides baseline data related to greenhouse gas inventory and forecasts for both municipal operations, as well as the broader Fairfield community;

➜ **SECTION 3**

Forecasts emissions reductions over time in line with mid-term 2030 and long-term 2055 targets;

➜ **SECTION 4**

Illustrates the City's Sustainability Strategic Roadmap, presented as three foundational (Mobility & Transportation, Buildings & Energy, and Resource Conservation) and two complementary (Nature & Green Community, and Business & Community Resilience) focus areas. Each focus area identifies key goals, strategies and actions to achieve results;

➜ **SECTION 5**

Outlines the Fairfield Sustains Implementation Framework, including the identification of key performance indicators (KPIs), timelines, cost estimates and funding sources to achieve selected measures; and

➜ **APPENDICES**

Provide more detailed information on Plan baseline data components including greenhouse gas inventory and analysis methodology, stakeholder engagement feedback including community survey results, summary of regional goals by jurisdiction, prioritization matrix, implementation framework detail, funding opportunities, and list of complementary studies including Miami University's *Solar Power Implementation for Fairfield's Wastewater Treatment Plant* (2024) and *Fairfield EV Fleet Feasibility* (2024), as well as University of Dayton's *Guides to Energy Productivity for Fairfield's Water and Wastewater Systems* (2023).

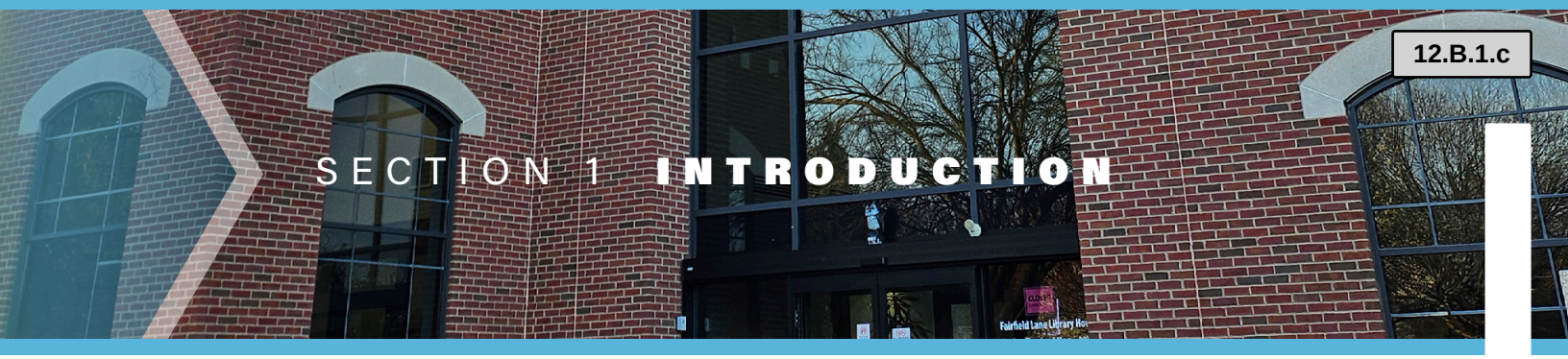
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

COLLABORATION & PARTNERSHIPS

The City of Fairfield recognizes that cultivating a sustainable community transcends individual efforts. Guided by a shared vision, Fairfield is both leading and contributing to a broader collective response across the region by embracing partnership and collaboration. In some cases this is facilitated through existing membership or participation in regional planning bodies such as Ohio-Kentucky-Indiana Regional Council of Governments (OKI) and Butler County Regional Transportation Agency (BCRTA) for transportation planning, infrastructure and transit services, Butler County Solid Waste District (BCSWD) for regional waste diversion services, and the Stormwater Collaborative and Groundwater Consortium for regional water stewardship, conservation and protection, and others.

By leveraging shared expertise, resources, responsibilities, and perspectives across the community and the broader region, Fairfield is able to achieve economies of scale and efficiencies in operational delivery to maximize benefits for its local community, while minimizing required capital outlays. This unified approach broadens the overall impact of the Plan, reduces required financial and resource investments, and fosters a sense of shared commitment and solidarity across different stakeholders in the region. This collaborative approach is further grounded in the acknowledgement that some sustainability actions are directly within the City's purview, while others may lie within the City's sphere of influence, but may not be in the City's direct regulatory authority. Additional entities, agencies or associations offer particular resources or expertise that may further complement strategies listed within this Plan, or may themselves have regulatory authority to enact such programs. For these reasons, this Plan includes actions in which the City will cultivate, continue, expand or enhance collaboration and partnership to advance the Plan's overall impact. The City is committed to cultivating partnership opportunities to enhance the effectiveness of measures outlined within the Section 4. Strategic Roadmap.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')



STATE AND REGIONAL PLANNING

The following outlines key state, regional or local planning policies guiding the sustainability landscape in Ohio. At present, the state of Ohio has not adopted specific climate goals or targets guiding local or regional planning similar to those adopted in other states across the nation. Such policies establish particular targets, requirements or resources at the state level to mandate, encourage or guide actions taken on the local municipal level. However, many jurisdictions across the state of Ohio are joining jurisdictions across the nation, adopting their own policies to increase sustainability and/or address environmental impacts related to a changing climate. A summary of example jurisdictional goals across the state of Ohio is presented within Appendix D. A regional planning resource example is presented below.

OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS (OKI) 2020 COORDINATED PLAN - OKI serves as the Metropolitan Planning Organization (MPO) for transportation in the Greater Cincinnati Region, covering Butler, Clermont, Hamilton and Warren Counties in Ohio; Boone, Campbell and Kenton Counties in Kentucky; and, Dearborn County in Indiana. The Coordinated Plan represents the latest multi-jurisdictional Coordinated Plan guiding transportation in the local region. OKI's responsibilities in southwest Ohio, northern Kentucky, and southeast Indiana consequently involve both developing a Coordinated Plan to improve mobility for these target populations and also using the Plan to guide decisions on funding for eligible transportation improvements. The City of Fairfield is a member of OKI and may benefit from various regional planning initiatives in the transportation and energy sectors.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

ENERGY PROVIDER COMMITMENTS

DUKE ENERGY is the primary energy provider in Fairfield. Duke Energy has set ambitious climate goals, striving toward at least a 50% reduction in CO2 emissions from electricity generation in 2030 and net-zero CO2 by 2050. Duke Energy is also targeting net-zero methane emissions for natural gas distribution business by 2030. However, a small number of Fairfield residents are serviced by the Butler Rural Electric Cooperative, which currently does not have a climate goal set.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

LOCAL PLANNING

Fairfield Connects, a connectivity master plan released in 2020, marked a significant step for the City of Fairfield in enhancing community connectivity. Spanning over two decades with a projected multi-million dollar budget, the plan is designed to develop organically alongside the city's growth, leveraging both developer contributions and grant funding to help manage costs. The plan focuses on linking neighborhoods with key city hubs such as the Town Center area, the Ohio 4 corridor, and the Mack and South Gilmore roads area, and integrates these areas with the Great Miami River Trail. It also aims to complete the unconnected sections within Fairfield, creating a more unified urban landscape. Highlighting the potential for increased property values and economic benefits, the plan draws on studies like the University of Cincinnati Economics Center's analysis of the Wasson Way Project in Cincinnati, demonstrating the environmental and household financial benefits of reduced vehicle usage. The plan's flexibility is a key feature, incorporating various pathways such as sidewalks, multi-use paths, shared road paths, and more. It also involves collaboration with developers to effectively integrate connectivity elements into new construction.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1 INTRODUCTION

Fairfield Forward, released in 2019, is a comprehensive land use plan that articulates the City of Fairfield's vision and strategy for future growth and community resource management. As the city approached build-out capacity, with 87.3 percent of its 20-square-mile area developed, this plan provided a critical framework to sustain a high quality of life for the foreseeable future. As a comprehensive, policy-level document, it sets out a collective vision, goals, policies, and strategies focused on land use, zoning, housing, transportation, economic development, public services, and sustainability. It includes detailed future plans and policies for the entire city and specific areas like the Route 4 Corridor and the Town Center. Fairfield Forward is a key resource not just for city officials but also for private developers, real estate agents, and property owners. It emphasizes Fairfield's commitment to being a vibrant, diverse community with safe neighborhoods and a high quality of life. The plan highlights the importance of embracing diversity and adaptability, encouraging new investments and redevelopment that enhance the City's character and strengths.

The 2014 **Fairfield Parks and Recreation Department Master Plan**, a 10-year strategy, was developed to bolster the City's recreational assets and opportunities. The plan, informed by past assessments and studies, adopts a comprehensive approach to recognize parks and recreation's role in individual and community development, economic enhancement, and environmental stewardship. The plan addresses Fairfield's evolving demographics and urban landscape, emphasizing the importance of maintaining existing parks, developing trails, using technology for outreach, and enriching arts and entertainment. Strategic priorities include maintaining current facilities, expanding trail networks, enhancing arts and culture programs, and engaging youth and seniors. Implementation of the plan hinges on funding, with a basic maintenance focus under limited budgets and potential for wider improvements and services with increased funding.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

COMPLEMENTARY STUDIES

Miami University Solar Power Implementation for Fairfield's Wastewater Treatment Plant (2024) - A study was conducted in partnership with Miami University's Institute for the Environment and Sustainability, on behalf of the City of Fairfield in conjunction with the completion of Fairfield Sustains. This study assessed the feasibility of a solar array at the City's Wastewater Treatment Plant considering such factors as siting locations, system size, number of panels, cost and other operational considerations. Results will be considered during the implementation phase of Fairfield Sustains.

Miami University Fairfield EV Fleet Feasibility (2024) - A study was conducted in partnership with Miami University Graduate School of Environmental Sciences, on behalf of the City of Fairfield in conjunction with the completion of Fairfield Sustains. This study assessed the feasibility of zero emission vehicle transition within the City fleet considering such factors as number of vehicles, type of vehicles, use, replacement schedule, charging infrastructure, costs, and other operational considerations. Results will be considered during the implementation phase of Fairfield Sustains.

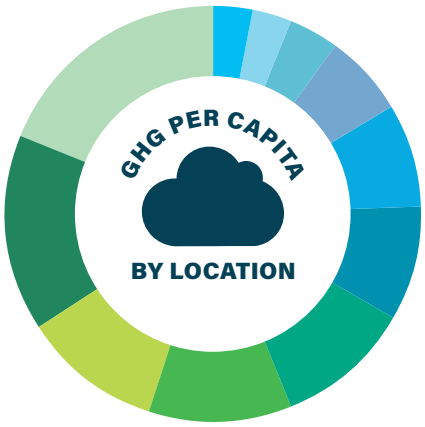
University of Dayton (UD) Industrial Assessment Center (IAC) Guides to Energy Productivity for Fairfield's Water and Wastewater Systems (2023) - A study conducted in partnership with University of Dayton IAC, on behalf of the City of Fairfield in advance of the development of Fairfield Sustains. This study evaluated energy use at the Fairfield water and wastewater facilities and made various recommendations for efficiency improvements based on the findings. Results were summarized and presented to the Public Utilities Department in 2023. Those recommendations deemed appropriate but not yet implemented are included as actions under the Resource Conservation focus area for the implementation phase of Fairfield Sustains.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

REGIONAL GREENHOUSE GAS EMISSIONS COMPARISONS

This section offers a comparative analysis of per capita greenhouse gas emissions in Fairfield, positioning it against other Ohio municipalities and the national average. Below, the table aims to contextualize Fairfield's environmental footprint within a broader regional and national framework, drawing on data from various public sources. It is important to note that this data is preliminary and subject to variation due to the differing methods used by municipalities for calculation. These discrepancies can result from diverse accounting techniques, the inclusion of different emission types classified as Scope 1, 2, and 3, and the specific emissions sources considered. Consequently, the figures should be viewed as rough estimates, not exact comparisons. Presently, Fairfield records emissions at 8.87 MT CO2e per capita, markedly below the national average of 14.4 MT CO2e per capita. However, readers should regard these numbers as provisional, considering the preliminary stage of data analysis.

Figure 1: Greenhouse Gas Emissions per capita by location



- **Huber Heights** N/A
- **Bexley** N/A
- **Miami University** 4.18 MTCO2e*
- **Ohio University** 4.35 MTCO2e
- **Oxford** 5.10 MTCO2e*
- **Fairfield** 8.79 MTCO2e
- **Dublin** 10.92 MTCO2e*
- **Columbus** 12.23 MTCO2e
- **Cleveland** 14.41 MTCO2e*
- **National Average** 14.9 MTCO2e
- **Dayton** 15 MTCO2e
- **Oberlin** 20.9 MTCO2e
- **Cincinnati** 25.36 MTCO2e*

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1 INTRODUCTION

Table 1: Overview of Community-wide Emissions

LOCATION	POPULATION[1]	TOTAL GHG INVENTORY	GHG PER CAPITA	SOURCE
Huber Heights	43,272	N/A	N/A	2023 Comprehensive Plan
Bexley	13,681	N/A	N/A	Green Bexley website and 2017 Zero Waste Plan
Miami University	19,452	80,000 MTCO2e*	4.18 MTCO2e*	Miami 2040: Climate Action Plan for Miami University Draft
Ohio University	29,217	130,009 MTCO2e*	4.35 MTCO2e	Ohio University Sustainability and Climate Action Plan 2021
Oxford	22,625	118,000 MTCO2e*	5.10 MTCO2e*	Oxford Climate Action Plan 2023
Fairfield	44,456	391,128 MTCO2e	8.79 MTCO2e	Fairfield Sustains Draft SAP 2024
Dublin	49,085	536,164 MTCO2e*	10.92 MTCO2e*	2018-2020 Sustainability Framework, in 2024 a new Sustainability Plan will be released
Columbus	906,528	11,005,874 MTCO2e	12.23 MTCO2e	2021 Columbus Climate Action Plan
Cleveland	367,991	12,500,000 MTCO2e	14.41 MTCO2e*	Cleveland Climate Action Plan 2018 and Cleveland's Clean and Equitable Energy Future
National Average	N/A	N/A	14.9 MTCO2e	Our World in Data. (2024). United States: Per capita: how much CO2 does the average person emit?.
Dayton	137,571	2,119,544 MTCO2e	15 MTCO2e	Resolution 6572-21 and 2021 Strategy for a Sustainable Dayton
Oberlin	8,249	174,391 MTCO2e	20.9 MTCO2e	Updated 2019 Climate Action Plan
Cincinnati	308,935	7,600,000 MTCO2e	25.36 MTCO2e*	Green Cincinnati Plan 2023

* *Emissions figures are calculated based on the information available in the referenced documents, but may not include all emissions sources.*

[1] United States Census Bureau

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

OUR PROGRESS

Fairfield has long embraced natural spaces as a core aspect of community identity, with over 935 acres of preserved natural spaces, including City parks, lakes and other recreation areas within the City. Fairfield Forward and Fairfield Connects both emphasize the City's unique natural resources and set objectives to preserve, and expand such resources while also increasing connectivity within the City to encourage and facilitate this ease by which residents, businesses and visitors can access these natural areas that make Fairfield so unique. In 2008, Fairfield established an Environmental Commission in conjunction with its commitments and registration with Tree City USA. Since inception, the Environmental Commission has focused its efforts on such topics and initiatives as tree canopy expansion, invasive plant removal, recycling, and other sustainability objectives. The Commission was a core contributor to Fairfield Sustains.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1 INTRODUCTION

The recent completion of Fairfield Connects serves as a core planning tool guiding the City's development over a 20-to-25-year period. Fairfield Connects aims to connect neighborhoods to the major hubs in the City, which have been identified at the Town Center area, Ohio 4 area spanning from Jungle Jim's to three Fairfield school buildings, and the Mack and Gilmore roads area. It will also connect the neighborhoods to the Great Miami River Trail, and complete the unconnected sections within the city of Fairfield. This Plan aligns with, builds on and complements strategic initiatives outlined with Fairfield Connects to broader sustainability goals.

Fairfield Forward dedicates an entire chapter to Sustainability as a core aspect of the City's most recent Comprehensive Plan.

> "Sustainability links the issues of environment, economy and social equity together. An action or decision in any one of these areas will have consequences on the others, whether anticipated or not. Sustainable actions are those that support, maintain, conserve, and enhance the environmental, economic, and social systems on which we depend."
>
> *– Fairfield Forward, Sustainability Chapter*

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1 INTRODUCTION

PROJECT HISTORY

- **JUNE 2022** — City Council memo seeking sustainability roadmap
- **SEPT 2022** — Council Manager Briefing on topic, led by City Manager Scott Timmer
- **OCT 2022** — Special Council work session, led by Council Member Tim Meyers
- **JAN 2023** — RFP for planning support issued
- **JUNE 2023** — Contract executed with Blue Strike
- **JUL-AUG 2023** — City Council 'interviews' facilitated by Blue Strike
- **SEPT 2023** — Kick-off meeting with Environmental Commission (EC); Community survey activated
- **NOV 2023** — EC meeting #2; Business stakeholder symposium
- **JUL-AUG 2024** — Goal ➜ Strategy ➜ Action refinement
- **MAR 2024** — EC meeting #3: Targeted strategy discussion with project champions and senior staff
- **APR 2024** — Strategy Finalization, Prioritization and Implementation Framework
- **MAY 2024** — Draft Fairfield Sustains Plan
- **JUNE 2024** — Public and Leadership Review
- **JUL 2024** — Plan introduction to City Council
- **SEPT 2024** — Anticipated Final Plan Adoption

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1 INTRODUCTION

Fairfield Forward puts Sustainability at the forefront of its community identity and calls upon the City to create a Sustainability Plan to detail and guide these efforts moving forward. In June 2022, the Fairfield City Council issued a memo calling for the creation of a Sustainability Roadmap to guide the City's efforts into the future. Two Council work sessions followed in Fall of 2022, including a Council Manager Briefing and a Special Council work session. Working swiftly to take action on this important objective, the City issued an RFP for planning services to create the development of this Plan in early 2023, sponsored by Council-members Meyers and Brill. Fairfield initiated the planning process in June 2023, forming a sustainability leadership team of representatives across all City departments to contribute to the effort. This began a 9-month engagement with community members, City staff, leadership and elected officials, business community representatives and other stakeholders to identify needs, opportunities and gaps to create a more sustainable City, with improved quality of life at the forefront. The Environmental Commission served as the advisory committee to the plan.

The result of this process is three-fold:

(1) the development of Fairfield Sustains as an actionable implementation roadmap for sustainability in the City of Fairfield;

(2) increased sustainability practice understanding, knowledge and expertise across all City Departments; and

(3) a unified vision and commitment to increased sustainability across all City Departments and throughout the City of Fairfield.

THE PLAN RESULTS ARE THREE-FOLD

An actionable implementati roadmap for sustainability

Increased sustainability knowledge and expertise

A unified vision and commitment to increased sustainability for all

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 1 INTRODUCTION

The City of Fairfield has already made significant efforts toward a more sustainable community. Fairfield Sustains will further accelerate and focus previous and concurrent efforts with a particular concentration on improved quality of life for the residents of Fairfield. The following provides a sample of sustainability actions already underway by focus area within the City. For a more comprehensive list of sustainability achievements to date, please see Appendix E:

TRANSPORTATION & MOBILITY

- ✔ City adopted Fairfield Connects Plan, December 2019 identifying opportunities to improve the walkability and bikeability of Fairfield (20-to-25 plan)
- ✔ Established active transportation fund to initiate Fairfield Connects implementation, investing $3M in 2 projects to date
- ✔ Initiated municipal zero emission vehicle study in partnership with Miami University
- ✔ Received grants for three community Electric Vehicle (EV) charging station
- ✔ Completed a Feasibility Study for EV infrastructure at city buildings

BUILDINGS & ENERGY

- ✔ Launched residential and small commercial energy aggregation initiative, with 50% renewable energy
- ✔ Achieved 100% renewable energy for all municipal operations through renewable energy credits procurement since 2023
- ✔ Initiated municipal Solar Feasibility Study in partnership with Miami University
- ✔ Conducted internal comprehensive energy audit to identify opportunities for improved efficiencies through such improvements as LED lighting and smart energy management systems

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

- ✔ Established curbside recycling since the 1990s and green-waste (leaf and brush) pickup service since the 1980s
- ✔ City contracts with Rumpke as the franchised hauler for residential, multi-family and commercial recycling, and continues to expand diversion programs
- ✔ City partners with BCSWD to provide waste diversion education and outreach
- ✔ City is currently upgrading to smart water meters to provide real time water usage data and reduce water loss from damage or leaks
- ✔ Active member of regional partnerships including Stormwater Collaborative and Groundwater Consortium to protect water quality

NATURE & GREEN COMMUNITY

- ✔ 935+ acres of green space make parks and open space a core aspect of Fairfield
- ✔ Fairfield holds the designation of Tree City USA
- ✔ Partnership with MetroParks of Butler County provides free nature programs

BUSINESS & COMMUNITY RESILIENCE

- ✔ Consistent growth in key economic indicators: income tax revenues, aggregate property & building permit valuation
- ✔ Redevelopment Investment: Public American Rescue Plan Act (ARPA) and Tax Increment Financing (TIF) and private investment to redevelop older commercial corridors
- ✔ Annual capital budget investment in street maintenance, water distribution & sewer systems
- ✔ Substantial decades-long investments in flood damage mitigation projects and FEMA repetitive loss buyouts.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 2

OUR IMPACT

UNDERSTANDING FAIRFIELD'S EMISSIONS

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 2

OUR IMPACT:UNDERSTANDING FAIRFIELD'S EMISSIONS

A greenhouse gas inventory is a comprehensive assessment that quantifies and categorizes the emissions of greenhouse gasses within a defined geographic area, typically a region or municipality. These inventories serve as a fundamental tool for understanding the sources and magnitudes of different greenhouse gas emissions, such as carbon dioxide, methane, and nitrous oxide. By systematically analyzing emissions from various sectors like energy, transportation, industry, and waste, a greenhouse gas inventory provides valuable insights into the carbon footprint of a community or organization. While this information represents a core aspect of this Fairfield Sustains, it is also only one component of the aspects considered in developing this Plan. Emissions are considered for some aspects of this Plan including setting emission reduction targets, and monitoring progress towards sustainable and low-carbon initiatives.

Fairfield Sustains includes the City's first greenhouse gas Emissions Inventory to assess current environmental impacts and establish a baseline for future projections. The methodology utilized the US Community Protocol from the ICLEI ClearPath tool and EPA greenhouse gas emission factors as benchmarks. ICLEI has been instrumental in advancing local environmental initiatives worldwide for over three decades. With its resources, including the ClearPath tool, ICLEI has supported over 600 municipal bodies in their efforts to scientifically assess greenhouse gas emissions, set ambitious targets, and implement effective sustainability strategies. Best practices from these resources guided the emission estimates for 2021. The full inventory details can be found in Appendix F.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 2

OUR IMPACT:UNDERSTANDING FAIRFIELD'S EMISSIONS

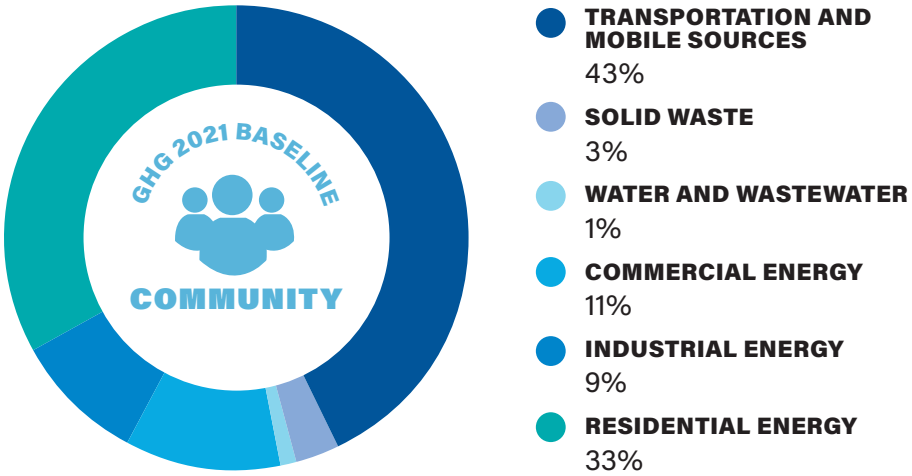
The greenhouse gas inventory examines two tracks: Community and Municipal Operations. The community track covers Fairfield's residents, including businesses, individuals, schools, and industrial sources, categorized into sectors: commercial, residential, industrial energy; transportation and mobile services; solid waste; and water and wastewater. The municipal inventory is a small component of total community emissions, (approximately 2%), detailing the City's local government-related usage from such activities as: buildings and facilities, vehicle fleet, employee commuting, streetlights and traffic signals, and waste from disposal. In the case of Fairfield, emissions related to water and wastewater utilities are attributed to municipal operations, as the City owns and operates these utilities on behalf of the community. See the following pages for additional detail on both Community and Municipal Operations emissions inventories.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

COMMUNITY EMISSIONS INVENTORY

In 2021, the City of Fairfield was responsible for emitting 391,185 MT CO2e, with the largest contributor being the energy sector. These emission figures include the Community and Municipal Operations sectors. The largest source of energy emissions, 33% or 129,836 CO2e, originated from residential energy usage. Commercial energy was the second-largest source of energy emissions, accounting for 11% or 42,710 MT CO2e. Industrial energy contributed 9% or 34,454 MT CO2e to the total. These figures account for emissions from both the direct burning of natural gas and the use of electricity. The second largest contributor is the transportation sector. This sector alone was responsible for 43% of emissions, equaling 168,125 MT CO2e, encompassing emissions from vehicles and other modes of transport. Other identified sources of emissions included industrial processes, waste management operations, and the treatment processes of water and wastewater comprising approximately 4% of the total emissions or 14,285 MT CO2e. Additionally, fugitive emissions, which include leaks and unintentional releases of natural gas within the community, contributed a minor fraction of less than 1%, specifically 1,775 MT CO2e.

Figure 2: Community Greenhouse Gas Emissions from the 2021 Baseline

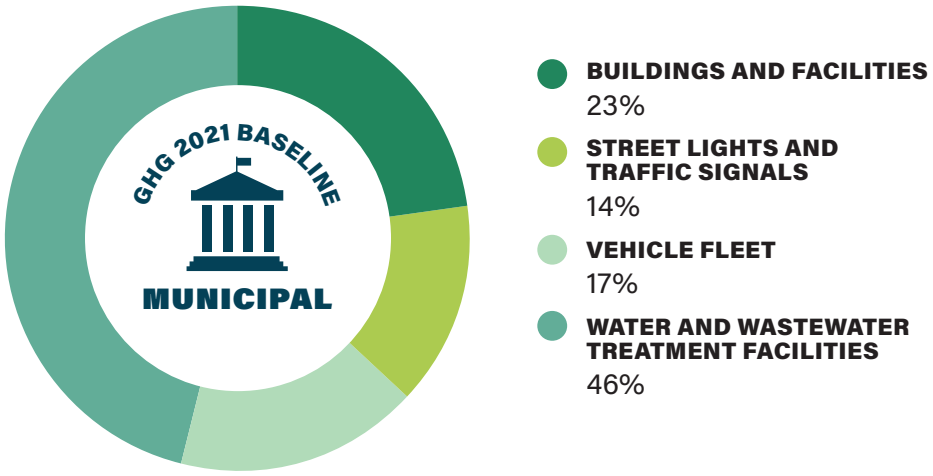


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MUNICIPAL OPERATIONS EMISSIONS INVENTORY

The study also examined greenhouse gas emissions linked to municipal operations in the City of Fairfield, which amounted to 9,501 MT CO2e. These emissions are a small portion of total community emissions, representing 2% of the total community emissions. The largest source of municipal emissions, 46% or 4,377 MT CO2e, originated from the operation of water and wastewater treatment facilities. Municipal buildings and facilities were the second-largest source of emissions, accounting for 23% or 2,144 MT CO2e. The City's fleet of vehicles had a notable impact, contributing 17% or 1,604 MT CO2e to the total. Additionally, emissions from street lighting and traffic control systems constituted 14% or 1,376 MT CO2e of the municipal total.

Figure 3: Municipal Operation Greenhouse Gas Emissions from the 2021 Baseline



Packet Pg. 160

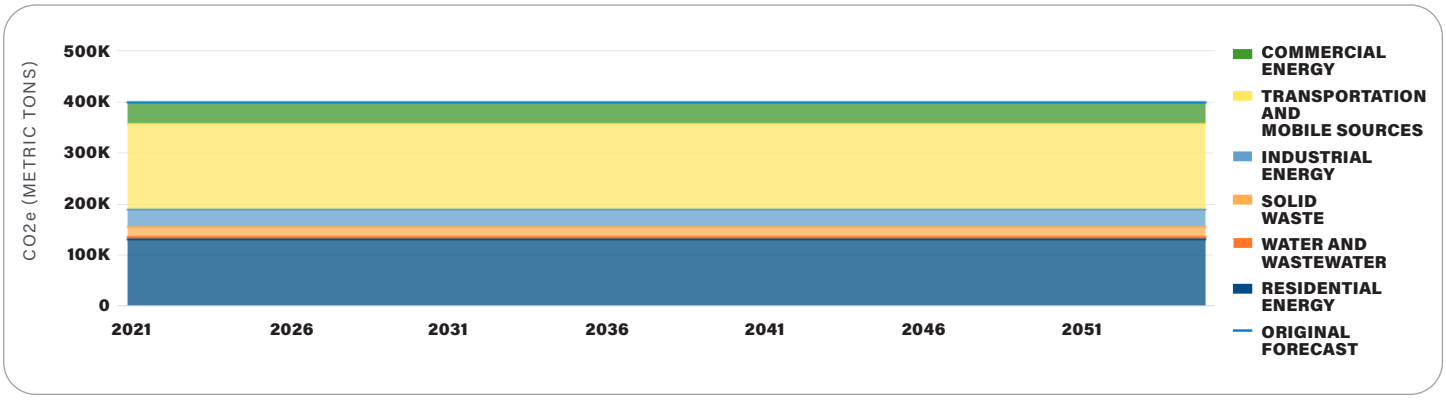
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

EMISSIONS PROJECTIONS

BUSINESS-AS-USUAL FORECAST

A Business-As-Usual (BAU) forecast for greenhouse gas emissions is essential for local government, offering a glimpse into the future assuming no new actions or changes are made to ongoing practices. This projection serves as a standard, helping to assess how effective different strategies and actions might be in reducing emissions over time. Understanding the BAU scenario is crucial for planning, identifying risks, and making well-informed choices. It enables the anticipation of what is ahead, spotting potential problems, and checking the long-term viability of current methods. As a comparison point, the BAU forecast aids the municipality in making sound decisions, optimizing resource use, and addressing upcoming challenges proactively. This approach bolsters the municipality's ability to adapt and grow steadily in an ever-changing setting, establishing a robust foundation that considers outside influences. In line with the anticipated stable population of Fairfield under current projections, the BAU forecast for Fairfield shows future emissions as relatively flat over time.

Figure 4: Projected Business-As-Usual Emissions for the City of Fairfield

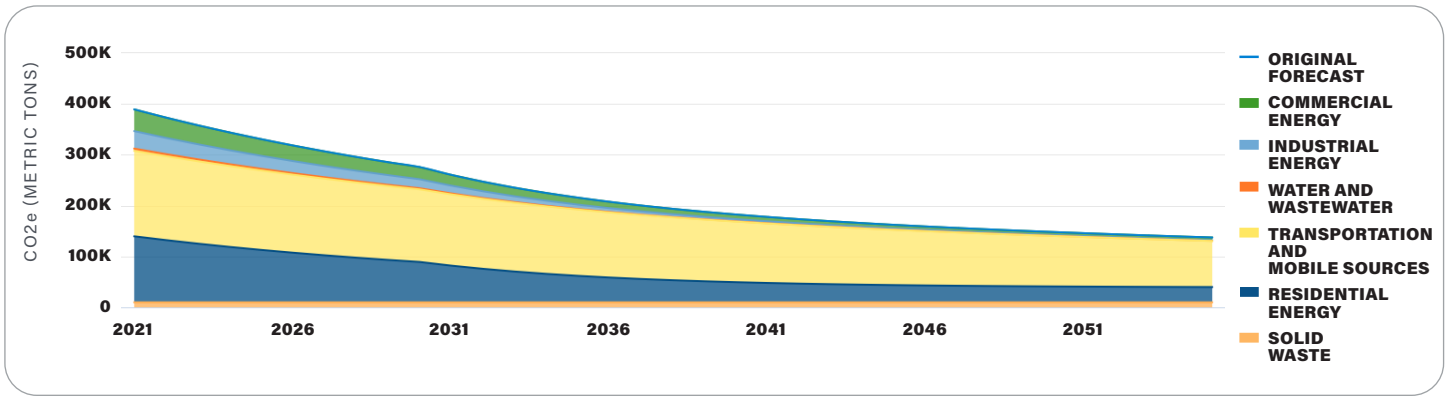


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

ADJUSTED BUSINESS-AS-USUAL FORECAST

The Adjusted Business-As-Usual (ABAU) forecast represents an evolved approach to conventional forecasting for GHG emissions, incorporating necessary adjustments to reflect new developments, trends, or strategic interventions. In this framework, factors such as the Corporate Average Fuel Economy (CAFE) standards and Duke Energy's pledge towards carbon neutrality are factored in. Contrasting with the traditional BAU forecast that projects the uninterrupted continuation of existing practices, the ABAU forecast adjusts for changing elements like technological progress, market evolution, or legislative adjustments. It offers stakeholders a refined and flexible outlook, empowering them to proactively tackle obstacles and harness potential in a shifting landscape. The ABAU forecast stands as a crucial resource for leaders, aiding in the formulation of decisions that resonate with the present circumstances and fostering greater adaptability and resilience amidst unpredictability. While the ABAU projections indicate that emissions will decrease over time, additional actions are needed to further reduce emissions toward carbon neutrality and line with sustainability goals outlined within this Plan.

Figure 5: Projected Adjusted-Business-As-Usual Emissions for the City of Fairfield



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3 OUR SUSTAINABILITY TARGETS

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3

OUR SUSTAINABILITY TARGETS

Fairfield Sustains places sustainability at the forefront, emphasizing enhanced quality of life, cost-effective government operations, and intelligent resource management. The Plan sets forth a range of goals, strategies, and actions expected to increase sustainability, many of which will also lead to a significant reduction in emissions. The Plan further aims to address a wider spectrum of sustainability objectives as delineated in the Framework, positing that while emissions reduction is crucial, it alone is not adequate to fulfill Fairfield's sustainability ambitions. Accordingly, specific emissions reduction targets have been established, with intermediate and long-term benchmarks aligned with the city's 75th (2030) and 100th (2055) anniversaries, respectively. Additional high-impact actions and key resources for success are also outlined below. These elements serve as central themes which inform precise goals, strategies and actions highlighted throughout this Plan. Additional detail is provided within the Strategic Roadmap.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3

OUR SUSTAINABILITY TARGETS

FAIRFIELD SUSTAINS

TARGETS

- Improve quality of life for Fairfield residents, businesses and visitors through the adoption of effective sustainability measures
- Demonstrate leadership in sustainability throughout City Operations
- Enact programs to reduce barriers to adoption for Fairfield residents and businesses
- Achieve 60% total community emissions reductions from the 2021 baseline, with 40% resulting from strategies actively implemented by the city by 2030.
- Achieve 74% total community emissions reductions from the 2021 baseline, with 27% resulting from strategies actively implemented by the city by 2055.

HIGH IMPACT ACTIONS

- Leverage Energy Aggregation for Renewable Energy
- Continue Municipal Renewable Energy Credit (REC) Procurement (providing 100% renewable electric to all municipal operations)
- Onsite Municipal Solar; Community solar
- Proactive Energy Efficiency Implementation
- Lead by Example - City Demonstration Projects
- Robust Implementation of Fairfield Connects
- Electrify Fleet, Off-road Vehicles, Equipment, and Tools
- Waste Diversion Plan (Waste Characterization Study, set goal, expand programs)
- Pilot Food Scrap Organics Collection
- Launch Green Business Recognition Program
- Launch Green Business Recognition Program, and Offer Incentives and Technical Assistance to Local Companies to Support Sustainability Efforts
- Education, Outreach, and Technical Assistance to Drive Adoption

RESOURCES FOR SUCCESS

- Establish a Sustainability Manager
- Proactively Secure Grant Funding
- Fund Dedicated Active Transportation Fund
- Establish Dedicated Sustainability Fund
- Strategic Use of Economic Development Funds
- Lead by Example - Demonstration, Policy
- Prioritize Sustainability in SOPs, Policies, Purchasing (Environmentally Preferable Purchasing Policy)
- Education, Outreach, and Technical A

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

LOOKING OUT TO 2030

The City of Fairfield is committed to increasing sustainability in municipal operations and community-wide, setting a mid-term milestone horizon of 2030 to align with the City's 75th anniversary. In line with this target, many goals within this Plan are set against a mid-term date of 2030, including many measures anticipated to contribute to quantifiable greenhouse gas emissions reductions by 2030. The City has selected this aggressive milestone to align with the City's anniversary and underscore its demonstrated leadership in sustainability. Municipal strategies that guide Fairfield in accomplishing this goal are outlined in detail within the Strategic Roadmap. In line with the greenhouse gas inventory presented above, each strategy area corresponds with major greenhouse gas emissions generation areas related to reducing mobile source emissions, operating sustainable buildings, increasing efficiency in public street lighting, reducing solid waste generation, and developing sustainable policies and procedures to accelerate these efforts.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

The following figure illustrates the total projected community-wide greenhouse gas emissions through 2030.

The green dotted line represents the 2021 baseline, which is used to calculate the emission savings. Annual emissions at the 2021 baseline equal approximately 400,000 MT CO2e.

The blue line represents the Adjusted Business-As-Usual (ABAU) forecast as determined by the 2021 emissions inventory and accounting for anticipated adjustments as described in Section 2. The impact of the direct interventions, resulting in carbon achievements by Fairfield, is calculated from this benchmark.

The green, light blue, and dark blue bands represent commercial, industrial, and residential energy usage, respectively. Reductions in this sector are expected to come primarily from energy efficiency measures, procurement of renewable energy, and the development of local renewable generation, along with reductions in natural gas and stationary fuel use. Collectively, total cumulative 2021-2030 energy emissions from these sectors are projected to decrease from 3,893,570 to 1,083,328 MT CO2e, a substantial reduction of approximately 72% from the 2021 baseline.

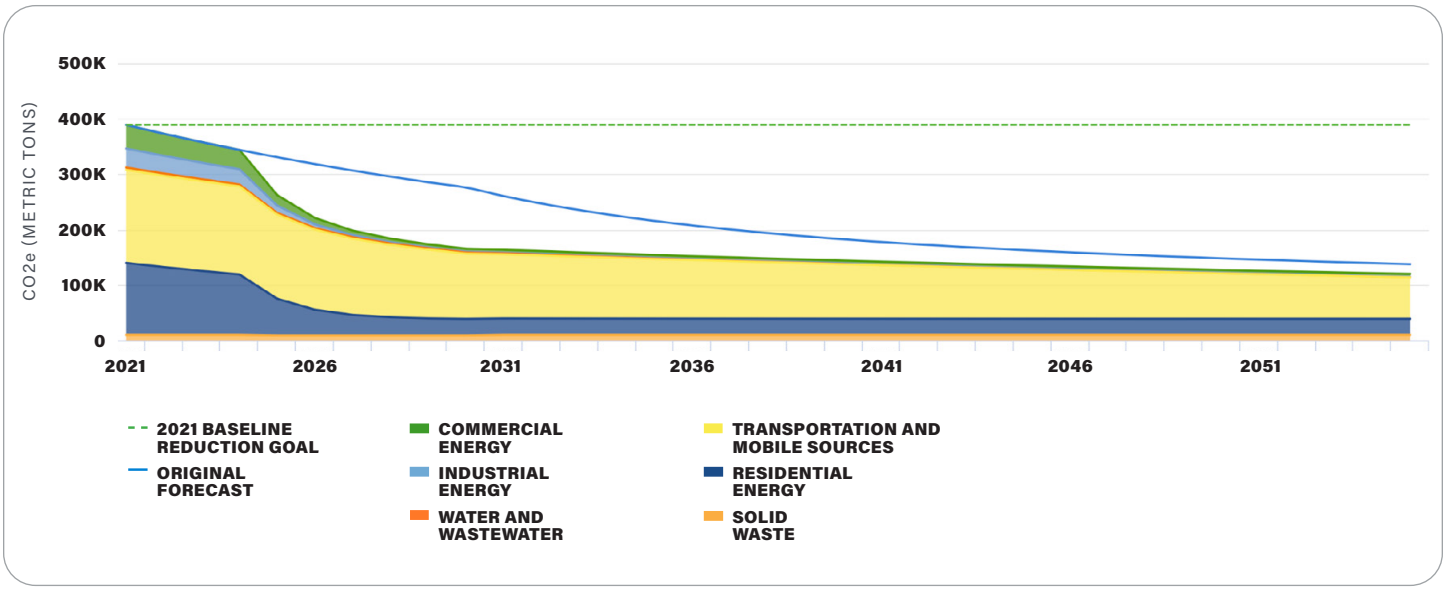
The yellow band represents total cumulative 2021-2030 transportation emissions, which are expected to decrease by 13%, from 1,681,250 to 1,461,475 MT CO2e, in comparison with the 2021 baseline. This reduction will be driven by fewer vehicle miles traveled (VMT), increased VMT fuel efficiency, improved connectivity infrastructure, enhanced education and outreach, and increased use of multi-modal transport (biking, walking, transit) as part of the Fairfield Connects initiative. Municipal scale emissions reductions will stem from converting the municipal fleet to electric, hybrid, or clean emission vehicles.

The light orange band represents total cumulative 2021-2030 solid waste emissions, decreasing by less than 1% of the 2021 baseline, from 98,250 MT CO2e to 92,352 MT CO2e based on a 10% waste diversion rate. These reductions may increase following the completion of a Waste Characterization Study which will more accurately quantify current and projected diversion rates for Fairfield. Waste emissions reductions will mainly be driven by source reduction, procurement, recycling, composting, and other conservation measures to be outlined in municipal and community Waste Reduction and Diversion Plans.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

Figure 6: Projected Greenhouse Gas Emissions for the City of Fairfield Reflecting the 2030 Goals



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

LOOKING OUT TO 2055

Looking towards 2055, the City is committed to continued and increased progress toward a sustainable community, setting long-term goals to align with the City's centennial anniversary. This goal demonstrates leadership at the City level in the absence of statewide benchmarks or targets. Emissions reductions targets are set at the focus area goal level and outlined within the Strategic Roadmap. Given the state's previous reliance on coal, the move toward increasingly carbon-free energy utilization is anticipated to result in substantial emissions reductions. Combined with additional measures outlined in this Plan to be fully implemented by 2055, Fairfield anticipates substantial progress toward carbon reductions both at the municipal level as well as community-wide. The City is dedicated to methodically reducing its community-wide emissions through strategic initiatives, demonstrating a proactive and leadership-driven approach to environmental stewardship and setting a precedent for a sustainable future by 2055.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

The diagram below, after the 2030 goals, displays the total projected community-wide greenhouse gas emissions through 2055.

The green dotted line illustrates the baseline from 2021, which serves as the reference point for calculating emission reductions. Annual emissions at the 2021 baseline equal approximately 400,000 MT CO2e.

The blue line indicates the Adjusted Business-As-Usual (ABAU) projection based on the 2021 emissions inventory and includes expected modifications as outlined in Section 2. From this standard, the effects of direct interventions that lead to carbon reductions achieved by Fairfield are measured.

Following the same color scheme as the previous figure, the chart employs different colors to represent various sectors: commercial (green), industrial (light blue), and residential (dark blue) sectors are depicted as making significant strides towards zero emissions by 2055, primarily through the complete phase-out of electricity-related emissions. This will achieve a total cumulative 2021-2055 reduction of 5,283,667 MTCO2e from the 2021 baseline, corresponding to a 72% decrease in emissions.

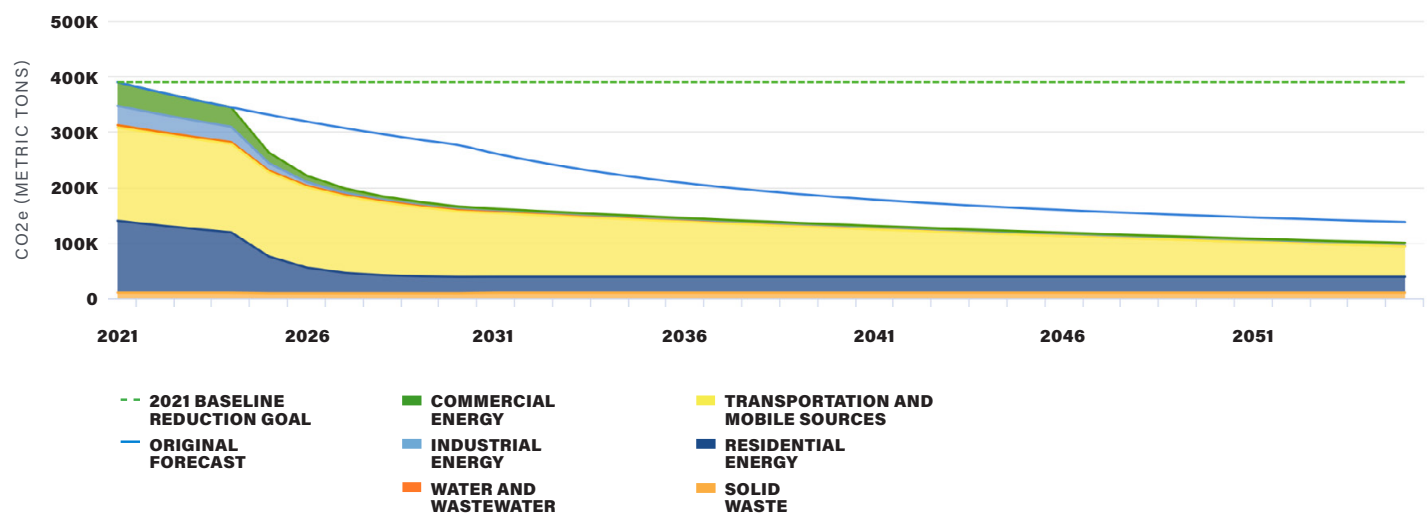
The yellow band shows a 41% reduction in transportation emissions from the 2021 baseline, decreasing total cumulative 2021-2055 transportation emissions from 5,884,375 to 3,450,370 MT CO2e, driven by continuous efforts in reducing emissions from VMT, enhancing connectivity infrastructure, proactive education and outreach programs, and shifting towards multi-modal transportation options like biking, walking, and public transit under the Fairfield Connects initiative. Municipal emissions reduction efforts will continue to include transitioning the municipal vehicle fleet to electric, hybrid, or other low-emission vehicles.

Lastly, the thin dark orange line indicates emissions from the electricity consumed by water distribution and wastewater treatment facilities, expected to achieve neutrality by 2055 through the adoption of clean electric energy solutions.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

Figure 7: Projected Greenhouse Gas Emissions for the City of Fairfield Reflecting the 2055 Goals



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

EMISSIONS PROJECTIONS REFERENCE FRAMEWORK

For greenhouse gas emissions projections, establishing a clear frame of reference is critical. While some jurisdictions measure their strategies and goals against the ABAU scenario, most opt for baseline comparisons. In the case of Fairfield, comparisons are consistently made against the 2021 baseline, which illustrates the total emissions under hypothetical conditions extended from the inventory year 2021 into the future. Notably, this scenario does not account for the emission reduction targets of other key players like Duke Energy. Between 2021 and 2055, this baseline shows the highest projected total cumulative 2021-2055 emissions at 13,627,495 MTCO2e.

Conversely, the ABAU scenario is represented by the entire dark blue area under the corresponding blue line, reflecting a total cumulative emissions of 7,663,894 MTCO2e from 2021 to 2055. Its inventory year is also 2021, with emissions of 391,850 MTCO2e. This scenario includes targets from stakeholders and incorporates standards set by the Environmental Protection Agency (EPA), such as Corporate Average Fuel Economy (CAFE) standards for transportation.

The target scenarios for 2030 and 2055 focus exclusively on emissions after the implementation of Fairfield's strategies based on the 2021 baseline. These scenarios predict total cumulative emissions of 6,085,248 MT CO2e from 2021 to 2055 for the 2030 Target Scenario, and 5,794,407 MT CO2e from 2021 to 2055 for the 2055 Target Scenario. The projected reductions in these scenarios result from Fairfield's targeted actions, alongside contributions from Duke Energy, CAFE standards, and other carbon mitigation measures.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

All percentage reductions stated in this report are calculated by comparing the emissions of these target scenarios against the green rectangle at the top of the chart, which represents the 2021 baseline. Using this baseline for comparison not only shows a greater and more realistic percentage of reductions but also encompasses reductions from external factors like those introduced by Duke Energy. This approach effectively underscores the breadth and effectiveness of Fairfield's emissions reduction strategy.

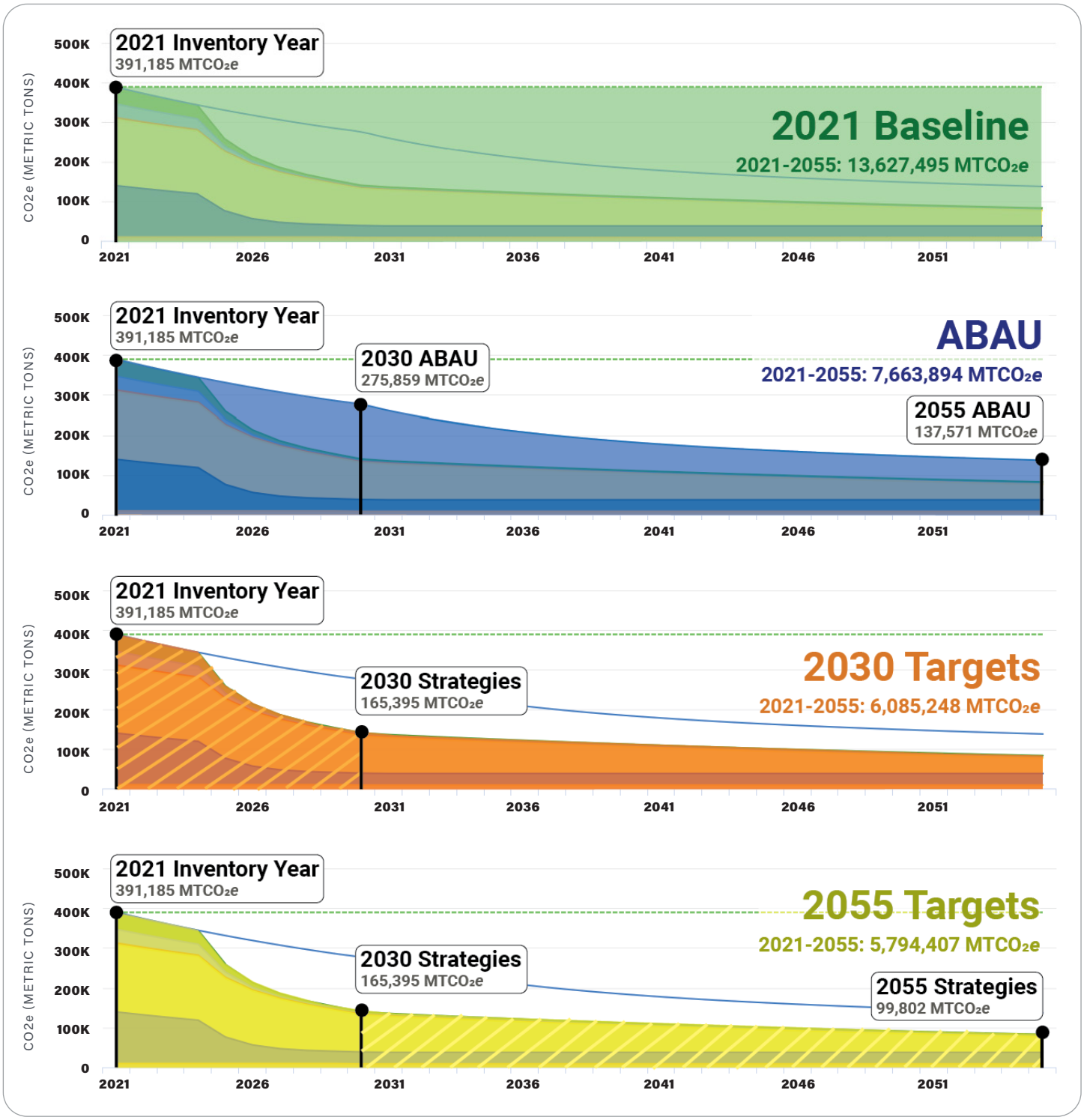
Table 2: Breakdown of Total GHG Emissions by Sector in Fairfield (measured in MTCO2e), showing 2021 Baseline, ABAU, and Target Emissions for 2030 and 2055.

	TOTAL EMISSIONS IN MTCO2E (2021-2055)			
SECTOR	**2021 BASELINE**	**ABAU**	**2030 TARGETS**	**2055 TARGETS**
Commercial Energy	1,494,885	559,401	339,931	338,191
Industrial Energy	1,205,925	374,680	179,470	177,967
Residential Energy	4,544,260	2,037,744	1,449,967	1,445,245
Transportation & Mobile Resources	5,884,375	4,303,537	3,733,246	3,450,370
Water & Wastewater	154,175	44,657	44,657	44,657
Solid Waste	343,875	343,875	337,977	337,977
Total	**13,627,495**	**7,663,894**	**6,085,248**	**5,794,407**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 3
OUR SUSTAINABILITY TARGETS

Figure 8: Fairfield's 2021 Baseline, ABAU, 2030 and 2055 Targets



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 4
STRATEGIC ROADMAP

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 4
STRATEGIC ROADMAP

Fairfield Sustains outlines a Strategic Roadmap to a more sustainable community by championing economic vitality, efficiency in municipal operations, and smart resource utilization, aiming to uplift the quality of life for everyone.

The Plan is built on the combined contributions gathered through extensive community engagement with the Fairfield community, stakeholders, staff, and leadership. Fairfield Sustains is a synthesis of community survey results, workshop ideation synthesis, and focus group refinement, along with key themes and policy commitments from existing planning documents and policies. The Plan is grounded in comprehensive data analysis of 2021 Municipal and Community greenhouse gas inventories, local policies, best practices in sustainability solutions, and opportunities unique to the City of Fairfield. It goes beyond emissions reduction, embracing a broad approach to sustainability with an improved quality of life as the core objective.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 4
STRATEGIC ROADMAP

This Strategic Roadmap provides an actionable Plan to guide the City toward near, mid, and long-term success, using a the following Framework:

A. FOUNDATIONAL STRATEGIES: Focus on three high-impact essential sectors—Mobility & Transportation, Buildings & Energy, and Resource Conservation—to drive economic vitality, improve well-being, and optimize resource use.

B. COMPLEMENTARY STRATEGIES: Embrace cornerstones of Fairfield's sustainability approach through two additional sectors–Nature & Green Community, plus Business & Community Resilience–strengthening the community connection to Fairfield's unique natural spaces and supporting visible sustainable solutions across all focus sectors. These strategies help reduce barriers to participation, connect residents and businesses to resources to increase cost effectiveness, and foster a more sustainable, engaged and resilient Fairfield.

STRATEGY CO-BENEFITS AND PRIORITIZATION

The Strategic Roadmap, presents foundational and complementary strategies alongside their associated co-benefits and assigned a priority score. Co-benefits are matched to the strategy with which they align. The priority score is assigned to each strategy based on a qualitative and internal analysis and is derived based on how well it aligns with the co-benefits (e.g., high/medium/low or yes/no). A score of 1 indicates high priority, while 3 signifies lower priority. The full prioritization matrix is presented for reference as Appendix G. Wherever possible, this Strategic Roadmap includes goals, actions and strategies that are Specific, Measurable, Achievable, Relevant and Timebound (SMART). In some cases, actions in one focus area complement, contribute to or enhance, an action in another strategy area.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

CO-BENEFIT KEY

PRIORITY CRITERIA	DESCRIPTION
GHG REDUCTION POTENTIAL	Level of anticipated emissions reductions as quantified in MTCO2e, ranking as high, med, low. High emissions reductions are given a high emissions reduction potential.
COST EFFECTIVENESS	Upfront or ongoing cost investment needed for implementation, ranked as high, med, low. Low cost investment is given a high cost effectiveness ranking.
INCREASE OPERATIONAL EFFICIENCY	Assessed based on the degree to which this strategy is anticipated to increase operational efficiencies when implemented, in the form of cost savings, reduced resource utilization, streamlined staffing, etc. Ranked as high, med low, with most efficient given a high ranking.
REDUCES OPERATIONAL COSTS	Gives a yes/no response based on whether the strategies directly aligns with other key City Plans (e.g. Fairfield Forward, Fairfield Connects, Parks Master Plan, etc.).
FUNDING AVAILABLE	Gives a yes/no response based on whether known regular funding is available through current allocations or likely grant programs.
INTERNAL CAPACITY/SUPPORT	Assessed based on the degree to which there is current capacity and/or support to successfully implement this strategy, ranked as high, med, low, with most capacity ranked as high.
QUALITY OF LIFE	Represents various community co-benefits that may positively impact quality of life such as reduced socioeconomic or health disparities, improved health or well being, increased fairness in public policy, benefits/eases daily life, mobility, connection, economic well being for residents and businesses. Ranked as high, med, low, with those most positively correlated ranked as high.

CO-BENEFIT KEY

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MOBILITY & TRANSPORTATION

FAIRFIELD SUSTAINS

CREATE A MORE BIKEABLE, WALKABLE AND CONNECTED COMMUNITY

In Fairfield, transportation contributes to 43% of community emissions and 17% of city operations emissions, underscoring the critical opportunity for increased efficiency and connectivity through multi-modal travel options. These sustainable solutions are the cornerstone of the recent Fairfield Connects Plan, and thus form a central element of Fairfield Sustains' approach to the mobility and transportation sector. Whether driving, biking, or walking, Fairfield is creating a more connected, enjoyable Fairfield, embracing innovative initiatives that make every journey better for the community and the environment.

GHG REDUCTION POTENTIAL

COST EFFECTIVENESS

INCREASE OPERATIONAL EFFICIENCY

REDUCES OPERATIONAL COSTS

FUNDING AVAILABLE

INTERNAL CAPACITY/SUPPORT

QUALITY OF LIFE

C O - B E N E F I T S K E Y

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL MT.1.0 REDUCE VEHICLE MILES TRAVELED (VMT) EMISSIONS BY **20% BY 2030 AND 30% BY 2055**

STRATEGY	ACTION
MT.1.1 Create a more walkable, bikeable, transit-friendly City through robust implementation of Fairfield Connects by **2055**. **PRIORITY SCORE: 1** **CO-BENEFITS:**	**MT.1.1.1** ✔ EXISTING ACTION Continue dedicated Active Transportation Fund to invest in strategic infrastructure development, smart growth, education, incentives, and connectivity enhancements in line with Plan objectives. **MT.1.1.2** ✔ EXISTING ACTION Seize funding opportunities by proactively pursuing federal, state, local grant and related opportunities by monitoring and applying for relevant grants as outlined in Plan, and as new funding opportunities are available. **MT.1.1.3** ✔ EXISTING ACTION Implement multi-use paths, bike lanes, shared lanes and sidewalk enhancements outlined in Fairfield Connects. Continue to integrate new paths with existing green spaces to create a more pleasant and natural walking and biking experience. **MT.1.1.4** ✔ EXISTING ACTION Enhance safe bike and pedestrian infrastructure, aiming for an increase in residents within **0.2 mile** of such facilities by **2030**, adopting best practices in urban design and safety.
MT.1.2 Promote and reduce barriers to adoption of active and public transportation opportunities. **PRIORITY SCORE: 3** **CO-BENEFITS:**	**MT.1.2.1** Leverage City's membership in Butler County Regional Transportation Authority (BCRTA) to advocate for and invest in improved transit connectivity to, from and within Fairfield by **2030**, which may include but are not limited to: enhanced transit routes, schedule frequencies, micro-transit options, tools to ease use, lighting/safety features, shade, connectivity to bike routes, strategic park and ride locations, and other transit-friendly and last mile amenities. **MT.1.2.2** Launch a targeted marketing campaign to promote greenway trails and multi-modal transit lanes, leveraging local events, developing educational programs and partnering with BCRTA, OKI or other regional entities. **MT.1.2.3** ✔ EXISTING ACTION Continue to improve walkability along Route 4 by replicating successful features from Pleasant Avenue, such as safe pedestrian crossings and aesthetic enhancements. **MT.1.2.4** ✔ EXISTING ACTION Continue construction of multi-modal paths around Marsh Park to accommodate pedestrians, cyclists, and other non-motorized transport modes. **MT.1.2.5** Increase community bike racks and amenities along multi-modal paths. Encourage businesses to install bike racks or active commuter amenities in key commercial zones.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL MT.1.0 REDUCE VEHICLE MILES TRAVELED (VMT) EMISSIONS BY **20% BY 2030 AND 30% BY 2055**

STRATEGY	ACTION
MT.1.3 Convert **20%** of non-emergency City fleet to electric vehicles (EVs), hybrid or clean fuels by **2030 and 100% by 2055**. **PRIORITY SCORE: 2** **CO-BENEFITS:**	**MT.1.3.1** ✔ EXISTING ACTION Develop a Zero Emission Vehicle (ZEV) Plan for **100%** Municipal Fleet by **2055** including right sizing, replacement schedule, costs, infrastructure needs, optimal charging locations, and funding opportunities. **MT.1.3.2** Ensure all newly acquired vehicles for city use are aligned with the ZEV Plan by incorporating policy into new Environmentally Preferable Purchasing Policy (EPPP). Establish annual targets to transition fleet to achieve **100%** EVs, hybrids, or clean fuels by **2055** target.
MT.1.4 Proactively support community EV expansion and readiness. **PRIORITY SCORE: 2** **CO-BENEFITS:**	**MT.1.4.1** Update building codes and zoning requirements to encourage and facilitate EV readiness or pre-wiring in new construction. Explore waiving permit fees for EV charging infrastructure installations in existing buildings to encourage adoption. **MT.1.4.2** ✔ EXISTING ACTION Coordinate installation of **10** City & Community charging stations by **2030** through federal, regional and local funding. Continuously seek grants for the expansion of EV charging infrastructure. Strategically install EV charging stations near commercial areas and amenities to support local business utilization during charging and encourage EV adoption. Combine with educational promotion and buy local campaign. **MT.1.4.3** Consider partnering with EV charging infrastructure businesses to encourage installation of Level 2/3 charging banks at strategic locations and along travel corridors. **MT.1.4.4** Create an information hub to educate residents and businesses on available EV incentives, rebates, charging information, and other resources to accelerate EV adoption.
MT.1.5 Electrify specialty vehicle, off-road tools, equipment, and machinery in municipal operations **PRIORITY SCORE: 3** **CO-BENEFITS:**	**MT.1.5.1** Conduct a study to assess and set targets including replacement schedule for specialty and off-road vehicles, tools, and machinery by **2030**. **MT.1.5.2** Eliminate off-road emissions in municipal operations by **2055** by adopting a planned replacement and purchase policy for all specialty vehicles, tools, equipment and machinery, integrated into broader municipal Environmentally Preferable Purchasing Policy (EPPP). **MT.1.5.4** Provide employee education, training and technical assistance to drive behavior change.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

FAIRFIELD SUSTAINS

CREATE A MORE RESILIENT, SUSTAINABLE AND COST EFFECTIVE ENERGY FUTURE

Energy used to power homes, businesses and critical municipal operations is an integral focus sector of Fairfield Sustains, as it represents both major ongoing financial costs to our community, and more than half of all community emissions. Energy use and management are also critical for community resilience in the face of changing environmental conditions. This makes efforts in the buildings and energy sector a significant opportunity area for increased efficiency and improved quality of life. At the community scale, 53% of emissions are generated from residential, commercial or industrial energy use. Emissions from energy account for 83% of municipal operations emissions with the largest portion coming from water and wastewater treatment (46%), followed by buildings and facilities (23%) and streetlights and traffic signals (14%). This highlights the urgent opportunity for a shift towards energy efficiency and embracing renewable energy solutions across our community.

The recent passage of a community energy aggregation program paves the way for more sustainable energy sources along with increased rate stability for consumers. Initial efforts are already delivering a significant amount of renewable energy at a significantly lower cost for residents and small businesses. This focus area also concentrates on municipal leadership through renewable energy credit (REC) procurement, demonstration projects, improved energy efficiency, local renewable energy generation, and making it easier for businesses and residents to make sustainable energy choices.

GHG REDUCTION POTENTIAL | COST EFFECTIVENESS | INCREASE OPERATIONAL EFFICIENCY | REDUCES OPERATIONAL COSTS | FUNDING AVAILABLE | INTERNAL CAPACITY/SUPPORT | QUALITY OF LIFE

C O - B E N E F I T S K E Y

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL E.1.0 REDUCE ENERGY EMISSIONS BY **50% BY 2030** AND **100% BY 2055** COMMUNITY-WIDE

STRATEGY	ACTION
PROCUREMENT **E.1.1** Leverage energy aggregation procurement for residential and small commercial community energy use to achieve **50%** carbon-free energy procurement **by 2024** and **100% by 2035** **PRIORITY SCORE: 1** **CO-BENEFITS:**	**E.1.1.1** ✔EXISTING ACTION Implement Energy Aggregation initiative for residential and small commercial customers by **2024** and achieve **50%** renewable energy power procurement by **2024**, initiating the shift towards greener, more affordable energy solutions. **E.1.1.2** Explore long-term (e.g. 10, 15, 20-year) power purchase agreements beginning in **2027** procurement cycle to secure low-cost and stable renewable and carbon-free power pricing and reduce risk against future anticipated price increases with growing demand. **E.1.1.3** Increase renewable energy procurement options by **2027** to include minimum **50%** renewable energy standard + **optional 100%** renewable, wind, or carbon-free offering for customers, which could be available at a small premium for customers interested in supporting a higher sustainability option. **E.1.1.4** Reach **100%** renewable, wind, or carbon-free power procurement by **2035**, fulfilling our promise for a fully sustainable and economically advantageous energy supply.
PROCUREMENT **E.1.2** Procure **100%** renewable energy for all municipal operations **PRIORITY SCORE: 2** **CO-BENEFITS:**	**E.1.2.1** ✔EXISTING ACTION Continue Renewable Energy Credit (REC) purchasing to achieve **100%** renewable energy for all municipal operations through **2024**. Renew REC procurement agreement to continue **100%** renewable energy for all municipal operations by **2025**.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL E.1.0 REDUCE ENERGY EMISSIONS BY **50% BY 2030** AND **100% BY 2055** COMMUNITY-WIDE

STRATEGY	ACTION
RENEWABLE ENERGY **E.2.1** Increase local on-site renewable energy in municipal operations by **2030** **PRIORITY SCORE: 1** **CO-BENEFITS:**	**E.2.1.1** Demonstrate leadership in sustainable energy through on-site renewable energy production and potential battery storage for increased rate stability, emergency preparedness and peak shaving. **E.2.1.2** ✔EXISTING ACTION Conduct a Municipal Solar Feasibility Study by **2026** to evaluate the potential and practicality of installing solar panels on municipally owned or operated buildings, parks, facilities, and other suitable properties to include such considerations as: sizing potential, feasible rooftop, ground-mounted, parking or other installation approaches, battery integration potential, capital costs, rate per kWh, tax rebates, payback periods, self-owning pay-back periods, etc. **E.2.1.3** Install on-site solar photovoltaic systems (combined with battery storage) at municipally owned or operated buildings, facilities, parks or suitable properties as identified in Solar Feasibility Study. Set short, mid and long-term installation targets for **2055** and monitor progress. **E.2.1.4** ✔EXISTING ACTION Actively monitor grant and funding sources and seek opportunities to partner with regional agencies, non-profits or others to secure available opportunities. **E.2.1.5** Prioritize integrated systems installation with parks, parking, and facilities to support onsite energy use and charging of EV vehicles, golf carts and other building and equipment.
RENEWABLE ENERGY **E.2.2** Encourage local community solar installation among community residents and businesses **PRIORITY SCORE: 2** **CO-BENEFITS:**	**E.2.2.1** Leverage OKI Solar Ready Program, including solar siting surveys, to guide promotion and adoption of solar for residents and businesses within Fairfield. Increase community solar capacity at strategic locations and among partners or regional agencies. **E.2.2.2** Update building codes and zoning requirements to encourage and facilitate solar installations. Implement streamlined permitting process for solar installations. Explore waiving permit fees for solar installation projects to encourage and accelerate community solar adoption. **E.2.2.3** Strategically utilize economic development funding to incentivize adoption of energy efficiency and renewable installation projects in the industrial and commercial sectors. Establish an annual fund and establish annual targets for business participation. **E.2.2.4** Educate community on state and federal tax credits, rebates, and other incentive programs to remove barriers to solar energy adoption. Create an information hub with information on programs, service providers and financing options including but not limited to PACE for commercial businesses and ESIP resources.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL E.1.0 REDUCE ENERGY EMISSIONS BY **50% BY 2030** AND **100% BY 2055** COMMUNITY-WIDE

STRATEGY	ACTION
ENERGY EFFICIENCY & CONSERVATION **E.3.1** Continue and enhance existing municipal energy efficiency program **PRIORITY SCORE: 2** **CO-BENEFITS:**	**E.3.1.1** ✔EXISTING ACTION Implement results of internal comprehensive energy audit to increase efficient operations at all municipal facilities. Update energy audit every 5 years or as needed. **E.3.1.2** Prioritize window replacements in Municipal Building and Annex for energy efficiency gains in older municipal building stock. **E.3.1.3** Replace Justice Center low efficiency non-condensing boilers to high-efficiency condensing models, increasing efficiency from an estimated **70% to 95%** efficiency. **E.3.1.4** ✔EXISTING ACTION Continue and expand energy savings retrofits and installations including LED lighting, as well as light sensors, timers, and smart thermostats based on occupancy patterns in all applicable areas in municipal buildings, parks and facilities. **E.3.1.5** ✔EXISTING ACTION Continue to utilize and improve smart energy management systems for real-time and remote adjustments. Regularly review data to refine energy management. Continue to regularly upgrade energy management systems for peak performance.
ENERGY EFFICIENCY & CONSERVATION **E.3.2** Increase energy conservation initiatives in municipal operations **PRIORITY SCORE: 3** **CO-BENEFITS:**	**E.3.2.1** Prioritize energy efficiency installations across all municipal buildings, parks and facilities during upgrades, renovations, remodeling or other improvements. **E.3.2.2** Implement ongoing employee conservation policies, and promote awareness through education and training. **E.3.2.3** When preparing for replacements of major building equipment, conduct an analysis of highest energy efficiency equipment models and systems, and consider equipment electrification (HVACs, boilers, heaters) to achieve further reduced emissions, if appropriate. Consider opportunities for planned early retirement and replacement to accelerate emissions reductions through the City's Five Year Capital Improvement Plan.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL E.1.0 REDUCE ENERGY EMISSIONS BY **50% BY 2030** AND **100% BY 2055** COMMUNITY-WIDE

STRATEGY	ACTION
ENERGY EFFICIENCY & CONSERVATION **E.3.3** Decrease energy usage in street lighting by **50% by 2030** **PRIORITY SCORE: 2** **CO-BENEFITS:**	**E.3.3.1** ✔EXISTING ACTION Upgrade all cobra head street lights and traffic signals to LED or other energy-efficient technologies. Accelerate end of life replacement of post head streetlights to LED or more efficient technologies. Seek partnerships and funding to accelerate adoption. **E.3.3.2** ✔EXISTING ACTION Implement smart lighting and traffic control systems in appropriate areas to shift timing or adjust brightness based on traffic and pedestrian patterns to optimize energy use.
ENERGY EFFICIENCY & CONSERVATION **E.3.4** Increase wastewater treatment efficiency through strategic installation of improved systems **PRIORITY SCORE: 3** **CO-BENEFITS:**	**E.3.4.1** ✔EXISTING ACTION Install and optimize economizers to use outdoor air cooling by **2025**. (University of Dayton (UD) Industrial Assessment Center (IAC) recommendation) **E.3.4.2** ✔EXISTING ACTION Upgrade Aeration System 1 with Fine Bubble Diffusers by **2025**. (UD IAC recommendation) **E.3.4.3** ✔EXISTING ACTION Install VFDs on all appropriate high surface pumps and optimize operation. (UD IAC recommendation) **E.3.4.4** Continue current biogas capture and reutilization efforts. Monitor systems and conduct regular upgrades to maintain peak performance. **E.3.4.5** Increase methane recapture energy program to reduce on-site flaring and improve air quality. Conduct an updated feasibility study on methane recapture to reduce seasonal summer flaring and increase heat or power utilization or energy sale to grid, including cost-benefit analysis, energy output, payback periods, tax rebates.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL E.1.0 REDUCE ENERGY EMISSIONS BY **50% BY 2030** AND **100% BY 2055** COMMUNITY-WIDE

ENERGY EFFICIENCY & CONSERVATION

STRATEGY	ACTION
E.3.5 Be a conduit for resources to encourage, liaise and facilitate adoption of renewables and energy efficiency community-wide. **PRIORITY SCORE: 2** **CO-BENEFITS:**	**E.3.5.1** Offer energy audit and technical assistance services to businesses and residents in targeted community sectors. Set annual targets for participants enrolled. Launch commercial program targeting the City's largest commercial or industrial energy users beginning with the City's strong industrial base. Expand to additional sectors through **2055**. **E.3.5.2** Develop education and awareness programs to streamline and promote available energy conservation and renewable adoption programs, services, technical assistance and financial assistance programs, incentives, rebates and tax benefits. **E.3.5.3** Seek and establish partnerships with local or regional service providers offering services in the energy or sustainability sector. Establish, promote and regularly update list of service providers or other resources for businesses and residents.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

FAIRFIELD SUSTAINS

NURTURING OUR NATURAL WEALTH THROUGH SMART RESOURCE UTILIZATION

This category encompasses the sustainable management and conservation of natural resources, including water, land, and materials. It focuses on reducing waste, recycling, and promoting the sustainable use of resources through such mechanisms as reduced consumption (source reduction, reuse), waste diversion (recycling, composting), and responsible purchasing (environmentally preferable purchasing policies). Although associated emissions reductions for resource conservation strategies may be lower than those anticipated in other foundational focus areas listed above, the Resource Conservation sector provides some of the most visible opportunities at a community level, municipal operations level and day-to-day behavioral activities that can successfully engage, activate and mobilize the community in taking daily sustainability action.

GHG REDUCTION POTENTIAL

COST EFFECTIVENESS

INCREASE OPERATIONAL EFFICIENCY

REDUCES OPERATIONAL COSTS

FUNDING AVAILABLE

INTERNAL CAPACITY/SUPPORT

QUALITY OF LIFE

C O - B E N E F I T S K E Y

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

GOAL RC.1.0 ESTABLISH BASELINE AND ACHIEVE **10% INCREASE** IN WASTE REDUCTION AND DIVERSION BY **2030** (MUNICIPAL/COMMUNITY)

STRATEGY	ACTION
RC.1.1 Advance sustainable waste management planning **PRIORITY SCORE: 3** **CO-BENEFITS:**	**RC.1.1.1** Increase the City's understanding of current waste stream by conducting an up to date City specific Waste Characterization Study (WCS), partnering with Butler County Solid Waste District (BCSWD) as appropriate. Assess current recycling (diversion) rate to inform future planning and monitoring. Obtain detailed data on various material types and generation amounts to guide programmatic development. Use WCS to inform a comprehensive Waste Diversion Plan. **RC.1.1.2** Adopt a community-wide waste reduction and diversion rate goal by **2027** to track progress and foster collective action towards waste reduction, recycling and other diversion efforts. (Use WCS data to inform goal setting) **RC.1.1.3** Use WCS data to inform and complete a comprehensive recycling & waste reduction plan (Waste Diversion Plan) to include programmatic design for all waste stream generation sectors. **RC.1.1.4** Conduct periodic audits of City and hauler green waste, recycling and other waste diversion programs to identify opportunities for increased participation, reduced contamination and/or address other barriers to current diversion programs. **RC.1.1.5** Increase recycling outreach, technical assistance and incentives efforts to educate the community about waste reduction, recycling and other diversion requirements and reduce barriers to participation.
RC.1.2 Enhance current organics collection services to increase diversion of compostable materials **PRIORITY SCORE: 3** **CO-BENEFITS:**	**RC.1.2.1** Launch pilot food-scrap composting program with residents and businesses by **2026**. **RC.1.2.2** Explore food scrap (organics) collection program expansion utilizing learning from pilot program. Combine with organics collection & composting feasibility study to consider current and needed infrastructure, separated or integrated yard waste organics systems, inclusion of biodegradable single-use materials and pilot composting collection program results. **RC.1.2.3** Consider expanding and launching a comprehensive organics collection for residents/ businesses based on pilot and study results.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

GOAL RC.1.0 ESTABLISH BASELINE AND ACHIEVE **10% INCREASE** IN WASTE REDUCTION AND DIVERSION BY **2030** (MUNICIPAL/COMMUNITY)

STRATEGY	ACTION
RC.1.3 Increase diversion from City's existing recycling and diversion collection programs **PRIORITY SCORE: 1** **CO-BENEFITS:**	**RC.1.3.1** ✔EXISTING ACTION Continue City's recycling collection service with franchised hauler. Expand and enhance recycling and diversion collection offerings over time in collection agreements with hauler and BCSWD. **RC.1.3.2** ✔EXISTING ACTION Continue City's greenwaste and leaf collection program for residents and businesses. **RC.1.3.3** Promote increased participation in City's recycling, greenwaste and leaf collection program for residents and businesses.
RC.1.4 Advance targeted waste management solutions **PRIORITY SCORE: 2** **CO-BENEFITS:**	**RC.1.4.1** Develop service-specific recycling education, outreach and technical assistance programs and incentives: (e.g. Business | Residential | Multi-family). **RC.1.4.2** Develop sector-specific recycling education, outreach and technical assistance programs and incentives: (e.g. schools, restaurants, hotels, groceries, industry, special events, venues, etc.). **RC.1.4.3** Develop material-specific recycling programming for hard to recycle items based on WCS (e.g. carpet, solar panels, paint, fuel canisters, etc.). Promote and expand special collection events, drop-off facilities, and/or pick-up services (including bulky item pick-up days, Household Hazardous Waste (HHW) drop-off, E-waste collection, paint, batteries, etc.).

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

GOAL RC.1.0 ESTABLISH BASELINE AND ACHIEVE **10% INCREASE** IN WASTE REDUCTION AND DIVERSION BY **2030** (MUNICIPAL/COMMUNITY)

STRATEGY	ACTION
RC.1.5 Utilize policy to accelerate waste reduction **PRIORITY SCORE: 3** **CO-BENEFITS:**	**RC.1.5.1** Develop and adopt an Environmentally Preferable Purchasing Policy (EPPP) for municipal operations to maximize source reduction, prioritize energy-efficient equipment and reduce mobile source emissions. Develop internal purchasing tools and educational materials including preferred product and vendor lists and staff training to support EPPP procurement of items across departments for both every day and occasional purchasing. **RC.1.5.2** Utilize waste management agreements to set diversion targets and expand education and outreach requirements. Leverage Butler County Solid Waste District to enhance education and outreach services. **RC.1.5.3** Develop special event and meeting sustainability protocols to include recycling and composting bins, source reduction, and guidance on use of disposable materials. **RC.1.5.4** Consider the adoption of a waste diversion equal space ordinance for renovations and new construction to reduce service barriers and encourage increased participation in available commercial and multi-family recycling and/or organics collection services.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

GOAL RC.2.0 ENCOURAGE WATER CONSERVATION COMMUNITY-WIDE

STRATEGY	ACTION
RC.2.1 Demonstrate and expand water efficiency community-wide and in municipal operations **PRIORITY SCORE: 2** **CO-BENEFITS:**	**RC.2.1.1** Promote water-efficient fixtures and equipment within municipal departments, commercial and residential sectors. Regularly review and upgrade to newer water-saving technologies. **RC.2.1.2** Conduct periodic audits of the City facilities to identify water-saving and energy-saving opportunities **RC.2.1.3** Install demonstration projects at City facilities and parks, combined with educational programming. **RC.2.1.4** Maintain and expand the network of water refill stations across the city to reduce reliance on single-use bottled water and provide convenient access to clean drinking water. **RC.2.1.5** ✔EXISTING ACTION Enhance smart water metering practices (e.g., installation of smart meters, sub-meters for tenant-occupied spaces) to enable monitoring and evaluation of consumption patterns. Install **80%** smart meters by **2025**.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

NATURE & GREEN COMMUNITY

FAIRFIELD SUSTAINS

CULTIVATING A GREEN LEGACY IN FAIRFIELD: SUSTAINING OUR NATURAL HERITAGE

This focus sector fosters a community-wide culture of sustainability, emphasizing preservation of the environment, natural systems, greenways and ecosystem health. Efforts within this focus area preserve, enhance and protect parks, waterways, and open space as defining characteristics of the Fairfield community. The Nature & Green Community sector provides a visible community connection to nature for enjoyment, recreation, and active lifestyles. These actions also serve to further complement efforts undertaken in other focus sectors, such as the Transportation & Mobility sector's efforts to increase connectivity to parks and greenways, as well as the Resource Conservation sector's efforts to increase waste reduction and protect clean drinking water. The Nature & Green Community focus sector underscores Fairfield's commitment to sustainable forest management, preserving green space, and increasing connectivity and access to parks. For a map of Fairfield's publicly-owned open spaces and City parks see Appendix K.

GHG REDUCTION POTENTIAL

COST EFFECTIVENESS

INCREASE OPERATIONAL EFFICIENCY

REDUCES OPERATIONAL COSTS

FUNDING AVAILABLE

INTERNAL CAPACITY/SUPPORT

QUALITY OF LIFE

C O - B E N E F I T S K E Y

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL NGC.1.0 PRESERVE AND STRATEGICALLY DEVELOP SUSTAINABLE LANDSCAPES AND COMMUNITY-WIDE CULTURE OF SUSTAINABILITY

STRATEGY	ACTION
NGC.1.1 Preserve, expand and enhance 935 acres of existing publicly managed parks and greenspace **PRIORITY SCORE: 1** **CO-BENEFITS:**	**NGC.1.1.1** Seek funding to conduct a Citywide Tree Inventory and develop an Urban Forestry Action Plan by **2030**. **NGC.1.1.2** Monitor and seek funding to support Urban Forestry Action Plan (UFAP), inventory and complementary initiatives. Establish clear short, mid and long-term goals for tree planting, invasive removal and low-impact design. Develop and implement Invasive Species Control Plan by **2030**. **NGC.1.1.3** Utilizing urban tree inventory, set annual targets to increase the City's urban tree canopy by **10%** over **2021** baseline by **2055**. **NGC.1.1.4** ✔ EXISTING ACTION Document annual tree planting, invasive species removal and low-impact design improvements. Expand current tree planting program by **50 new trees annually**. Set annual targets to achieve urban forestry, low-impact design and other UFAP goals.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

NATURE & GREEN COMMUNITY

GOAL NGC.1.0 PRESERVE AND STRATEGICALLY DEVELOP SUSTAINABLE LANDSCAPES AND COMMUNITY-WIDE CULTURE OF SUSTAINABILITY

STRATEGY	ACTION
NGC.1.2 Demonstrate leadership in sustainability by modeling best practices in City operations **by 2030** **PRIORITY SCORE: 2** **CO-BENEFITS:**	**NGC.1.2.1** Lead by example by installing and maintaining City demonstration projects incorporating sustainable practices, including landscaping, water catchment, porous surfaces, stormwater protection, as the City's standard operating approach to City owned or operated parks, facilities and lands. **NGC.1.2.2** ✔EXISTING ACTION Continue City's active leadership and membership in regional Stormwater Collaborative with goal of educating residential and commercial sustainable water protection, land management and green space preservation. Utilize the Stormwater Collaborative to actively bring training and resources to residents and businesses of Fairfield to encourage sustainable practice adoption. **NGC.1.2.3** ✔ EXISTING ACTION Continue City's active leadership in urban forestry through continuing Fairfield's Tree City USA designation. **NGC.1.2.4** ✔EXISTING ACTION Continue City's active leadership and membership in Groundwater Consortium with goal of protecting drinking water sources. Actively bring training and resources to residents and businesses of Fairfield to encourage water conservation and water quality practice adoption. **NGC.1.2.5** Strategically utilize economic development resources to encourage or incentivize greenspace expansion of low-impact landscape design, tree planting, bioswales or other stormwater protection measures, especially in conjunction with revitalization, parking lot and walkway beautification, or other connectivity goals. **NGC.1.2.6** Create, maintain and promote recommended species planting list for municipal, commercial & residential landscapes. Consider such features as drought-tolerance, water management, natives, pollinator-friendly, low-impact, as well as potential species migration due to anticipated environmental changes through **2030 and 2055**. **NGC.1.2.7** Prioritize revitalization, infill and beautification of existing developed areas in new development. Connect open space landowners to incentives and resources for land conservation, with particular emphasis on riparian corridors, flood plains, sloped hillsides, and/or other areas of ecological value or special biological concern.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUSINESS & COMMUNITY RESILIENCE

FAIRFIELD SUSTAINS

ENHANCE QUALITY OF LIFE THROUGH SUSTAINABILITY

This focus area is concentrated on elements that improve the City's ability to respond and adapt to environmental changes by embracing sustainability as a key aspect to supporting the overall quality of life for Fairfield's residents, businesses and visitors. It further includes strategies for increasing community resilience to changing environmental conditions by assessing climate risks, fortifying infrastructure, and developing response strategies to adapt to changing conditions. The Business & Community Resilience sector focuses on active city leadership to demonstrate practices across all five focus areas, while also making it easier and more cost effective for residents and businesses to adopt more sustainable practices.

GHG REDUCTION POTENTIAL

COST EFFECTIVENESS

INCREASE OPERATIONAL EFFICIENCY

REDUCES OPERATIONAL COSTS

FUNDING AVAILABLE

INTERNAL CAPACITY/SUPPORT

QUALITY OF LIFE

C O - B E N E F I T S K E Y

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL BCR.1.0 ENHANCE QUALITY OF LIFE THROUGH SUSTAINABILITY

STRATEGY	ACTION
BCR.1.1 Actively lead by example in City operations to demonstrate sustainable practices **PRIORITY SCORE: 2** **CO-BENEFITS:**	**BCR.1.1.1** Demonstrate City's Leadership by modeling sustainability Best Management Practices (BMPs) as standard operating procedure at City facilities, parks and community spaces through demonstration projects & complementary educational tools, promotions and case studies. **BCR.1.1.2** Adopt a policy to consider sustainability impacts along with financial considerations in City decision making. **BCR.1.1.3** Provide regular training and educational resources to City leadership, management and staff personnel on sustainability practices and protocols. Develop easily referenced resource materials to ease and remove barriers to practice adoption.
BCR.1.2 Actively encourage sustainability practice adoption among residents and businesses by removing barriers to participation **PRIORITY SCORE: 3** **CO-BENEFITS:**	**BCR.1.2.1** Establish programming to educate residents and businesses in sustainable practice adoption and easily connect to additional available resources and services (e.g. tax incentives, audit services, rebates, financing, etc.). Offer education, incentives, small grants, and technical assistance to drive sustainable practice adoption & behavior change among residents and businesses. **BCR.1.2.2** Partner with schools, non-profits, businesses and community groups to promote sustainable initiatives.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL BCR.2.0 EMBRACE SUSTAINABILITY AS A CORE ASPECT OF COMMUNITY IDENTITY & VALUE

STRATEGY	ACTION
BCR.2.1 Ensure appropriate City resourcing to achieve sustainability action plan goals. **PRIORITY SCORE: 2** **CO-BENEFITS:**	**BCR.2.1.1** Establish a City sustainability position to oversee implementation of the Sustainability Action Plan across all implementation focus areas, coordinate funding opportunities, collaborate across departments, and deliver sustainability programming. **BCR.2.1.2** ✔EXISTING ACTION Actively monitor, pursue, and secure grant and other funding opportunities to further sustainability initiatives. **BCR.2.1.3** Develop dedicated sustainability fund to achieve sustainability goals. **BCR.2.1.4** Actively cultivate partnerships with sustainability service providers, technical experts, financing resources, and nonprofits. Strategically utilize economic development or other funding to remove barriers to participation through incentives, cost-sharing, fee waivers, or other means. **BCR.2.1.5** Track and broadly promote sustainability results through multi-channel communication linked to strengthen community identity and values; highlight case studies, cost and resource savings, job creation, and co-benefits. Explore new tools including but not limited to use of online Community Dashboard to monitor and promote goals and achievements.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GOAL BCR.3.0 ENHANCE BUSINESS & COMMUNITY RESILIENCE TO ENVIRONMENTAL CHANGES

STRATEGY	ACTION
BCR.3.1 Promote business resilience through sustainability practice adoption **PRIORITY SCORE: 3** **CO-BENEFITS:**	**BCR.3.1.1** Develop and implement a green business networking program promoting sustainable business practices by **2026**. Catalog local businesses and set annual targets for participation. Recruit 10 businesses by 2030. Utilize City sustainability resources to encourage or facilitate adoption. Recruit, award and promote green businesses. **BCR.3.1.2** Strategically recruit and incentivize business development along bike paths, parks, and connectivity areas to complement both sustainability transportation and economic development goals. **BCR.3.1.3** Utilize economic development resources to target and transform commercial areas through beautification, reduced pavement, increased porous surfaces, bike paths, and appropriate landscaping; incorporate green corridors and privately managed pocket parks. **BCR.3.1.4** ✔EXISTING ACTION Adopt updated zoning codes to incorporate reduced non-porous surfaces or pavement, appropriate landscaping, bioswail or other stormwater protections in new developments and parking zones.
BCR.3.2 Promote community resilience adaptation and preparedness **PRIORITY SCORE: 3** **CO-BENEFITS:**	**BCR.3.2.1** Partner with Butler County Emergency Management Agency to integrate resilience in community emergency response and preparedness. Reduce physical risks by maintaining and expanding active participation in Pre-Disaster Mitigation Program with particular attention on floodplain protection, stormwater management, retention basin protection and related infrastructure. Investigate regional vulnerability assessment completion to identify potential adaptation measures to increase resilience to environmental changes anticipated through **2055**. Educate and protect residents & businesses against environmental change vulnerability. **BCR.3.2.2** ✔EXISTING ACTION Continue to actively address historical flooding concerns through active stormwater and floodplain management and inspection activities. Utilize annual capital investments to monitor and improve stormwater maintenance and infrastructure. **BCR.3.2.3** ✔EXISTING ACTION Actively monitor, pursue and secure grants or other funding to support resilient natural systems through such efforts as stream protection, wetlands or riparian restoration, erosion control, low-impact design to spread, sink, and store or related efforts.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 5
IMPLEMENTATION FRAMEWORK

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FAIRFIELD SUSTAINS

OVERVIEW

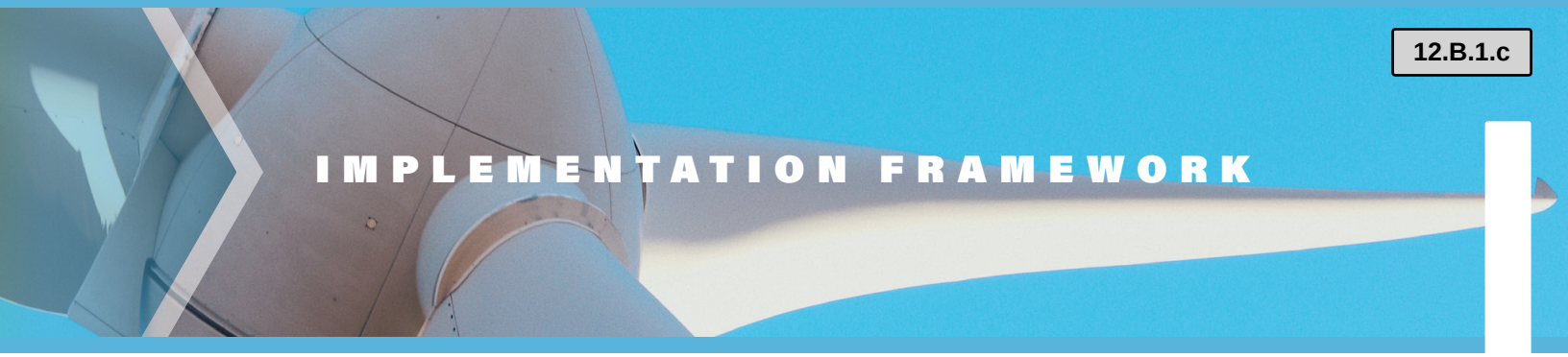
Successful Implementation of Fairfield Sustains will require an integrated multidisciplinary approach, unifying actions across City departments and the broader community, while leveraging the embedded expertise of specific departments, Staff and Community resources appropriately. The City's leadership, elected officials, and staff members will all be responsible for and contribute to the success of this effort. To support this process, City department(s) have been identified as lead implementers for each foundational strategy. The Lead Department will serve as the primary responsible party for implementation of actions and in support of higher-level goals.

Proactive efforts by the City to secure adequate near term resources will be key to long term success to: (1) establish, launch, and monitor new initiatives outlined herein; and (2) seek, secure, and manage new internal and external funding mechanisms to actualize and facilitate the adoption of these actions.

These resource allocations, along with the specific actions and initiatives presented in this Plan, demonstrate the City's dedicated approach in translating their sustainability vision into tangible results, as well as underscoring the City's overall leadership in bringing these sustainability actions to fruition.

Implementing the Fairfield Sustains strategies and actions will depend in part on the leadership of the City government and the specifics of each action. Sustainability is inherently wide ranging and not every action can be implemented at once. Actions geared toward municipal operations can be started immediately. Other actions like policies and regulations involve City staff time "up front," but in the long run rely on the activity of the private sector, residents, and businesses. Although actions may have different milestones to completion and benchmarks for success, they can all benefit from monitoring and reporting which allow implementation to be evaluated and tracked by City departments, elected officials, and the public.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')



IMPLEMENTATION FRAMEWORK

Appendix H summarizes the Implementation Framework for the foundational strategies outlined in this Plan. Each strategy is accompanied by a defined timeframe and priority score, key performance metric(s), lead department, and a cost estimate.

- **IMPLEMENTATION PRIORITY:** This specifies when the action is expected to begin implementation. Categories include Near term, Mid term, and Long term. The actual timing of action completion may be influenced by funding availability.
- **KEY PERFORMANCE METRIC (KPI):** This element outlines the specific criteria for measuring the success of each action. Performance metrics are tailored to the nature of each strategy, ensuring a precise and meaningful evaluation. For example, metrics may include quantitative targets such as the reduction in greenhouse gas emissions, percentage increase in renewable energy usage, or improvement in waste recycling rates. In other cases, a simple "ongoing" has been listed to signify activities that are continuous or iterative in nature, such as community engagement efforts, policy reviews, or long-term environmental monitoring.
- **LEAD DEPARTMENT(S):** This section identifies the City department(s) tasked with overseeing the implementation of the action. In certain cases, responsibilities may be shared across multiple departments.
- **COST:** The cost estimates provided (categorized as low, medium, or high) are preliminary and are derived from initial assessments, comparisons with analogous programs, and expert consultations. They offer a basic financial overview.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TRACKING, MONITORING AND REPORTING

Fairfield Sustains is designed to be an actionable guiding document to sustainability initiatives within the City of Fairfield. While the details of specific initiatives are designed to be flexible, adapting as community priorities shift, City staff and partnering organizations evolve, new laws are enacted, and environmental conditions change, careful and ongoing monitoring will be essential to achieving long-term goals. As conditions change, the City commits to engage in annual and regular tracking and monitoring. The City will also establish a schedule for reviews and updates of the Plan. This will ensure that it continues to serve as a potent and effective guide towards achieving the sustainability and quality of life goals outlined herein. Emphasis will be placed on prioritizing immediate actions that are critical for making short- and medium-term progress towards long-term goals.

This Plan provides a Strategic Roadmap for near, mid, and long-term implementation. Further, this Plan will help ensure actions and investments are deliberate, strategic, and support Specific, Measurable, Achievable, Relevant and Timebound (SMART) goals of the community. All goals, strategies and actions are built out into an expanded implementation plan to guide both implementation as well as monitoring with additional core information, including but not limited to: Key Performance Indicators (KPIs) - associated trackable metrics to indicate progress toward objectives, implementation timelines - indicating whether the implementation is likely to be concentrated near, mid, or long-term time horizons, and costs - estimated costs and assumptions related to implementation to guide financial planning.

Additional information is provided to guide internal implementation, including lead departments, priority scores, co-benefits, policy alignment, estimated emissions reductions, and progress to date. This will serve as the work plan for Fairfield Sustains implementation.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FUNDING THE PLAN

Various federal, state, and regional bodies offer grants, loans, and planning support for sustainability-focused projects. Increasingly, such funding is available to support local jurisdictions in meeting sustainability objectives, especially those related to emissions reductions. Jurisdictions, like Fairfield, with completed sustainability plans, may have an advantage in applying for grant funding, as such plans indicate an established commitment to sustainability, as well as advanced planning that can increase the City's competitiveness. **Appendix I** offers a selection of funding opportunities and programs aligned with sustainability initiatives outlined within Fairfield Sustains. While not intended to be an exhaustive list of all available sustainability funding, the table highlights potential funding avenues the City may consider to finance the implementation of the Plan. These funds can assist with initial program development, testing, and staffing, setting up a sustainable financial model for post-grant operations. Additionally, utilities and organizations provide rebates, financing options, and discounts to support energy-efficient upgrades and other projects in residential and commercial spaces.

It should be acknowledged that Fairfield already successfully established a dedicated active transportation fund, providing initial seed funding to assist the City in initiating implementation of Fairfield Connects. To continue and accelerate such progress for both Fairfield Connects and Fairfield Sustains, it is recommended that (1) the active transportation fund be continued and increased through annual allocations supporting both Fairfield Connects and Fairfield Sustains transportation focus area measures; (2) this approach be replicated to create a sustainability fund to be utilized to broadly support implementation of various Fairfield Sustains measures across all 5 focus areas; and (3) existing Economic Development funding be utilized and bolstered to support goals of this Plan especially as outlined within the Business & Community Resilience focus area of the Strategic Roadmap.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

[THIS PAGE INTENTIONALLY LEFT BLANK]

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTION 6
APPENDICES

FAIRFIELD SUSTAINS

APPENDIX A: WHAT THE COMMUNITY CAN DO

Individuals have the power to enhance the resilience, sustainability, and social well-being of a community through their daily choices. These small actions create a ripple effect, encouraging comparable efforts and sparking conversations that can lead to a more sustainable community and improved overall quality of life. Residents, workers, and business owners in Fairfield all have a role to play in helping the City attain its sustainability goals. Below is a list of actions that community members can take to help create a more sustainable community in their own homes, businesses, and everyday actions. Fairfield invites you to be a part of this journey, as we collectively move towards a more sustainable future.

ENERGY PLEDGE TO:

- ➜ Take advantage of our local energy aggregation program
- ➜ Upgrade appliances, HVAC, and other equipment to EnergyStar or low-energy models
- ➜ Obtain an energy audit for your home or business
- ➜ Install weatherization and insulation to reduce energy loss
- ➜ Request a solar assessment for your home or business; install renewable power
- ➜ Install occupancy sensors, auto settings, and reminders for light and temperature controls
- ➜ Turn off the lights when you leave a room, home, or office without occupancy sensors
- ➜ Take the stairs for exercise and energy savings
- ➜ Unplug or use a power strip (leaving items plugged in still uses power)

TRANSPORTATION PLEDGE TO:

- ➜ Ride your bike, walk, or carpool to destinations
- ➜ Take public transportation as often as possible
- ➜ Telecommute when possible
- ➜ Carpool, carshare or bikeshare on occasion rather than your own vehicle
- ➜ Reduce airline miles traveled, utilize trains or other public transportation where feasible
- ➜ Convert to electric vehicle, hybrid, or clean fuel vehicles when vehicle travel is necessary

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

WASTE PLEDGE TO:

- ➜ Reduce, Refuse, Reuse, Recycle, Rot, Repair, Rebuy
- ➜ Refuse single use plastics (bags, cutlery, straws, cups, bottles, to-go boxes, etc.)
- ➜ Bring your own reusable bags to the grocery store and reusable mugs to coffee shops
- ➜ Bring your own reusable to-go containers, cutlery, straws, napkins, mugs, and bottles to work, events, play, and for restaurant leftovers
- ➜ Reduce food waste through careful purchasing, food preservation, donation, and composting
- ➜ Start a compost or worm bin
- ➜ Purchase and donate second-hand clothing, equipment, and materials whenever possible
- ➜ Repair broken items before buying new
- ➜ Buy products with high recycled content and easily recyclable packaging

WATER PLEDGE TO:

- ➜ Bring a reusable water bottle to work each day
- ➜ Reduce meat consumption (biggest water user)
- ➜ Install rainwater catchment barrel at home or work
- ➜ Reduce water use at home and work
- ➜ Plant native plants that require less water than non-natives
- ➜ Adopt low-impact design practices to decrease irrigation water use
- ➜ Replace high volume toilet with low-flow or dual flush models
- ➜ Take advantage of your water provider's low-flow incentives and rebates

FOOD PLEDGE TO:

- ➜ Store or preserve leftover food in fridges, freezers, vacuum packaging, canning, pickling and other means
- ➜ Eat a more plant-based diet
- ➜ Donate excess unopened or unserved edible food to local food rescue organizations
- ➜ Compost food scraps in a backyard composter or worm bin
- ➜ Attend a backyard gardening, composting, canning, food preservation, or similar workshop
- ➜ Support your local farmers market or grow your own fruit and veggies
- ➜ Purchase USDA certified organic label and local food

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

GREEN SPACES PLEDGE TO:

- ➜ Be a good steward to the earth by planting a native tree
- ➜ Convert some or all of your lawn space to native plants
- ➜ Plant edible food, herbs, and pollinator-friendly gardens
- ➜ Use rechargeable electric garden tools including mowers, edgers, leaf blowers, etc.

PURCHASING PLEDGE TO:

- ➜ Buy local and support green businesses
- ➜ Purchase products with reduced packaging
- ➜ Buy reused materials whenever possible
- ➜ Buy products made with post consumer recycled content
- ➜ Buy locally grown, locally produced goods
- ➜ Support farmers markets, local businesses, and businesses that have sustainable operations

ENGAGE PLEDGE TO:

- ➜ Talk and share ideas with others about sustainability
- ➜ Stay informed and involved with what the Fairfield and other communities are doing
- ➜ Participate in community engagement efforts around sustainability

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B: STAKEHOLDER ENGAGEMENT PLAN

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FINAL COMMUNITY ENGAGEMENT PLAN

FAIRFIELD SUSTAINS

OVERVIEW

The City is developing a plan to ensure that Fairfield is maximizing its resources in a way that provides efficiency in City operations now and in the future. This plan, 'Fairfield Sustains', will serve as a comprehensive roadmap for addressing environmental, economic and livability considerations in the City, and will be a catalyst for quality of life improvements for all residents. Among other things, the plan will look at energy usage in the community, open space preservation, resource protection, and economic sustainability initiatives. To inform the plan, the City is deploying this stakeholder engagement plan to gather input and feedback from City operations, elected officials and the broader community, with a focus on keeping Fairfield a great place to live.

To learn more about Fairfield Sustains, please go to **www.fairfield-city.org** for an overview of the plan.

ENGAGEMENT ACTIVITIES INCLUDED BUT WERE NOT LIMITED TO:

- ➜ Biweekly Coordination with Project Team
- ➜ (8) Interviews with Council and Mayor (Intro, Goals)
- ➜ (3) Department Leadership Workshops (Kickoff, Ideation, Strategy Refinement)
- ➜ (3) Environmental Committee Workshops (Intro, Ideation, Strategy Refinement)
- ➜ (3) Special Council Work Sessions (Kickoff, Ideation, Strategy Refinement)
- ➜ Business Stakeholder Focus Group (Ideation, Strategy Refinement)
- ➜ Miami University Graduate Student Research Engagement
- ➜ Community Promotion - City Website, Facebook, Fairfield Flyer
- ➜ Community Survey - Broadly Distributed, Multiple Channels

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

COMMUNITY ENGAGEMENT CHANNELS INCLUDED BUT WERE NOT LIMITED TO:

- ➜ Website (City)
- ➜ Facebook (City, Resident's Page, Fairfield City Schools)
- ➜ Fairfield Flyer
- ➜ Utility Bill Inserts
- ➜ Religious & Civic Organizations
- ➜ Business Newsletter
- ➜ Chamber Newsletter
- ➜ Chamber Dinner
- ➜ Halloween on the Green
- ➜ High School Environmental Science Class
- ➜ City Employees
- ➜ Boards and Commissions
- ➜ Neighborhood Meetings
- ➜ 55 Plus Senior Group

BACKGROUND INFORMATION

The City has undertaken previous engagement efforts for other planning projects, including but not limited to **Fairfield Forward** and **Fairfield Connect**, which outline various goals and actions that are currently guiding the community. Such existing policies and best practices are informing this engagement approach, as well as specific strategies for consideration in the new Fairfield Sustains plan. The City values community input and engagement, and recognizes the importance of a collaborative process to ensure the resulting plan reflects the needs and values of the local community and supports fairness in public policy as related to sustainability initiatives, with consideration of views and needs of the entire community.

ENGAGEMENT PURPOSE AND OBJECTIVES

Engaging the community in the planning process to gather meaningful input is crucial to ensure that the Fairfield Sustains plan is practical, actionable, fair, and can be implemented efficiently. Blue Strike Environmental (Blue Strike) will lead the engagement effort in collaboration with City staff. By engaging with stakeholders throughout the planning process, the City can ensure that the final plan reflects the diverse perspectives and needs of the community it serves. The outreach strategies and tools presented in this Engagement Plan will aid the City in interacting with local residents, businesses, internal operations, and other community members (collectively referred to as "stakeholders"). The outreach program may change and evolve at the City's discretion to meet the needs of the development process, align and coordinate with other related planning efforts, and adapt to dynamic circumstances.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 213

ENGAGEMENT OBJECTIVES:

- ➜ Increase understanding of attitudes and priorities of stakeholders and the community towards the development of the Sustainability Plan.
- ➜ Provide opportunities for stakeholders to review and provide feedback on draft strategies proposed in the Sustainability Plan.
- ➜ Ensure that the final Sustainability Plan is locally attuned and responsive to the needs and values of the community.

ENGAGEMENT PRINCIPLES:

- ➜ **Fairness:** provide a range of engagement channels to ensure all members of the community have a voice in the planning process.
- ➜ **Transparency:** provide clear and accessible information about the Sustainability Plan development process and engagement opportunities.
- ➜ **Collaboration:** work collaboratively with stakeholders to develop the Sustainability Plan.
- ➜ **Accessibility:** provide accessible engagement opportunities and materials.
- ➜ **Accountability:** report back to the community on how their input influenced the Sustainability Plan.

KEY MESSAGES:

- ➜ Your input is critical to developing a Sustainability Plan that reflects the needs and values of the community.
- ➜ We value your input and want to hear from you throughout the development of the Sustainability Plan.
- ➜ Your participation will help ensure that the final Sustainability Plan is locally attuned and responsive to the needs and values of the community.
- ➜ The resulting Sustainability Plan is intended to support the city mission to improve the quality of life for the residents and businesses of Fairfield.

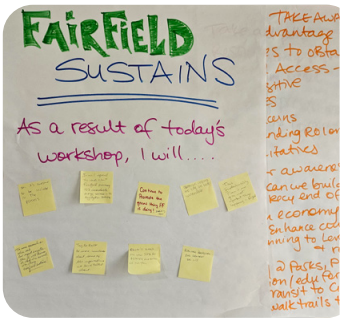
ENGAGEMENT METHODS

Stakeholder engagement will be conducted by Blue Strike in coordination and collaboration with the City of Fairfield. Methods include multiple channels of communication throughout the development process. Our team will rely on City staff to identify and coordinate with key stakeholder groups, promote engagement activities to achieve project goals, and maximize the impact of dedicated engagement resources.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

The selected community engagement will include the following stakeholder groups and activities:



CITY STAFF

☐ **Biweekly Meetings - *ongoing***

Blue Strike will meet with City staff on a biweekly basis to work through day to day tasks related to plan development.

CITY COUNCIL ENGAGEMENT

☐ **Council Introduction - *June 2023***

Blue Strike will meet with City staff and councilmembers leading the the Sustainability Plan effort at the outset of the project to understand the City's intentions and obtain guidance to inform our overall project approach

☐ **(8) Individual Councilmember & Mayor Presentations - July/Aug 2023**

These presentations will provide an overview of the intended plan development process and obtain input from each elected official on opportunities, challenges, and stakeholder groups to be considered in the plan development process.

☐ **Council Manager Briefing Content - Quarterly Updates**

Provide City staff with basic content to support quarterly updates on the planning process during regularly scheduled Council Manager Briefings.

☐ **(2) Council Manager Briefing Presentations - Winter 2023, Spring 2024**

- ☐ **Mid-term Update or Workshop**

  Blue Strike will present midterm results to date such as greenhouse gas inventory and forecasting, initial strategy concepts or other developments in order to obtain input and feedback from the City Council. If desired and time allows (see Workshop descriptions below), this presentation can be structured to align with the focus group workshop approach to review high level strategies in multiple focus areas and receive input and feedback from the full Council, or one or more representatives from the Council may be invited to participate as attendees

- ☐ **Late-term High Level Results Presentation**

  Blue Strike will present late-term high-level results and/or present the Draft Plan to the Council. This will serve as an opportunity for final feedback and refinement to guide the plan finalization process.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

- ☐ **Council Meeting(s) - June 2023 (tentative)**
  - ☐ **Final Plan for Approval**

    Blue Strike will present and/or support staff in the presentation of the Final Plan at a City Council meeting in support of final plan adoption.

ENVIRONMENTAL COMMISSION ENGAGEMENT

- ☐ **Plan Process Overview Presentation - 9/6/2023**

  This presentation will provide an overview of the intended plan development process and obtain input from each commissioner on opportunities, challenges, and stakeholder groups to be considered in the plan development process, especially as it may relate to their mission as a City Commission.

- ☐ **(2) Focus Group Workshops - Fall 2023, Spring 2023**
  - ☐ **Strategy Ideation/Input - 11/1/2023 (in-person) - see also workshops**

    This workshop is designed as a 90-minute focus group in which Blue Strike will facilitate an interactive discussion with the Commission in support of strategy review and ideation. The workshop will present City accomplishments to date by focus area, as well as best practices by focus area. The Commission will identify potential strategy opportunities, challenges and model practices to guide the plan moving forward. This is an opportunity for both alignment and mobilization around approaches for consideration in latter stages of the plan development.

  - ☐ **Late-term High Level Results Presentation - TBD**

    Blue Strike will present late-term high-level results and/or present the Draft Plan to the Commission. This will serve as an opportunity for final feedback and refinement to guide the plan finalization process. This presentation may include an opportunity for prioritization of various strategies in the event that it occurs prior to draft plan completion, to be informed by the results of Fall engagement.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 216

12.B.1.c

COMMUNITY ENGAGEMENT

☐ **Community Survey**

The survey is designed to assess baseline interest and familiarity with various sustainability issues and initiatives within the community and is typically launched in the early stages of the project. Surveys are designed to be broadly distributed throughout the community to include all stakeholder groups. Content will be drafted by Blue Strike with coordination and input from the City. Dissemination will be led by the City and include such channels as newsletters/mailings, organizations, events and gatherings. A QR code will allow the City to distribute the survey broadly. The survey also serves as a communication tool to inform and align the community with the overall planning effort being conducted by the City. A link to the final survey and qr code is presented in **Appendix A**.

- ☐ **Finalize, Program & Launch Community Survey**
- ☐ **Distribute Survey via local groups, neighborhoods, associations, City communications channels**

☐ **Neighborhood Meeting Series - Fall 2023**

The City will leverage concurrent neighborhood meeting events being led by the City's neighborhood coordinator. City staff will produce and disseminate postcard flyers with a QR code link to the community survey as a tool to encourage community members to complete the survey. These forums may further serve to promote future community events such as inclusion in focus group workshops and/or community symposiums.

☐ **Community Focus Groups (Workshops) - Fall 2023, Spring 2024**

Strategy Ideation/Input - Nov 2023

- ☐ This workshop is designed as a 90-minute focus group in which Blue Strike will facilitate an interactive discussion with the Environmental Commission in support of strategy review and ideation. The workshop will present city accomplishments to date by focus area, as well as best practices by focus area. The participating group will identify potential strategy opportunities, challenges and model practices to guide the plan moving forward. This is an opportunity for both alignment and mobilization around approaches for consideration in latter stages of the plan development. Additional detail about the general design of focus group workshops is presented as **Appendix B.1**.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

(3-4) STAKEHOLDER GROUPS ARE PROPOSED:

- ☐ **City Department Heads/Key Staff - 11/1 or 11/2**
  - ☐ List of participants to be provided by the City; timing to be aligned with Environmental Commission presentation
  - ☐ Participants may include agency representatives from surrounding communities or universities if deemed appropriate by city staff
- ☐ **Environmental Commission - 11/1 @ 6pm**
  - ☐ To be facilitated at regular Environmental Commission meeting
- ☐ **Business Community -**
  11/2 or early Nov (in-person or virtual) - City will invite:
  - ☐ Chamber of Commerce Representative
  - ☐ Key business leaders

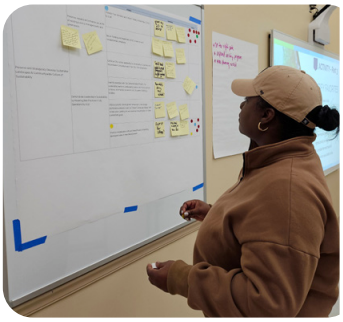
  This workshop will be a condensed (60-min) version of those conducted with City and Business Community workshops, incorporating specific framework concepts to obtain interest levels/feedback about key strategies for the business sector, such as interest in: solar, energy efficiency, connectivity, business recognition, etc. Strategies to be informed in collaboration with the City.
- ☐ **Broader Community -**
  week of 11/6 or 11/13 (virtual) - (optional)

  City may elect to host a broader community focus group as part of this workshop series or support a community symposium/ workshop later in the ideation process. The City will invite participants and community leaders from various community organizations, nonprofits or groups, such as:
  - ☐ Schools, Scouting, Sports, Youth
  - ☐ Mayor's youth commission
  - ☐ 55+ senior group
  - ☐ Faith-based community
  - ☐ Neighborhood groups
  - ☐ Environmental organizations
  - ☐ Social services, housing, hunger alleviation services

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 218

12.B.1.c



- ☐ **Community Symposium - Q1/Q2 2024 (optional)**

  A community workshop or symposium may be conducted in the latter stages of the planning process. This event will serve as an opportunity to present major strategies, approaches or frameworks included in the plan, gather input to further inform or refine strategy prioritization and/or obtain additional community feedback about the overall plan's development prior to finalization. The event may be hosted at the Community Arts Center or other appropriate venue at the City's direction. Displays and/or exercises to gather input may be utilized.

  - ☐ Presentation of results to date - Draft Plan
  - ☐ Interactive facilitation to solicit feedback from community

- ☐ **Business Community Outreach**

  These channels will serve as primary communications tools to inform and align the business community with the City's overall planning effort.

  - ☐ Chamber of Commerce & related organizations
    - ☐ https://fairfieldchamber.com/
    - ☐ https://www.fairfield-rotary.org/
    - ☐ https://www.lindenwaldkiwanis.org/
  - ☐ Participation in Focus Group Workshop - see above
  - ☐ Outreach to largest employers, influencers
  - ☐ Business newsletter
  - ☐ Basic content - overview of plan
  - ☐ Graphics
    - ☐ Process timeline
    - ☐ Opportunities to participate
    - ☐ Link to survey

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

- ☐ **Newsletter/ Materials**

  These materials will serve as primary communications tools to inform and align the community with the City's overall planning effort.

  - ☐ Content for newsletter with overview of process, survey promotion, and identification of ways for the community to participate
  - ☐ Content for other educational materials such as postcards, flyers
  - ☐ Residential newsletter - September 2023 content for October 2023
  - ☐ Business newsletter - September 2023 content for October 2023

- ☐ **Website / Social Media**

  It is recommended that the City promote the Fairfield Sustains plan on appropriate locations within their website and City social media pages. This serves as a key communications tool to inform the community about the Plan and ways to engage in the process including promotion of the survey, special events and/or engagement of volunteers or supporters for canvasing or other plan related activities as deemed appropriate by the City. Blue Strike will provide basic content for the website such as graphics to design the process and link to engagement information and the survey.

  - ☐ Process graphics
  - ☐ Overview of process timeline and ways to engage
  - ☐ Link to Community Survey
  - ☐ Link/information on other events and.or milestones during the planning process

- ☐ **Engagement Summary**

  Blue Strike will provide a summary of engagement activities performed during the development of the plan, as an appendix to the Sustainability Plan, should such a summary be desired by the City.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

APPENDIX B.1: COMMUNITY-WIDE SURVEY

SURVEY TEMPLATE - CITY OF FAIRFIELD, OH

The final survey is available here:
https://qfreeaccountssjc1.az1.qualtrics.com/jfe/form/SV_88RL7UcpdOKhuZM

The QR code to link to the survey is presented below and filed within the team's file organization structure.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 221

APPENDIX B.2: FOCUS GROUP (WORKSHOPS) DESIGN

OVERVIEW OF WORKSHOP DESIGN APPROACH - CITY OF FAIRFIELD, OH

I. FOCUS GROUPS (WORKSHOPS):

Additional detail about the general format of Focus Group Workshops is presented below.

Our approach typically includes a series of workshops to engage stakeholders at different stages during the plan development process. Workshops will aim to understand the attitudes and priorities of key stakeholders towards the development of the plan, but they will target different types of stakeholders.

- A workshop will prioritize department heads and leaders of organizations who have a broader view and relationships with diverse groups within the community. The group size for this workshop should be small to facilitate productive and engaging discussions.
- Additional workshop(s) will aim to engage a broader range of stakeholders by utilizing already existing forums. The City will assist in identifying and selecting such a forum, such as the Environmental Commission, Business Community and/or Residential or Community Leaders to tap into established networks and foster greater community ownership and support for the sustainability plan.

LENGTH - Each workshop will be 1.5-hours

REGISTRATION – Attendees should pre-register and provide contact information so we can keep them updated about new developments. The registration form should include the attendees' name, title, organization, and email address.

CONSIDERATIONS -

- Careful consideration is necessary when hosting a limited number of virtual workshops during the planning process. The selection of attendees, the stakeholder pool's breadth, and the number of participants in each session should be thoughtfully considered. The number of attendees will determine the facilitation approach.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B.2: FOCUS GROUP (WORKSHOPS) DESIGN

- With a small, diverse stakeholder group, we can obtain thorough feedback from participants, resulting in a smaller number of data points but more robust contributions from each participant. On the other hand, a higher number of participants in a virtual workshop forum will necessitate relying on technology survey options, where participants can choose pre-populated response options, resulting in a real-time interaction but limited opportunity for dialogue. While we are skilled in both types of facilitation, the latter becomes more of an interactive survey than a facilitated discussion.

KEY DELIVERABLES FOR EACH WORKSHOP

- Workshops agendas
- Workshops materials such as discussion guides, presentations, etc.
- Brief summaries of each workshop, with a focus on key input to the Sustainability Plan.

FORMAT -

I. Housekeeping – Introduction & Welcome Remarks - 15 min

- Overview of Workshop Agenda, Facility, Rules of Engagement
- Introduce and recognize key staff and stakeholders (organizations and types)
- High-level overview of progress to date
- Aspirational message to set stage and encourage attendee participation

II. Stakeholder Activity - 70 min

- Review of Baseline and Best Practices
- Discussion around key focus areas, such as: Natural Environment (parks, open spaces), Transportation Infrastructure & Connectivity (EV, smart growth, etc.), Built Environment & Energy (zoning regulations, etc.), Waste Management and Recycling, Water & Wastewater and Community Resilience (economic resiliency, adaptation, social factors, etc.) (10 min/topic area, 10 min closing comments)

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B.2: FOCUS GROUP (WORKSHOPS) DESIGN

Sample questions:

- What programs/initiatives are working well in your community? What gaps or challenges do you see?
- What types of incentives (energy efficiency, EV charging, on-site renewable energy) would you like to see?
- Are there specific land-use practices the region is particularly well suited to for adoption/expansion?
- What are the broad economic and community development goals that you'd like to see the Plan support?
- What would make you more inclined to walk, bike, or take public transit?
- Are you interested in converting your fleet to electric or other alternative fuels? What obstacles exist?
- What are some challenges in reaching underserved areas of the community?
- What are some ideas to mobilize the community in terms of behavior change?

II. Closing & Next Steps - 5 min

- Summary highlights of discussion; overview of next steps/opportunities; gratitude

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B.3: WEBSITE CONTENT

OVERVIEW OF WEBSITE PROMOTIONAL - CITY OF FAIRFIELD, OH

CONTENT INTENT

The following content is provided for the City to utilize on your website to promote the plan during the design process. For the initial phase of the project, this content intends to support the City in obtaining input and feedback from the community to inform ideation and strategy design. Additional content may be developed at latter stages of the project to support objectives, such as prior to community workshop(s), during draft sustainability plan public review, or upon final sustainability plan approval and adoption.

CONTENT PLACEMENT

Blue Strike recommended that the City create a visible link on the main landing page of the City website to promote the plan and provide residents and businesses the opportunity to participate in the plan development with the goal of building community understanding of and support for the effort. The City embedded the following graphic and link at the time of survey launch:

https://www.fairfield-city.org/

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B.3. WEBSITE CONTENT

The City also successfully embedded an internal link, utilizing the term Fairfield Sustains to support an easily searchable web link and provide residents with further details about the effort. This internal page is found at the following:

https://www.fairfield-city.org/1097/Fairfield-Sustains

The page currently appears as the following:

Blue Strike recommends this content be updated utilizing the following content and graphics to further enhance the communications effort.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B.3. WEBSITE CONTENT

OVERVIEW

FAIRFIELD SUSTAINS

The City of Fairfield is developing a plan to ensure that Fairfield is maximizing its resources in a way that provides efficiency in City operations now and in the future. This plan, 'Fairfield Sustains', will serve as a comprehensive roadmap for addressing environmental, economic and livability considerations in the City, and will be a catalyst for quality of life improvements for all residents. Among other things, the plan will look at energy usage in the community, open space preservation, resource protection, and economic sustainability initiatives. To inform the plan, the City is deploying this stakeholder engagement plan to gather input and feedback from City operations, elected officials and the broader community, with a focus on keeping Fairfield a great place to live. To get involved, residents and businesses were invited to complete the community survey and follow the links below.

GRAPHICS & LINKS

The following graphics are suggested to be added to the website. Live hyperlinks should be incorporated into text and/or graphics to ease ready connection to the community survey and/or additional information as desired by the City.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B.3. WEBSITE CONTENT

TIMELINE

The following image provides an overview of the planning process with key milestones for development. The City is currently conducting community outreach and engagement activities to encourage local residents, community groups, businesses and City departments to provide input and feedback to inform plan goals, frameworks and strategies. The draft Fairfield Sustains plan is anticipated in Spring 2024.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX B.3. WEBSITE CONTENT

GET INVOLVED

There are several ways to get involved in the process.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX C: COMMUNITY SURVEY RESULTS

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FAIRFIELD SURVEY

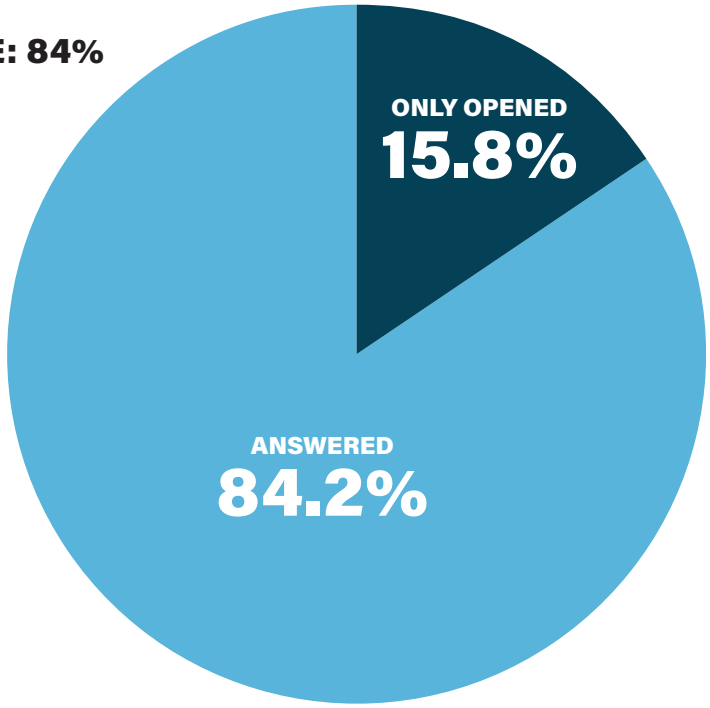
FAIRFIELD SUSTAINS

WHO ANSWERED THE SURVEY?

Most survey responses are from residents, making the data largely representative of the local community's views. High homeownership may indicate a stable, long-term resident population, which could influence perspectives on community development and sustainability. The presence of many long-term residents suggests a deep familiarity with the City and its evolution over time, potentially impacting their views on City initiatives. The age distribution shows a good mix, with a notable portion of younger respondents (under 18) and a significant representation of middle-aged adults. The demographic makeup is predominantly White/Caucasian, but there is some diversity within the community. More than half of the respondents have a direct work connection to Fairfield, which may influence their interest in local economic and infrastructural developments.

FIGURE B.1: THE SURVEY WAS ACCESSED BY 603 INDIVIDUALS. A TOTAL OF 508 COMPLETE RESPONSES WERE RECORDED THROUGHOUT THE SURVEY PERIOD (SEPTEMBER 15TH TO NOVEMBER 30TH, 2023).

RESPONSE RATE: 84%

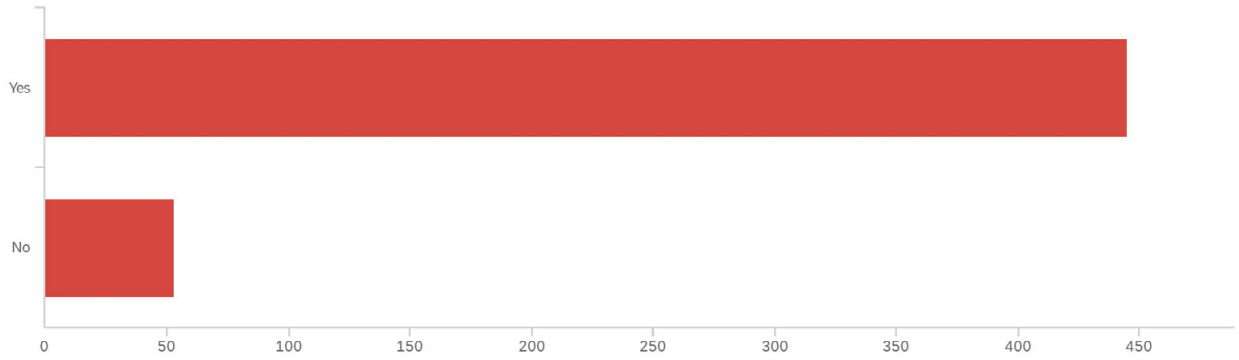


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q16: RESIDENCY IN FAIRFIELD

- ➜ MAJORITY RESIDENTS: 89.36% of respondents live in Fairfield.
- ➜ NON-RESIDENTS: 10.64% do not live in Fairfield.

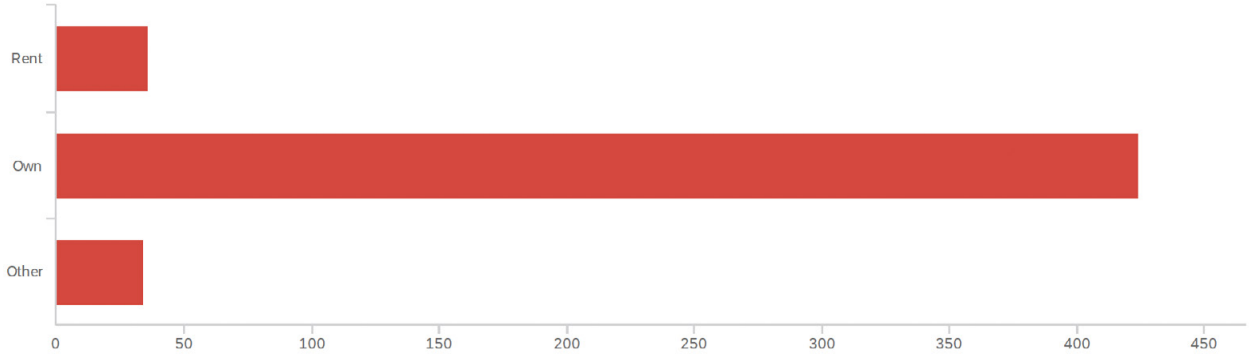
FIGURE B.2: RESPONSES TO QUESTION 16: "DO YOU LIVE IN FAIRFIELD?"



Q17: HOMEOWNERSHIP

- ➜ HOMEOWNERSHIP: A significant majority (85.83%) own their homes.
- ➜ RENTERS: Only 7.29% rent their homes.
- ➜ OTHER LIVING ARRANGEMENTS: 6.88% are in other living situations, like living with parents or other family members.

FIGURE B.3: RESPONSES TO QUESTION 16: "DO YOU RENT OR OWN YOUR HOME"

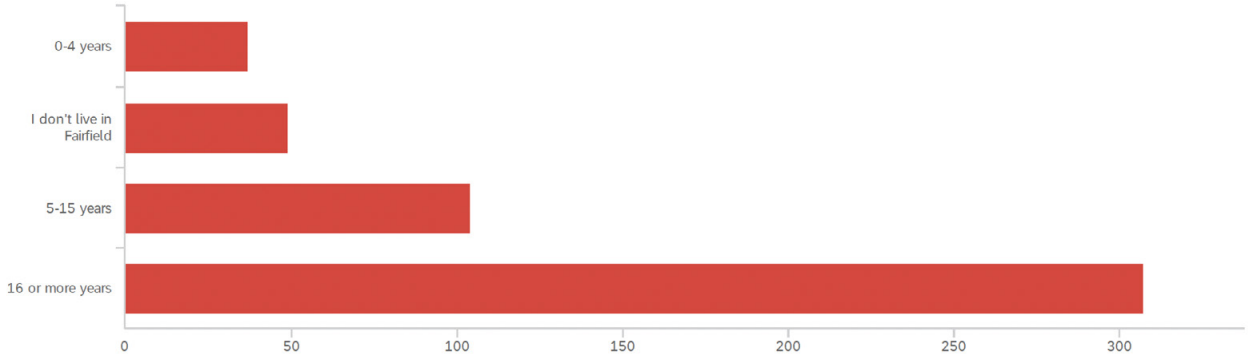


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q18: DURATION OF RESIDENCY

- ➜ LONG-TERM RESIDENTS: A majority (61.77%) have lived in Fairfield for 16 or more years.
- ➜ MEDIUM-TERM RESIDENTS: 20.93% have lived there for 5-15 years.
- ➜ NEW RESIDENTS: 7.44% have lived in Fairfield for 0-4 years.

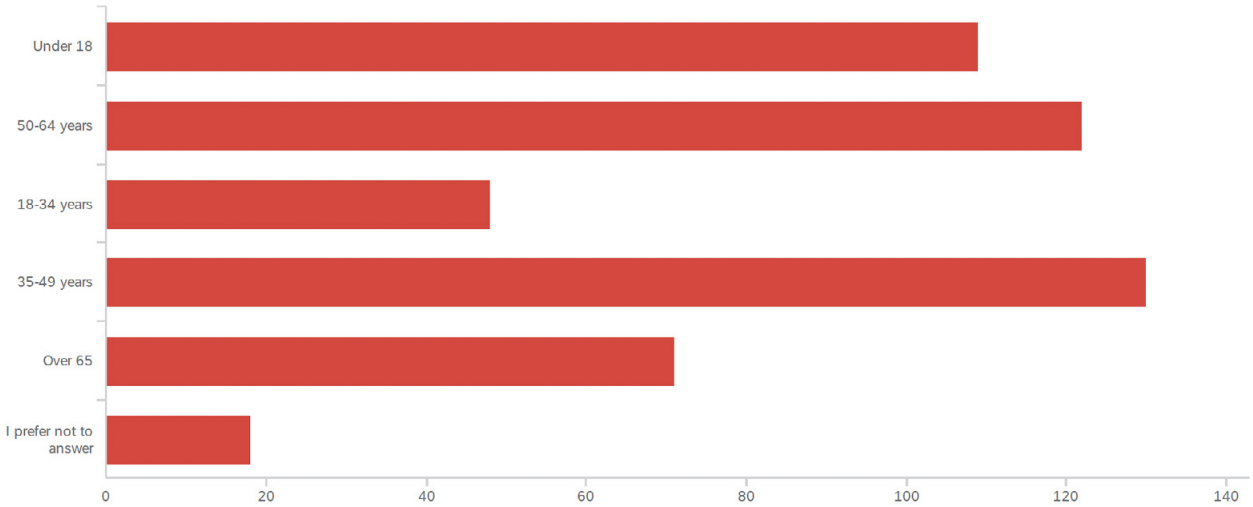
FIGURE B.4: RESPONSES TO QUESTION 18: "HOW LONG HAVE YOU LIVED IN FAIRFIELD?"



Q19: AGE DISTRIBUTION

- ➜ AGE GROUPS: The largest groups are 50-64 years (24.50%) and 35-49 years (26.10%).
- ➜ YOUNGER AND OLDER ADULTS: 18-34 years constitute 9.64%, and over 65 years make up 14.26%.
- ➜ YOUTH: Under 18 years represent 21.89%.

FIGURE B.5: RESPONSES TO QUESTION 19: "WHAT IS YOUR AGE?"

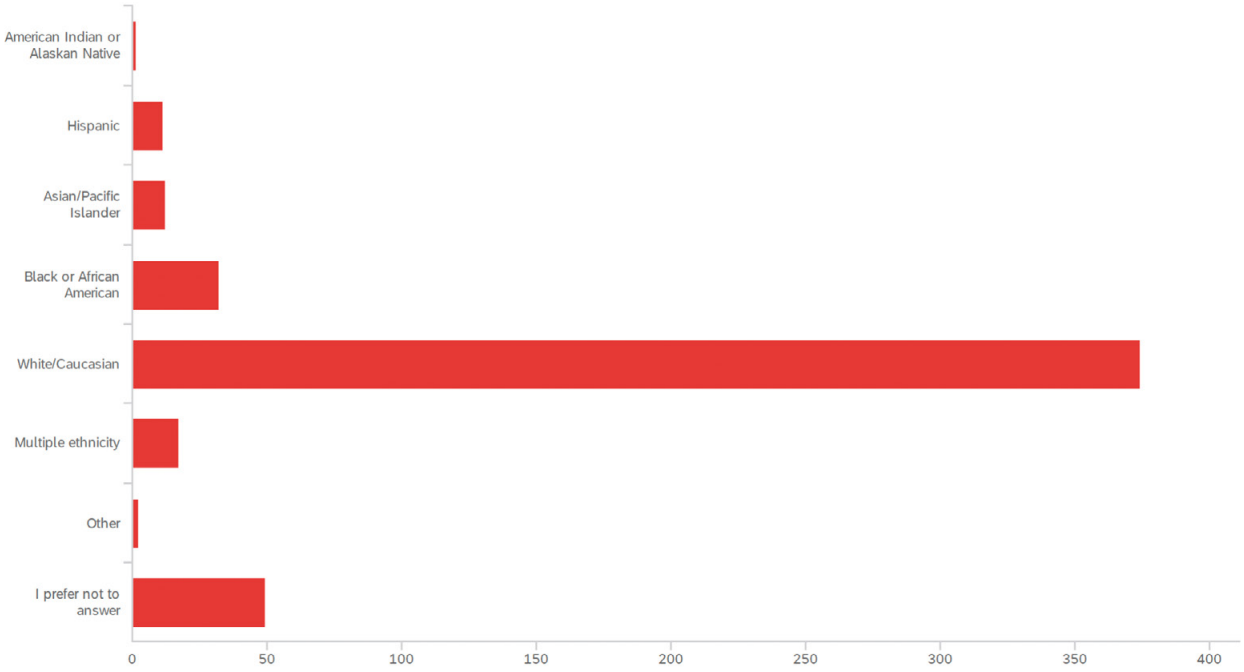


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q20: RACE OR ETHNICITY

- ➜ MAJORITY ETHNICITY: The majority (75.10%) identify as White/Caucasian.
- ➜ MINORITY REPRESENTATION: Black or African American (6.43%), Hispanic (2.21%), and Asian/Pacific Islander (2.41%) are the notable minority groups.

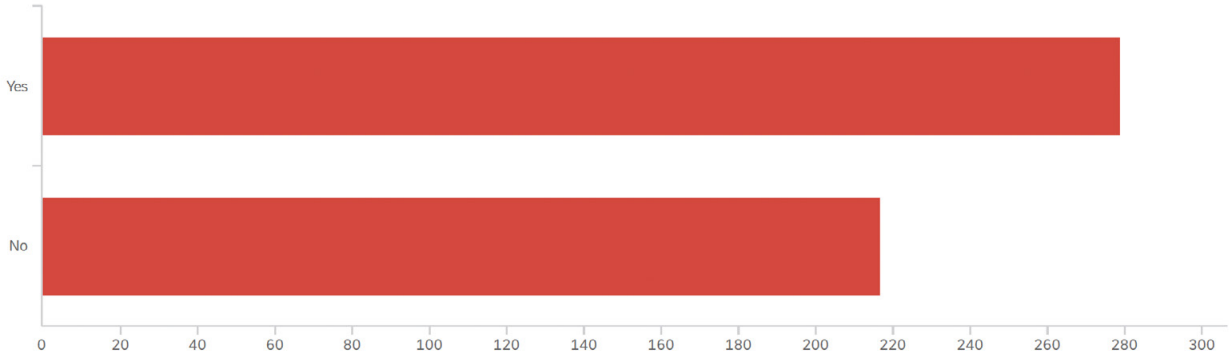
FIGURE B.6: RESPONSES TO QUESTION 20: "WHAT IS YOUR AGE?"



Q21: WORK IN FAIRFIELD

- ➜ WORKING RESIDENTS: 56.25% work in Fairfield.
- ➜ NON-WORKING RESIDENTS: 43.75% do not work in Fairfield.

FIGURE B.7: RESPONSES TO QUESTION 21: "DO YOU WORK IN FAIRFIELD?"



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

WHAT IS THE PERCEPTION OF ENVIRONMENT, SUSTAINABILITY & CITY?

A significant majority is concerned about future environmental challenges, indicating strong community interest in this area. Also, they value proactive environmental measures, suggesting community support for such initiatives. There's a strong belief in the effectiveness of local sustainability efforts, indicating support for continuing or expanding these initiatives.

However, a significant portion is either not very familiar or not at all familiar with the City's efforts, suggesting a need for more effective communication about the City's environmental initiatives. Certain initiatives have higher public awareness, suggesting targeted communication or public engagement strategies may be more effective for lesser-known initiatives. Also, there's a strong base of support for new environmental projects, though a significant minority may require more convincing or information.

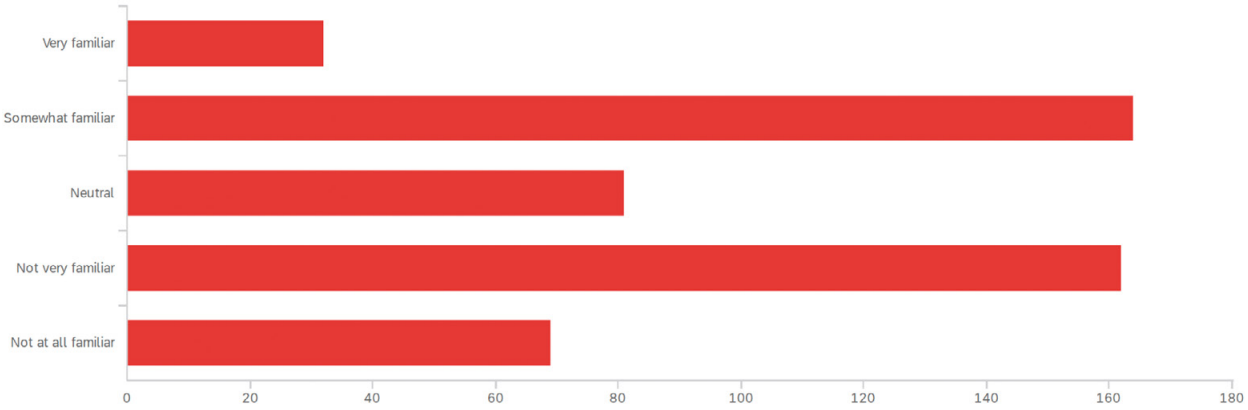
While environmental concerns are important, economic growth and resilience seem to be the top priority for the community, suggesting a need to balance environmental initiatives with economic considerations.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q1: FAMILIARITY WITH CITY'S ENVIRONMENTAL EFFORTS

- ➜ MAJORITY VIEW: 32.28% are somewhat familiar, and 31.89% are not very familiar.
- ➜ LESS FAMILIARITY: A significant portion (45.47%) is either not very familiar or not at all familiar.

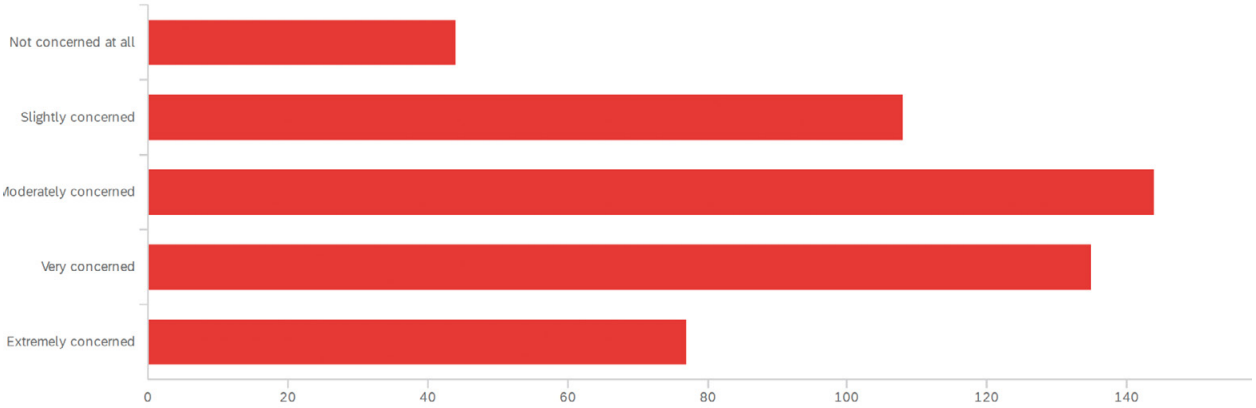
FIGURE B.8: RESPONSES TO QUESTION 1: "TO WHAT EXTENT ARE YOU FAMILIAR WITH THE CITY'S EFFORTS TO PROTECT OUR NATURAL ENVIRONMENT AND RESOURCES?"



Q2: CONCERN ABOUT FUTURE ENVIRONMENTAL CHALLENGES

- ➜ HIGH CONCERN: 54.08% are either very or extremely concerned.
- ➜ MODERATE CONCERN: 28.35% are moderately concerned.

FIGURE B.9: RESPONSES TO QUESTION 2: "HOW CONCERNED ARE YOU ABOUT FUTURE ENVIRONMENTAL CHALLENGES?"

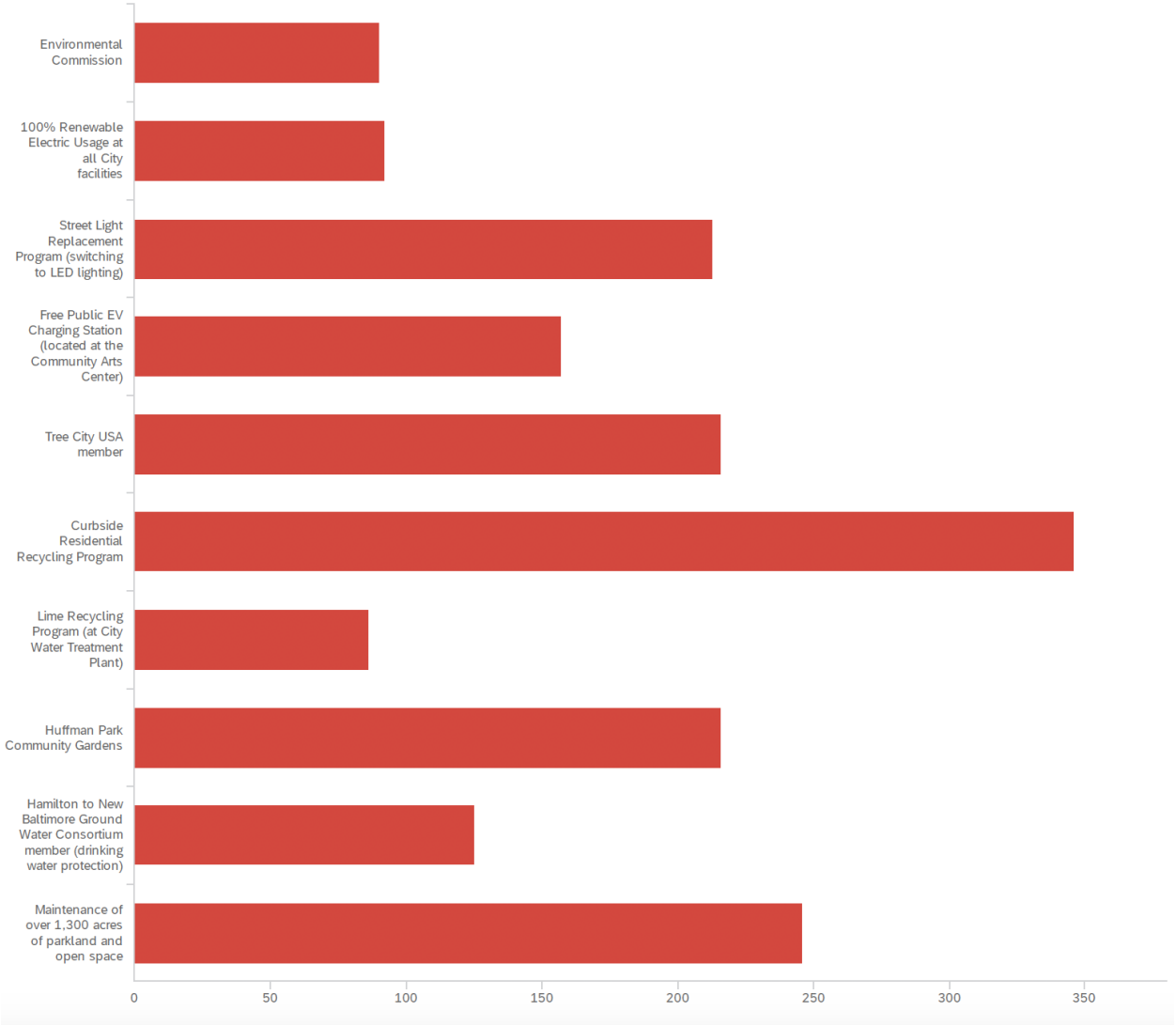


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q3: AWARENESS OF SPECIFIC SUSTAINABILITY INITIATIVES

- ➜ MOST KNOWN INITIATIVES: Curbside Residential Recycling Program (19.36%) and Maintenance of parkland and open space (13.77%).
- ➜ LEAST KNOWN INITIATIVES: Lime Recycling Program (4.81%) and Environmental Commission (5.04%).

FIGURE B.10: RESPONSES TO QUESTION 3: "WHICH OF THE FOLLOWING CITY OF FAIRFIELD SUSTAINABILITY INITIATIVES ARE YOU AWARE OF?"

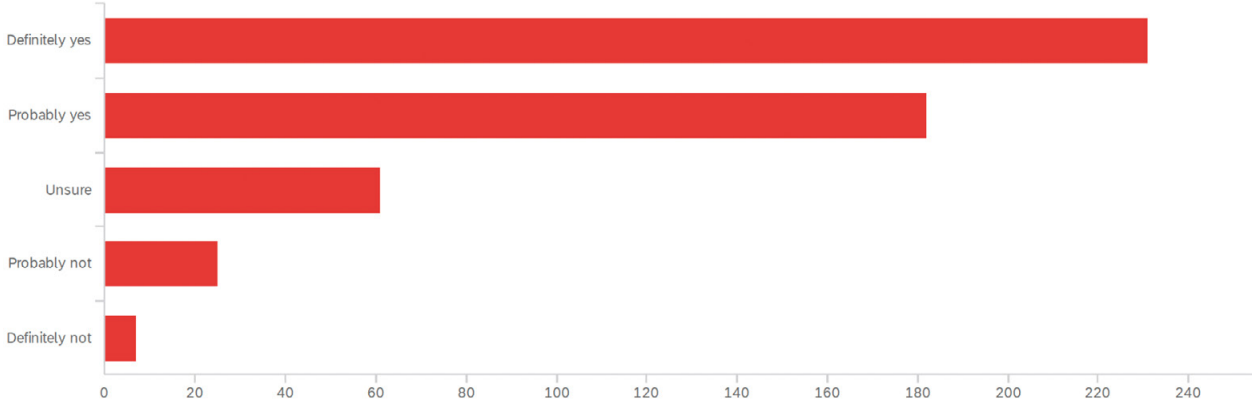


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q4: IMPACT OF LOCAL SUSTAINABILITY INITIATIVES

- ➜ POSITIVE PERCEPTION: 81.62% believe local sustainability initiatives can positively impact the community's quality of life.
- ➜ UNCERTAIN OR NEGATIVE PERCEPTION: 18.38% are unsure or do not believe in the positive impact.

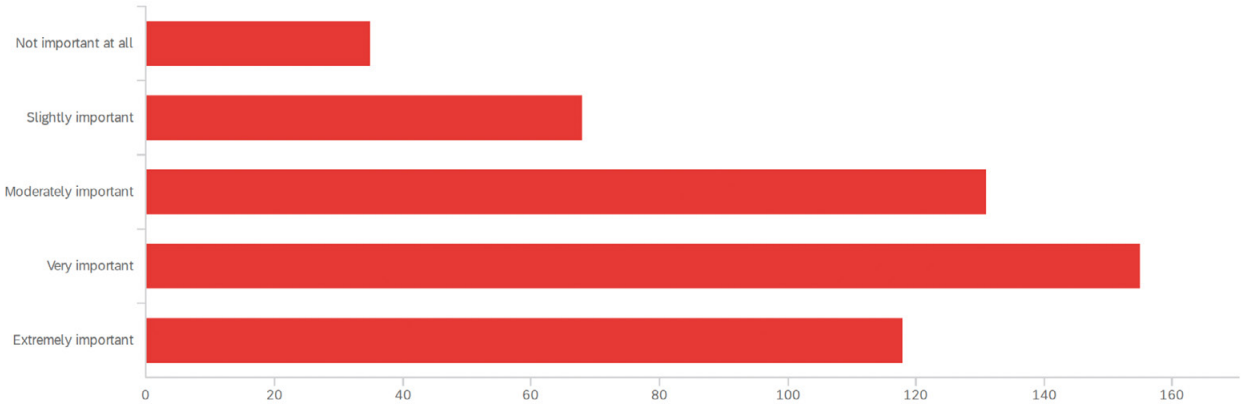
FIGURE B.11: RESPONSES TO QUESTION 4: "DO YOU BELIEVE THAT LOCAL SUSTAINABILITY INITIATIVES CAN MAKE A SIGNIFICANT POSITIVE IMPACT ON OUR COMMUNITY'S QUALITY OF LIFE?"



Q5: IMPORTANCE OF PROACTIVE MEASURES

- ➜ HIGH IMPORTANCE: 54.05% consider it very or extremely important for the City to take proactive measures.
- ➜ MODERATE IMPORTANCE: 25.84% find it moderately important.

FIGURE B.12: RESPONSES TO QUESTION 5: "HOW IMPORTANT IS IT TO YOU THAT THE CITY TAKE PROACTIVE MEASURES TO INCREASE THE COMMUNITY'S RESILIENCE AND ABILITY TO ADAPT TO ENVIRONMENTAL CHALLENGES?"



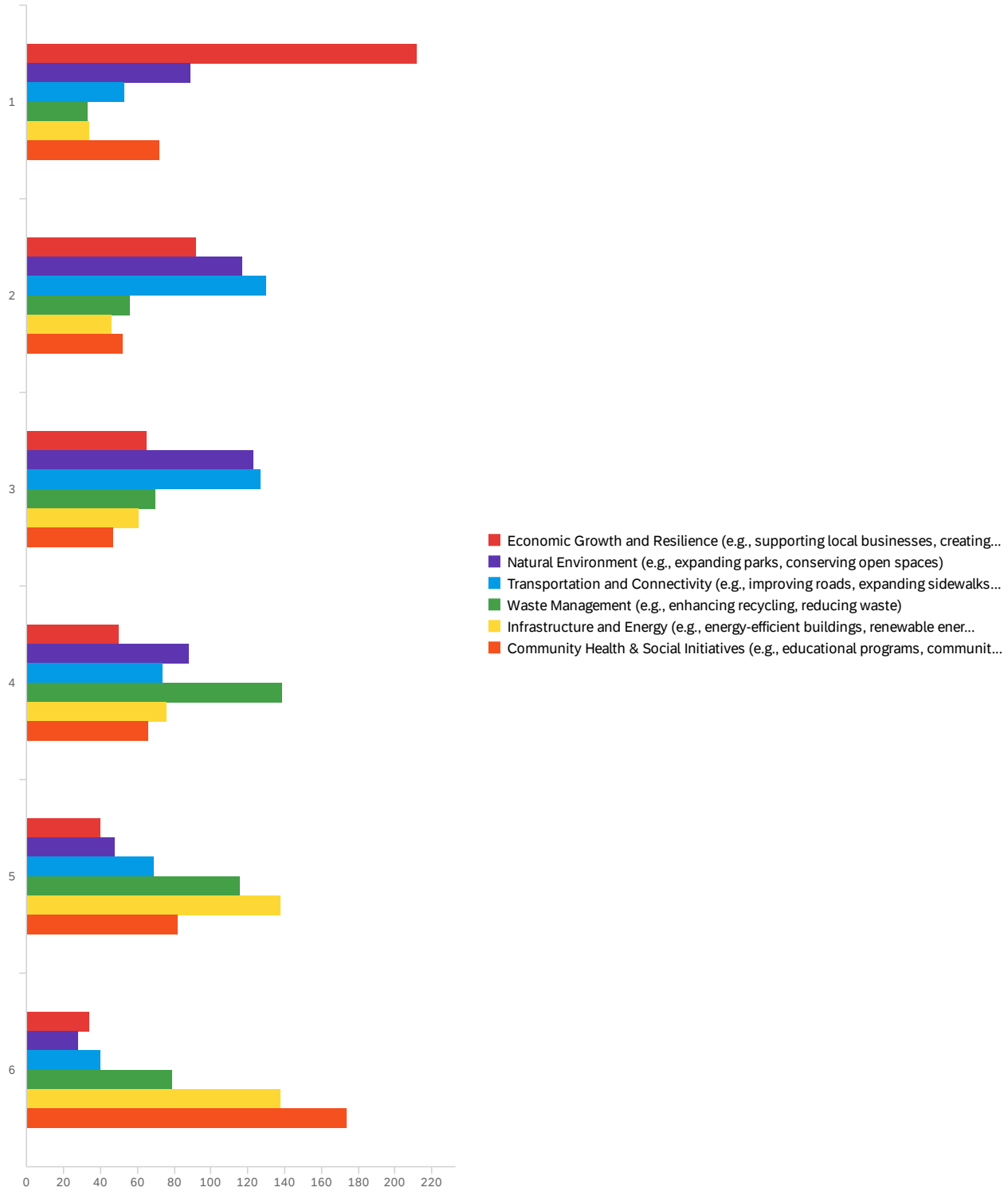
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q6: RANKING OF QUALITY-OF-LIFE AREAS

➜ TOP PRIORITY: Economic Growth and Resilience.

➜ LEAST PRIORITY: Infrastructure and Energy.

FIGURE B.13: RESPONSES TO QUESTION 6: "RANK THE IMPORTANCE OF THE FOLLOWING AREAS TO THE QUALITY OF LIFE IN FAIRFIELD."



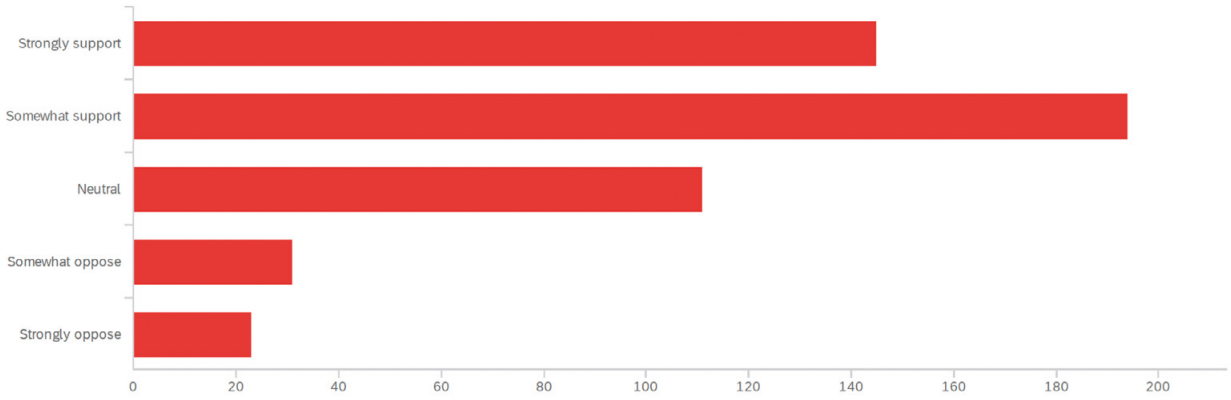
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q7: SUPPORT FOR NEW ENVIRONMENTAL PROJECTS

➜ STRONG SUPPORT: 67.26% strongly or somewhat support new local projects.

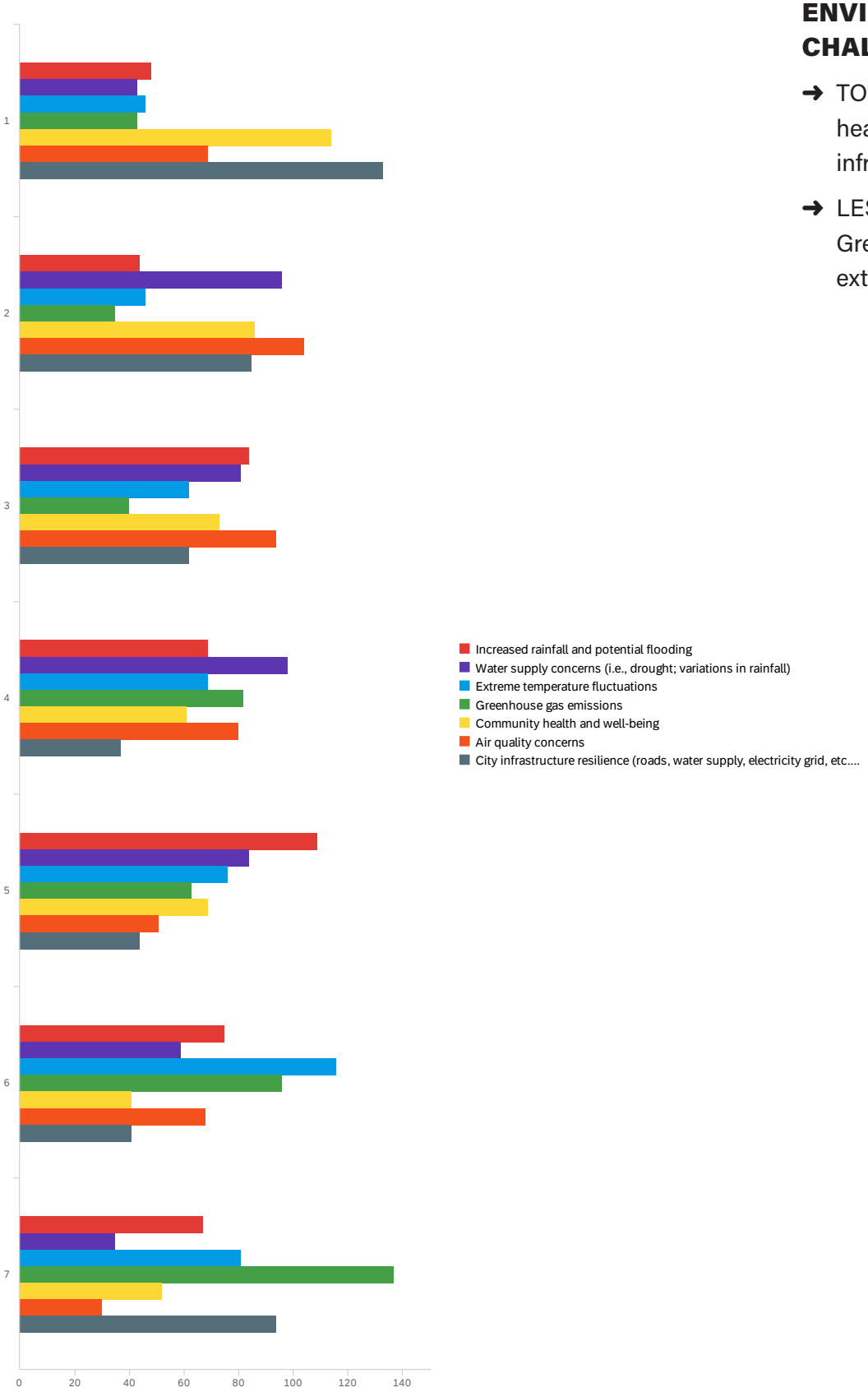
➜ NEUTRAL OR OPPOSITION: 32.74% are neutral or oppose these projects.

FIGURE B.14: RESPONSES TO QUESTION 7: "WOULD YOU SUPPORT NEW LOCAL PROJECTS THAT AIM TO PROTECT AND ENHANCE THE ENVIRONMENT, EVEN IF THEY REQUIRE SOME INITIAL INVESTMENT OR CHANGES?"



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FIGURE B.15: RESPONSES TO QUESTION 8: "PLEASE RANK WHICH ENVIRONMENTAL CHALLENGES CONCERN YOU THE MOST?"



Q8: RANKING OF ENVIRONMENTAL CHALLENGES

- ➜ TOP CONCERNS: Community health and well-being, and City infrastructure resilience.
- ➜ LESSER CONCERNS: Greenhouse gas emissions and extreme temperature fluctuations.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

HOW WERE STRATEGIES RANKED?

The community is most concerned about direct impacts on health and infrastructure resilience, suggesting these areas could be prioritized in city planning. There's a preference for initiatives focusing on urban redevelopment and maintenance over new developments like Marsh Lake. There is a strong inclination towards improving existing spaces and attracting vibrant businesses over financial incentives or tax strategies. Residents prefer improvements in walkability and connectivity over initiatives focused on electric vehicles or shared transportation modes. There is a preference for practical, actionable strategies over educational initiatives in sustainable energy. Tangible, direct actions like tree planting and recycling are preferred over educational or informational programs.

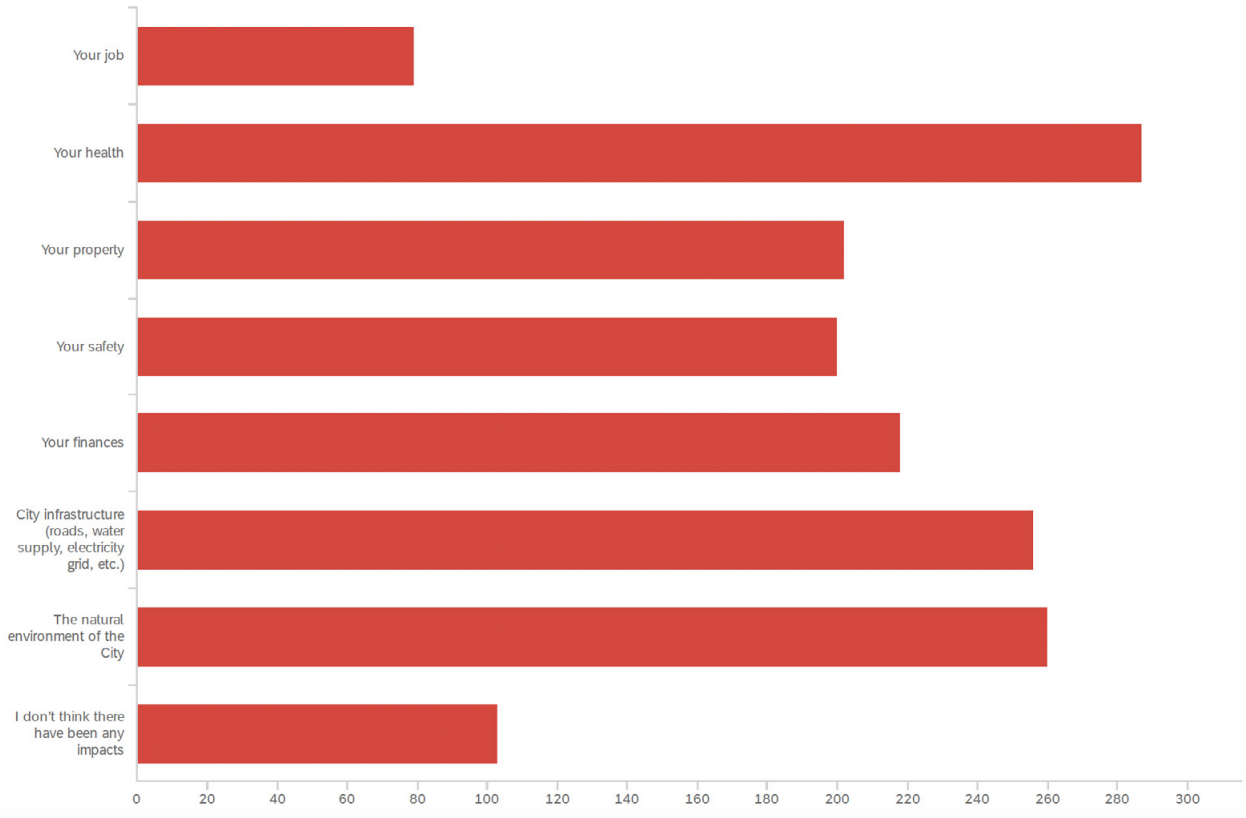
The community expresses a strong preference for practical, tangible actions over theoretical or educational initiatives. There's significant concern about the impact of environmental changes, particularly on health, infrastructure, and the natural environment. Urban redevelopment, beautification, and improving walkability and connectivity are key priorities. Sustainable energy and green community strategies are supported, with a focus on immediate, actionable measures.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q10: IMPACT OF ENVIRONMENTAL CHANGES

- ➜ MOST AFFECTED AREAS: Natural environment of the city (16.20%), City infrastructure (15.95%), and individual health (17.88%) are the top three areas respondents believe are or will be negatively impacted by environmental changes.
- ➜ LESS AFFECTED AREAS: Job (4.92%) and safety (12.46%) are perceived as less impacted.

FIGURE B.16: RESPONSES TO QUESTION 10: "DO YOU THINK CHANGES IN THE ENVIRONMENT HAVE HAD OR WILL HAVE A NEGATIVE IMPACT ON:"



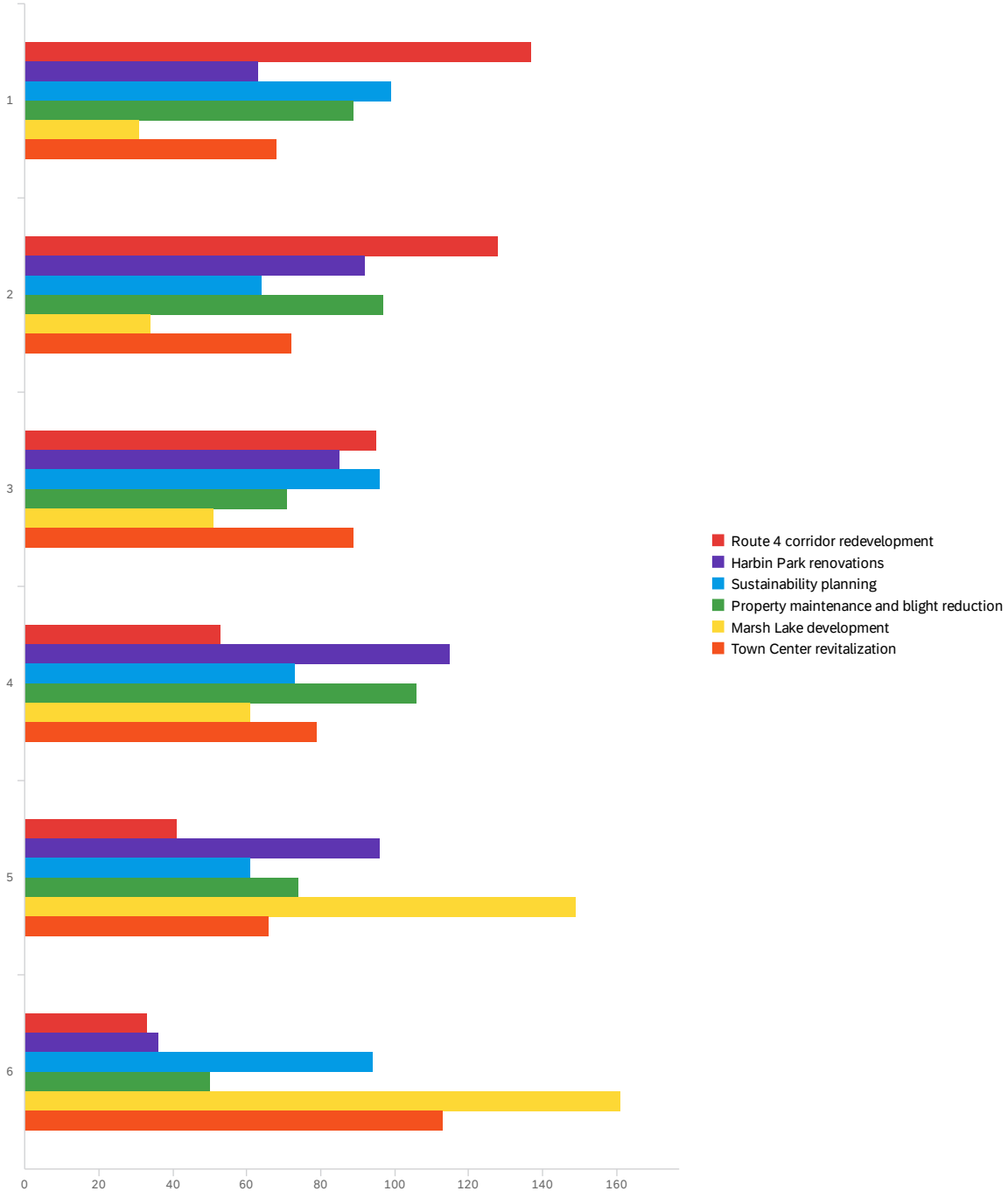
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q11: STRATEGIC INITIATIVES RANKING

TOP INITIATIVES: Route 4 corridor redevelopment and Property maintenance and blight reduction are ranked highest in importance.

LEAST IMPORTANCE: Marsh Lake development is considered least important.

FIGURE B.17: RESPONSES TO QUESTION 11: "OF THE SIX MAJOR STRATEGIC INITIATIVES THE CITY IS CURRENTLY WORKING ON, PLEASE RANK THESE INITIATIVES IN ORDER OF IMPORTANCE (1 BEING THE MOST IMPORTANT).

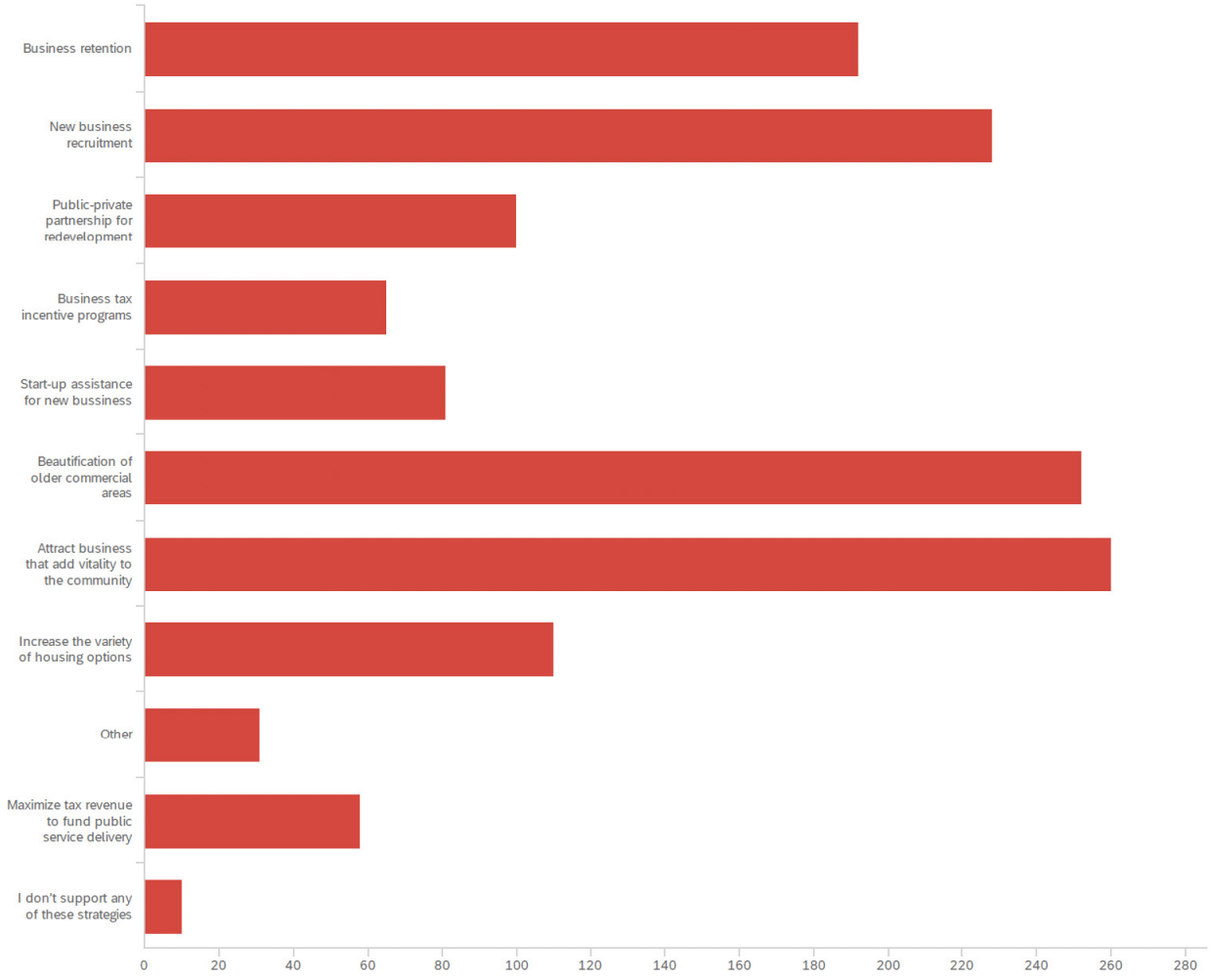


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q12: SUSTAINABLE ECONOMIC DEVELOPMENT STRATEGIES

- ➜ PREFERRED STRATEGIES: Beautification of older commercial areas (18.17%) and attracting businesses that add vitality to the community (18.75%) are most favored.
- ➜ LEAST SUPPORTED: Business tax incentive programs (4.69%) and maximizing tax revenue for public service delivery (4.18%) are less supported.

FIGURE B.18: RESPONSES TO QUESTION 12: "WHICH TYPES OF SUSTAINABLE ECONOMIC DEVELOPMENT STRATEGIES DO YOU THINK THE CITY SHOULD FOCUS ON?"

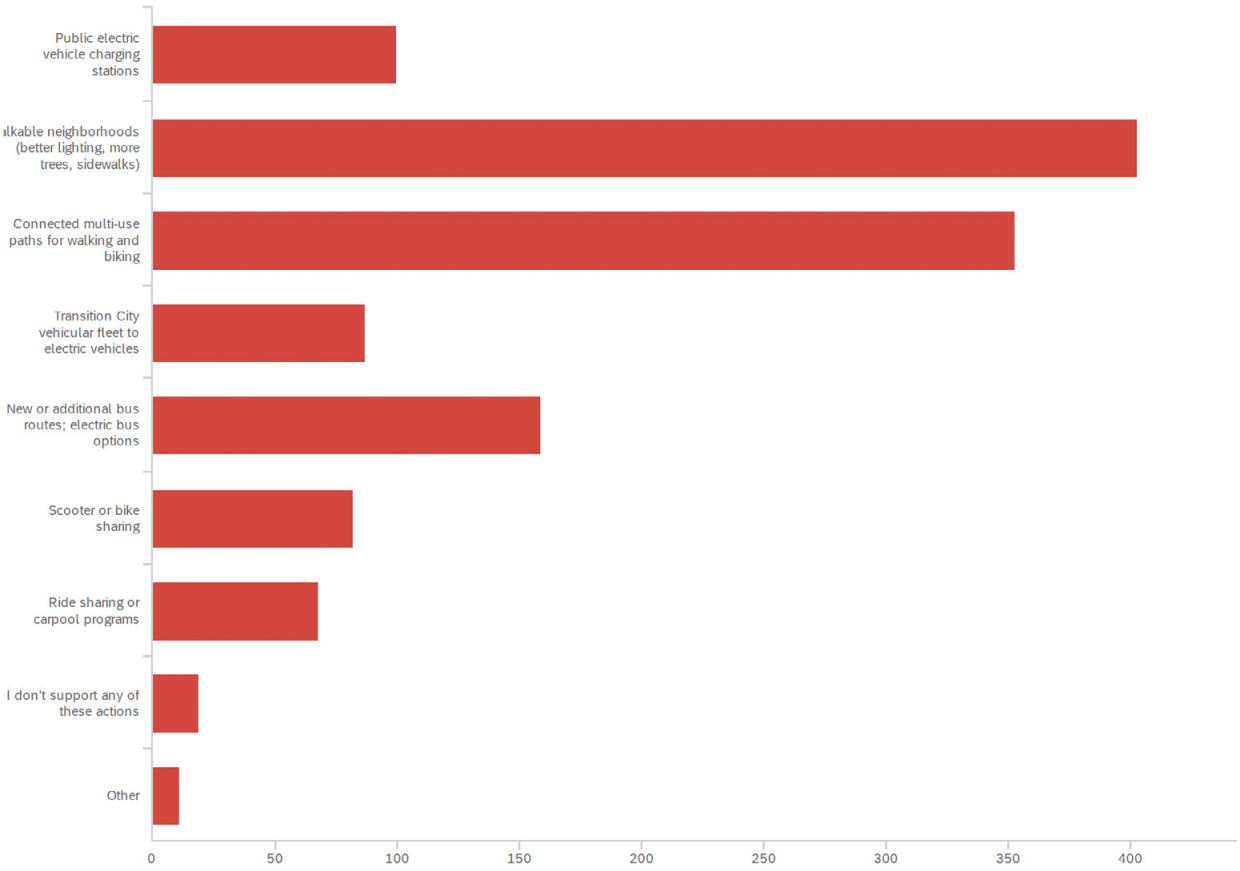


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q13: SUSTAINABLE TRANSPORTATION STRATEGIES

- ➜ TOP CHOICES: Walkable neighborhoods (31.44%) and connected multi-use paths (27.54%) are highly favored.
- ➜ LESS SUPPORT: Electric vehicle charging stations (7.80%) and scooter or bike sharing (6.40%) received less support.

FIGURE B.19: RESPONSES TO QUESTION 13: "WHICH TYPES OF SUSTAINABLE TRANSPORTATION STRATEGIES DO YOU THINK THE CITY SHOULD FOCUS ON?"

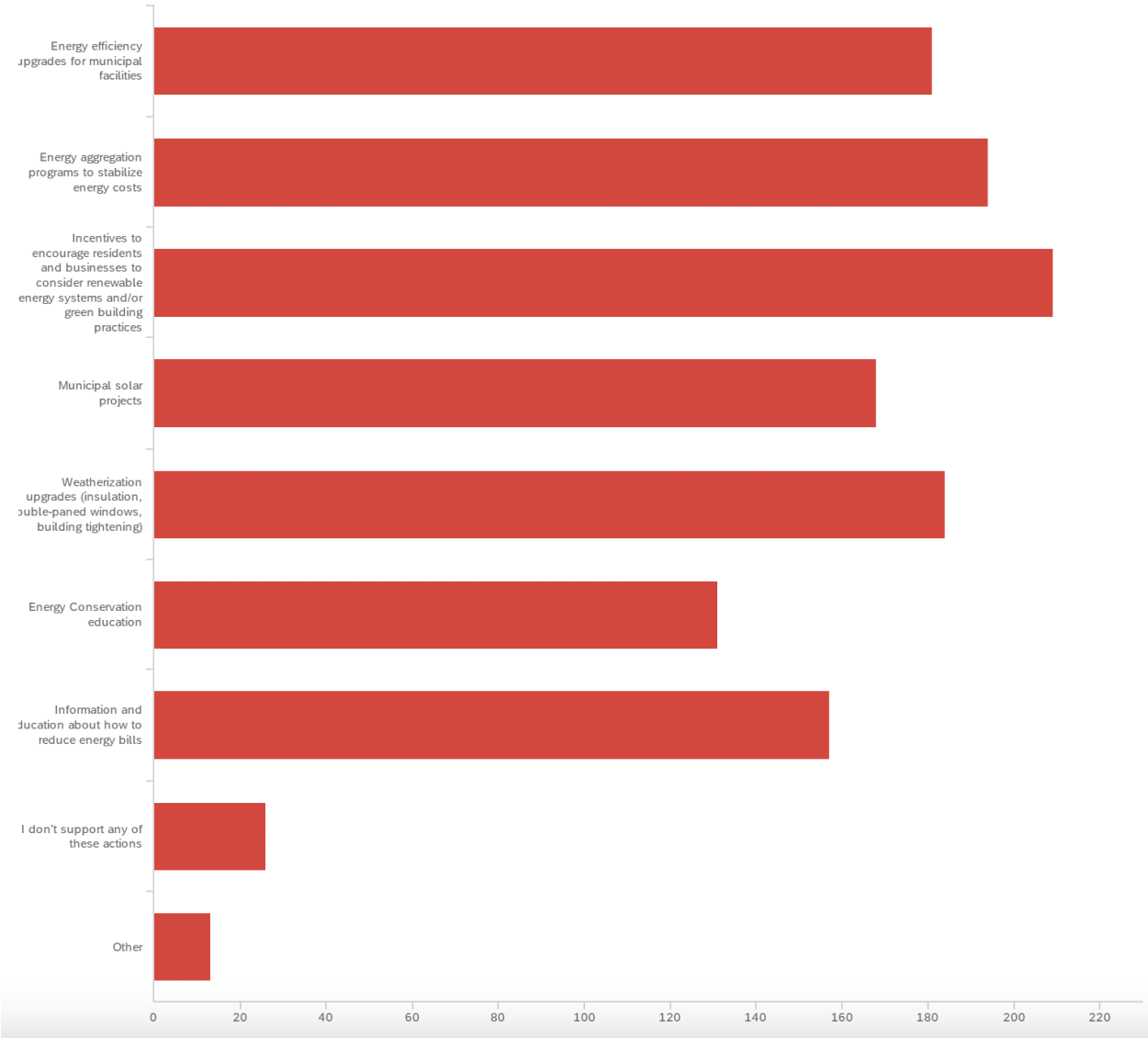


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q14: SUSTAINABLE ENERGY STRATEGIES

- ➜ PREFERRED STRATEGIES: Incentives for renewable energy systems (16.55%) and energy aggregation programs (15.36%) are top choices.
- ➜ LESS INTEREST: Energy conservation education (10.37%) is less of a priority.

FIGURE B.20: RESPONSES TO QUESTION 14: "WHICH TYPES OF SUSTAINABLE ENERGY STRATEGIES DO YOU THINK THE CITY SHOULD FOCUS ON?"

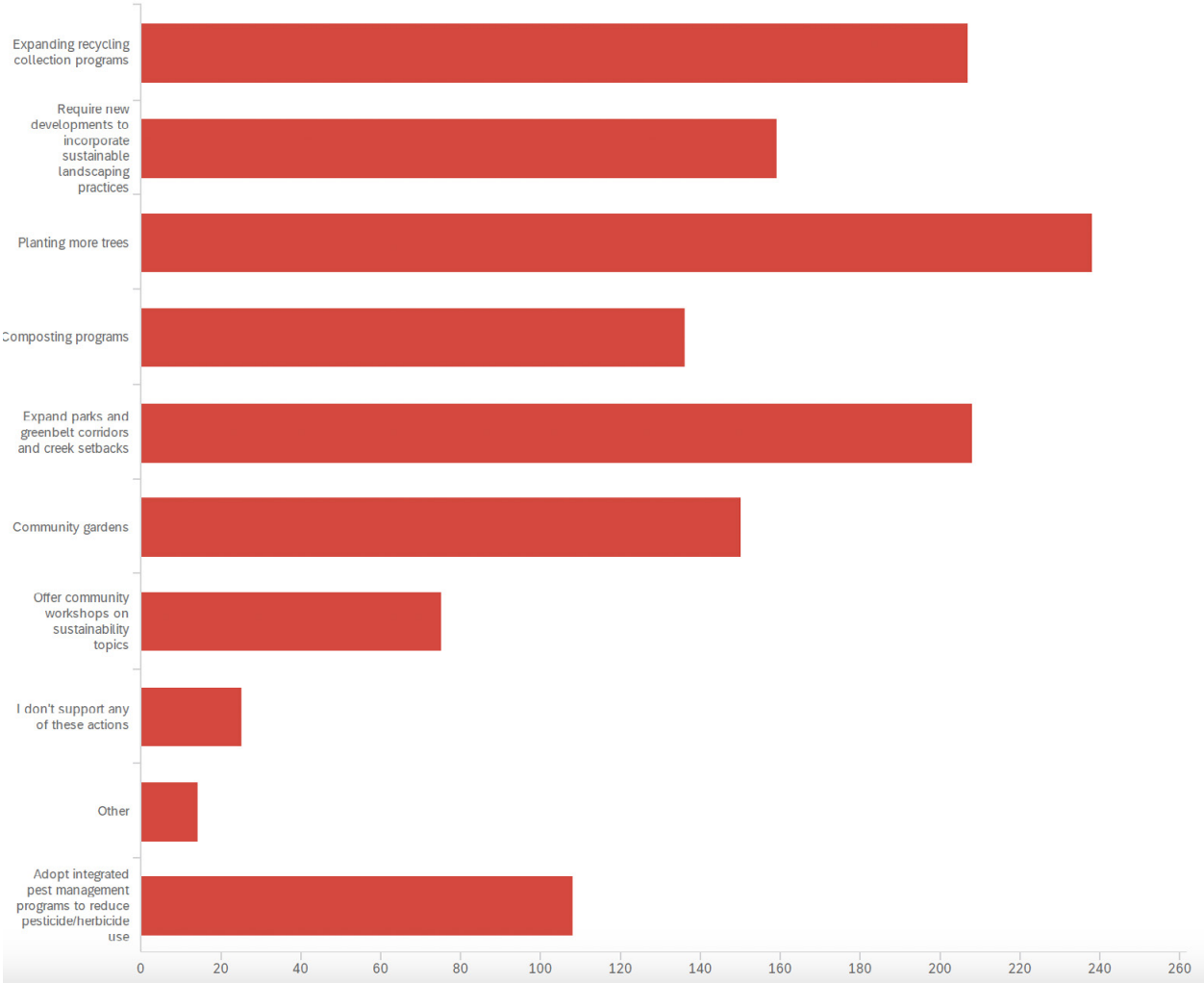


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q15: GREEN COMMUNITY STRATEGIES

- ➜ TOP PICKS: Planting more trees (18.03%) and expanding recycling collection programs (15.68%) are most favored.
- ➜ LESS INTEREST: Community workshops on sustainability (5.68%) are least supported.

FIGURE B.21: RESPONSES TO QUESTION 15: "WHICH TYPES OF SUSTAINABLE GREEN COMMUNITY STRATEGIES DO YOU THINK THE CITY SHOULD FOCUS ON?"



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

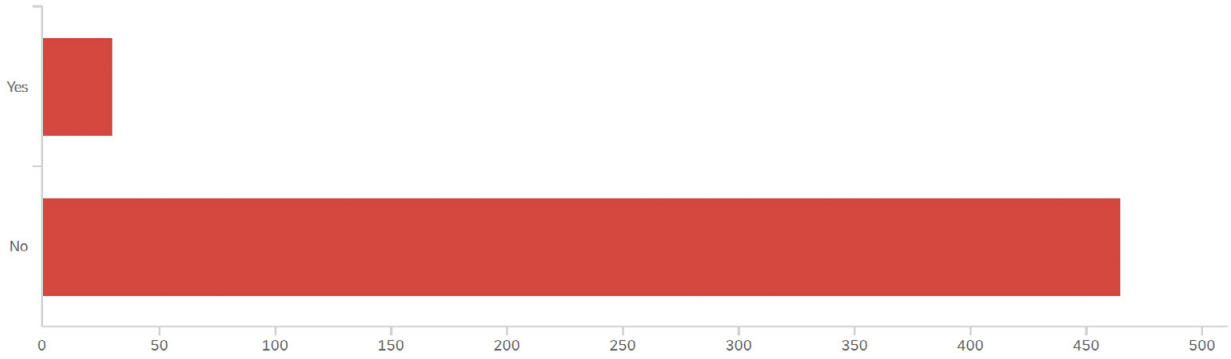
WHAT IS THE OPINION ABOUT ELECTRIC VEHICLES (EV)?

EV ownership in the community is currently low, indicating either a lack of interest, awareness, or accessibility. There's a considerable degree of uncertainty and reluctance regarding EV adoption, suggesting the need for more awareness or better incentives. The main barriers to EV adoption seem to be economic and infrastructural, along with some environmental and safety concerns. There's also a significant segment that needs more information about EVs to make an informed decision.

Q22: ELECTRIC VEHICLE OWNERSHIP

- ➜ CURRENT EV OWNERSHIP: Only 6.06% of respondents currently own an electric vehicle.
- ➜ NON-OWNERSHIP: A vast majority, 93.94%, do not own an electric vehicle.
- ➜ LESS INTEREST: Community workshops on sustainability (5.68%) are least supported.

FIGURE B.22: RESPONSES TO QUESTION 22: "DO YOU OWN AN ELECTRIC VEHICLE?"

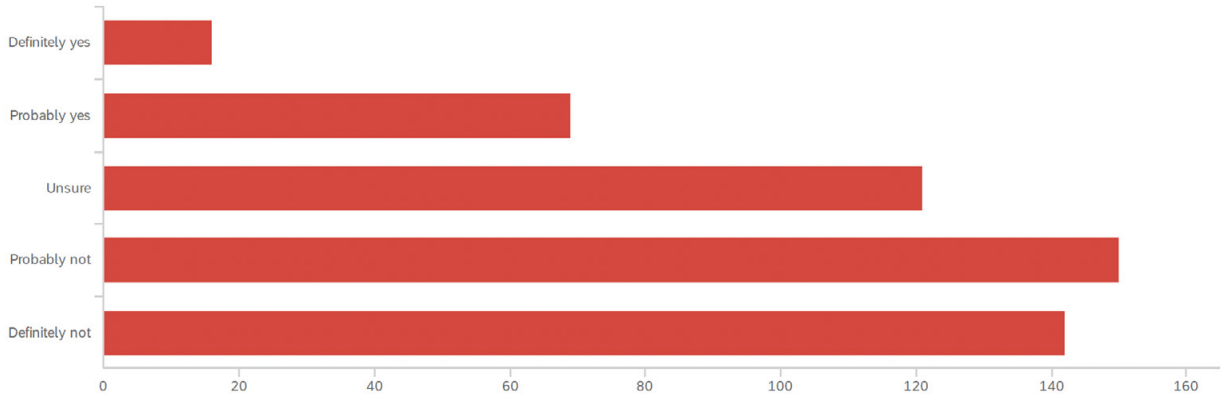


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q23: LIKELIHOOD OF PURCHASING AN EV

- ➜ DEFINITE INTEREST: 3.21% are definite about purchasing an EV next.
- ➜ PROBABLE INTEREST: 13.86% are likely to consider an EV for their next vehicle.
- ➜ UNCERTAINTY AND DISINTEREST: A significant portion is either unsure (24.30%) or inclined not to purchase an EV (58.63%).

FIGURE B.23: RESPONSES TO QUESTION 23: "HOW LIKELY ARE YOU (OR YOUR HOUSEHOLD) TO PURCHASE AN ELECTRIC VEHICLE THE NEXT TIME YOU PURCHASE A VEHICLE?"

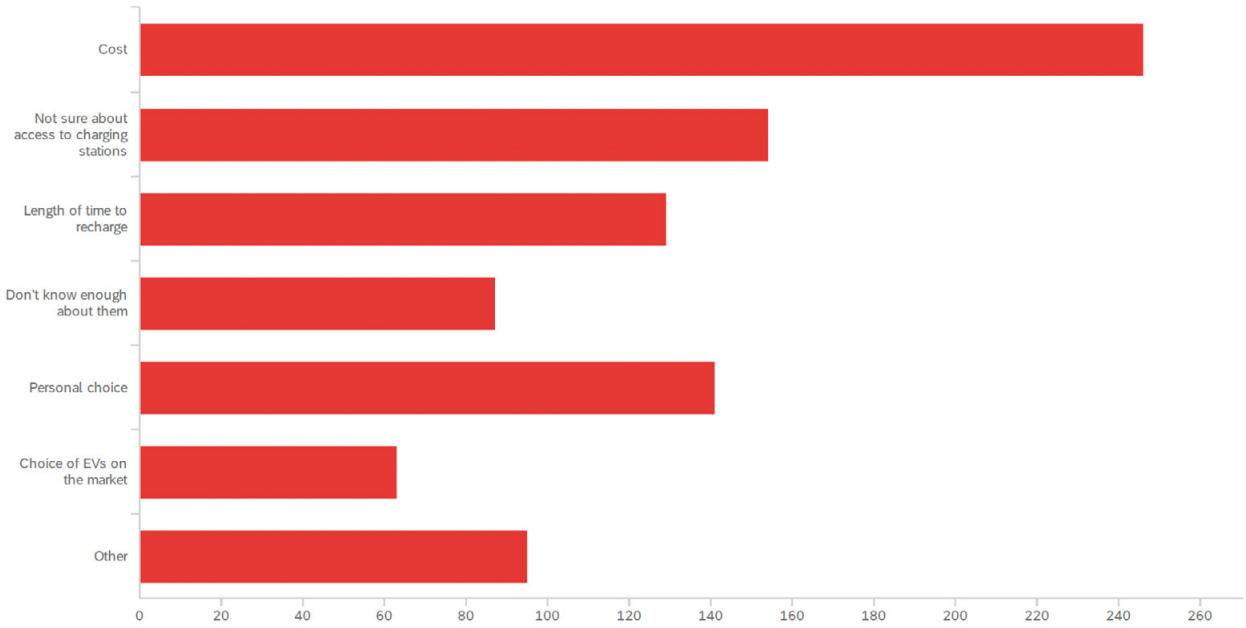


Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q24: REASONS FOR NOT OWNING OR PLANNING TO PURCHASE AN EV

- ➜ PRIMARY CONCERNS: The main concerns are cost (26.89%), uncertainty about charging stations (16.83%), and the time required to recharge (14.10%).
- ➜ OTHER CONCERNS: Additional issues include lack of information about EVs, personal choice, limited choice of EVs on the market, and various environmental and practical considerations.

FIGURE B.24 RESPONSES TO QUESTION 23: IF YOU DON'T OWN OR PLAN TO PURCHASE AN ELECTRIC VEHICLE, WHY NOT?



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

WHAT IS QUALITY OF LIFE?

The responses are quite varied, reflecting the diverse priorities and values of the community. This reflects a community interested in both social and sustainable development. The suggestions for improvements point towards a community aspiring for a livelier, interconnected, and environmentally conscious City. This includes a strong emphasis on better dining options, improved transportation, and increased green initiatives, indicating a community interested in sustainable living and social connectivity. The City has the opportunity to enhance its appeal and quality of life by focusing on these areas of interest, potentially leading to increased resident satisfaction and community engagement.

FIGURE B.25: WORD CLOUD SHOWCASING RESPONSES TO QUESTION 9: "IN YOUR OWN WORDS, WHAT ARE THE TOP THREE THINGS THAT ENHANCE THE QUALITY OF LIFE FOR YOU AND YOUR FAMILY IN FAIRFIELD?"

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Q9: TOP THREE THINGS THAT BRING QUALITY OF LIFE TO THE FAIR FIELD RESIDENTS AND THEIR FAMILIES

- **Parks and Green Spaces:** Many responses emphasize the importance of parks, green spaces, and outdoor activities. This includes specific mentions of parks, walking paths, and recreational areas. It indicates a strong community value placed on accessible natural spaces and outdoor leisure.

- **Safety and Public Services:** Safety, including the presence of helpful police, strong law enforcement, and overall safe living environments, is frequently mentioned. Additionally, the efficiency and availability of city services like waste management, public transportation, and infrastructure maintenance are highlighted.

- **Community and Economic Aspects:** Several responses focus on the economic stability of the City, good schools, and local businesses. This includes specific mentions of shopping and dining options, community events, and local businesses. There is also an emphasis on community aspects like diversity, neighborhood quality, and community programs.

- **Environmental and Health Concerns**: Concerns about clean water, air quality, and environmental sustainability are evident. This includes the mention of initiatives like recycling programs and reduction of water runoff, indicating a community interest in environmental health.

- **Infrastructure and Accessibility:** Responses highlight the importance of good roads, sidewalks, and overall City infrastructure. This includes mentions of convenient commuting, easy access to amenities, and the maintenance of City facilities.

- **Other Specific Needs:** Some unique needs and suggestions are also mentioned, such as controlling noise pollution, addressing property maintenance, and improving local schools.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FIGURE B.26: WORD CLOUD SHOWCASING RESPONSES TO QUESTION 26: "WHAT IS MISSING from the City that, if added, would improve your Quality of Life?"

Q26: SUGGESTIONS FOR IMPROVING QUALITY OF LIFE

➜ **Better Dining and Nightlife:** Many responses call for more varied and quality dining options, and some nightlife.

➜ **Walkability and Connectivity:** Suggestions include more sidewalks, bike lanes, and connected paths.

➜ **Green Initiatives:** Requests for more parks, green spaces, community gardens, and environmental programs.

➜ **Public Transport and Infrastructure:** Desire for improved public transport and better infrastructure.

➜ **Community Engagement and Activities:** Requests for more events and activities, especially for younger demographics.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

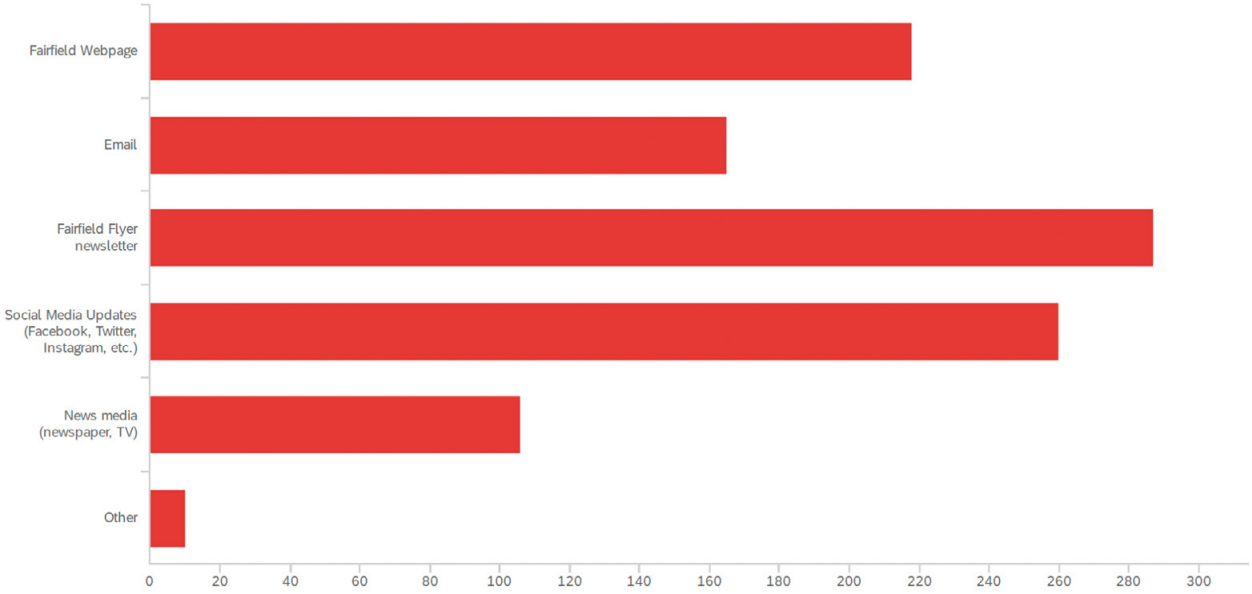
HOW TO RECEIVE UPDATES FROM THE CITY?

Traditional and digital methods are both popular. The preference for the newsletter and social media suggests a mix of detailed, official communication and quick, accessible updates.

Q25: PREFERRED CHANNELS FOR RECEIVING CITY UPDATES

- ➜ FAIRFIELD FLYER NEWSLETTER (27.44%)
- ➜ SOCIAL MEDIA UPDATES (24.86%)
- ➜ FAIRFIELD WEBPAGE (20.84%)
- ➜ OTHER METHODS: EMAIL (15.77%) AND NEWS MEDIA (10.13%)

FIGURE B.27: WORD CLOUD SHOWCASING RESPONSES TO QUESTION 25: "HOW DO YOU PREFER TO RECEIVE UPDATES AND INFORMATION ABOUT THE CITY?"



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX D: REGIONAL GOALS

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

A summary of sustainability goals adopted by jurisdiction and/or nearby universities within Ohio is presented below.

SECTOR	FAIRFIELD	CINCINNATI	COLUMBUS	CLEVELAND	OXFORD	OHIO UNIVERSITY	MIAMI UNIVERSITY	DUBLIN	HUBER HEIGHTS	DAYTON	OBERLIN	BEX
POPULATION	44,456	308,935	906,528	367,991	22,625	29,217	19,452	49,085	43,272	137,571	8,249	13,
EMISSION REDUCTION TARGETS	**E.1.0:** Reduce energy emissions by 50% by 2030 and 100% by 2055, community-wide.	Aim for a 50% reduction by 2030 and achieve 100% community-wide carbon neutrality by 2050 (pledge to Cities Race to Zero program)	Achieve 45% reduction by 2030 and 100% by 2050	Aim for a 40% reduction by 2030 and 80% by 2050	Target a 50% reduction by 2030 and 90% by 2040	Achieve carbon neutrality	Achieve carbon neutrality by 2040	Reduce emissions to meet federal air quality standards (Mid-Ohio Regional Planning Commission's Sustainable 2050 Goals)	Not addressed	Not addressed	Reducing 2007 GHG inventory emissions by 50% in 2015, 75% by 2030 and below 100% by 2050 (pledge to Cities Race to Zero program)	Red emi 50% 203 100 by 2 (ple Citi to Z pro
EV ADOPTION	**MT.1.3:** Convert 20% of non-emergency City fleet to electric vehicles (EVs), hybrid or clean fuels by 2030 and 100% by 2055.	Increase zero-emission vehicle usage in the city to 25% by 2030	100% zero-emission vehicle fleets by 2050, Equitable EV charging plan developed by 2025, EV Ready Ordinance implemented by 2025, 15% registrations by 2030 and 100% by 2050	Increase the number of electric vehicle charging stations and promote alternative fuel vehicle events	Expand electric vehicle (EV) charging and infrastructure	Increase use of hybrid vehicles in the campus fleet	Not disclosed	Achieve 20% reduction in vehicle emissions by 2020, increase the number of privately owned vehicles (individual and corporate) using the City's CNG station or electric vehicle charging stations by 20%	Meet the public's electrical fleet recharging needs and have a 100% fully electric fleet of municipal vehicles by 2035	By 2035 all fleet will be converted to electric or renewable-powered vehicles, by 2050 achieve 100% renewable energy for all energy-use sectors including transportation	Adoption of policies that encourage electrified transport such as targeted rates for charging electric vehicles during off-peak hours or other mechanisms that ensure cost-effective and carbon-neutral vehicle charging	Not add
ENERGY	**E1.1:** Leverage energy aggregation procurement for residential and small commercial community energy use to achieve 50% carbon-free energy procurement by 2025 and 100% by 2035 **E.1.2:** Procure 100% renewable energy for all municipal operations	Transition to 100% renewable energy for city operations by 2035	Achieve 100% clean energy procurement for municipal and residential sectors by 2030, 25% for commercial sector by 2030, and 100% commercial clean energy by 2050	Achieve 25% renewable energy sources community-wide by 2030 and 100% by 2050	Achieve 100% renewable energy community-wide by 2050	Attain 36% renewable energy by Fiscal Year 2026	Implementation of a 20 million gallon Thermal Energy Storage tank to alleviate pressure on the electric grid during peak demand or brownouts.	Provide at least 15% of the facility's electricity demand from the solar installation at City facilities	Not addressed	Achieve 100% renewable energy for the municipal operations by 2035 and community-wide by 2040	Eliminate fossil fuel use for electricity generation no later than 2050	Not add

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTOR	FAIRFIELD	CINCINNATI	COLUMBUS	CLEVELAND	OXFORD	OHIO UNIVERSITY	MIAMI UNIVERSITY	DUBLIN	HUBER HEIGHTS	DAYTON	OBERLIN	BEX
COMPOSTING	**RC.1.2.1:** Launch pilot food-scrap composting program with residents and businesses by 2026.	Reduce food waste going to landfills by 50% by 2030	50% reduction of organic waste by 2030 and 90% by 2050	Enhance the availability of composting options for residents and businesses	Enhance community waste diversion with an emphasis on composting, food rescue, and recovery	Increase waste diversion to 75% by Fiscal Year 2026	The Armstrong Student Center is planning to introduce composting options by the fall semester of 2023, following a conducted waste audit	Explore residential and commercial composting options	Not addressed	Encourage residents to engage in backyard composting or contract with local, private composting businesses	Launch and implementation of a food waste recovery/ composting pilot, progressing to a full-scale program, integrated with an updated Zero Waste Plan	Pur and foo coll pilo pro The offe curl con
RECYCLING	**RC.1.0:** Establish baseline and achieve 10% increase in waste reduction and diversion by 2030 (Municipal | Community)	Aim to increase waste diversion by 10% by 2028	40% reduction in recyclable waste landfilled by 2030 and 95% by 2050	Target a residential diversion rate of 30% by 2030	Increase waste diversion from 25% to 30% by 2030	Boost municipal waste diversion to 60% by Fiscal Year 2026	Collaboration with Rumpke for waste and recycling management, recycling bins placed alongside waste bins in most buildings, student-led initiatives and audits to encourage recycling and zero waste.	Increase the City's diversion rate from 49% to 55% by 2020	Not addressed	Increase the residential recycling baseline (8% in 2021)	Reach 90% waste reduction/ diversion by 2050	Rea 90% red div 204
MULTI-MODAL PATHS & TRANSPORTATION	**MT.1.0:** Reduce vehicle miles traveled (VMT) emissions by 20% by 2030 and 30% by 2055	Enhance the number of residents within 0.25 mile of safe bike and pedestrian infrastructure by 50% from 2022 levels by 2030	Implement 3 High Capacity Rapid Transit lines by 2030 and 8 by 2050, with mobility hubs accessible within 1/2 mile for all residents by 2050	Ensure 100% of residents live within a 10-minute walk of a safe and clean park	Improve safety and convenience for walking and biking across Oxford. Commit to increasing walkability and upholding Complete Streets principles and practices	Utilize the Complete Streets framework to identify additional non-motorized transportation routes	Diverse transportation options including bicycles and e-scooters, free BCRTA public transportation for campus and regional access, emphasis on a walkable, residential Oxford campus.	Build an additional 1% of shared-use paths by 2020	5% increase in transit ridership by 2035 and transformed the Old Shull Rd into a trail	Utilize the Complete Streets framework to identify additional non-motorized transportation routes	Enhance cycling and walking infrastructure, expand car-sharing and ride-sharing, improve public transport, increase public green spaces, and add new bike and pedestrian trails	Exp imp wal cyc inte tra acc ide pot are fut emi zon 202
GREEN SPACES	**NGC.1.1:** Preserve, expand and enhance 935 acres of existing publicly managed parks and greenspace.	Maintain a 40% urban tree canopy and expand canopy coverage to 40% in residential areas, 25% in mixed-use/ industrial areas, and 10% in the Central Business District	Increase to 430 accessible green spaces by 2030, 500 by 2050, and ensure all residents have a 10-minute walk access to green spaces by 2050.	Expand the tree canopy to 30% by 2040 and plant 50,000 trees by 2020	Increase the city's urban tree canopy from 35% to 50% by 2050	Focus on maintaining and expanding natural, biodiverse spaces for learning, including gardens, green roofs, and pollinator areas	48% of Miami's campus is designated as forest, with 81% of the land within Miami's 1,000-acre Natural Areas being forest	Add a minimum of 5 native plant areas annually to open space and right-of-ways, add 30 or more certified backyard habitats to the City annually	Not addressed	Aim to increase tree canopy until a 50% goal is reached.	Maintain and preserve existing green spaces that act as carbon sinks and encourage climate-positive recreation and transportation	Not add

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

SECTOR	FAIRFIELD	CINCINNATI	COLUMBUS	CLEVELAND	OXFORD	OHIO UNIVERSITY	MIAMI UNIVERSITY	DUBLIN	HUBER HEIGHTS	DAYTON	OBERLIN	BEX
REDEVELOPMENT & INFRASTRUCTURE	**BCR.3.1.3:** Utilize economic development resources to target and transform commercial areas through beautification, reduced pavement, increased porous surfaces, bike paths, and appropriate landscaping; incorporate green corridors and privately managed pocket parks.	Revitalize 25 contaminated, industrial properties in the Lower Mill Creek Valley neighborhoods by 2028	Set targets for vacant property redevelopment by 2025, ensure 40% of new housing is within 1/4 mile of employment centers by 2030, and increase this to 60% by 2050. Adopt municipal zero carbon design standards by 2025, 4 municipal zero carbon pilot buildings by 2030, adopt zero carbon design standards by 2050	Focus on stormwater control in development projects, plan for efficient vacant land reuse, and enhance retail development and food accessibility	Adopt green building standards, encourage solar-ready constructions, and promote mixed-use development with a focus on infill over expansion	Emphasize sustainable construction practices, aiming to reduce building and campus energy intensity and overall space usage per student	Commitment to LEED silver certification (minimum) for all new building constructions and renovations, transition from steam-based to geothermal or HHV (High Heat Value) systems for heating and cooling through 2026	Update the Zoning Code to encourage sustainable development practices (e.g., Provide energy audits for existing buildings)	Have developed hundreds of new housing units adjacent to transit stops and The Loop by 2035	Install green infrastructure like street rain gardens across the city, focusing on residential areas, to ensure long-term sustainability and protection of the ecological environment.	Adopt Green Building Policy, partner with POWER for energy-saving projects, sustainably develop city properties, create building performance certifications, and establish green building incentives	Dev roa to a net carb buil fron
SOURCE	Fairfield Sustains Draft SAP 2024	Green Cincinnati Plan 2023	2021 Columbus Climate Action Plan	Cleveland Climate Action Plan 2018 and Cleveland's Clean and Equitable Energy Future	Oxford Climate Action Plan 2023	Ohio University Sustainability and Climate Action Plan 2021	Miami 2040: Climate Action Plan for Miami University Draft	2018-2020 Sustainability Framework, in 2024 a new Sustainability Plan will be released	2023 Comprehensive Plan	Resolution 6572-21 and 2021 Strategy for a Sustainable Dayton	Updated 2019 Climate Action Plan	Gre Bex web 201 Was
TOTAL GHG INVENTORY	391,185	7,600,000 MTCO2e	11,005,874 MTCO2e	12,500,000 MTCO2e	118,000 MTCO2e*	130,009 MTCO2e*	80,000 MTCO2e*	536,164 MTCO2e*	N/A	2,119,544 MTCO2e	174,391 MTCO2e	N/A
GHG PER CAPITA	8.798092496	25.36 MTCO2e*	12.23 MTCO2e	x14.41 MTCO2e*	5.10 MTCO2e*	4.35 MTCO2e	4.18 MTCO2e*	10.92 MTCO2e*	N/A	15 MTCO2e	20.9 MTCO2e	N/A

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX E: LIST OF SUSTAINABILITY ACHIEVEMENTS TO DATE

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

The City of Fairfield has already made significant efforts toward a more sustainable community, as referenced throughout this Plan. Fairfield Sustains will further, accelerate, and focus previous and concurrent efforts with a particular concentration on improved quality of life for the residents of Fairfield. The following provides a more complete list of sustainability actions already underway by focus area within the City:

TRANSPORTATION & MOBILITY

- City adopted Fairfield Connects Plan, December 2019 identifying opportunities to improve the walkability and bikeability of Fairfield (20-to-25 plan)
- Established active transportation fund to initiate Fairfield Connects implementation, investing $3M in 2 projects to date
- Actively increasing connectivity to bike trails, parks, multimodal paths
- Initiated municipal zero emission vehicle study in partnership with Miami University in 2023-2024
- Received grants for four community Electric Vehicle charging station
- Received 2017 Ohio Department of transportation (ODOT) Green Roads Award for 2017 based on sustainable road construction practices
- Completed a Feasibility Study for EV infrastructure at city buildings
- Conducted Pleasant Avenue Corridor Study to improve the safety, streetscape quality and function in the area
- Conducted North Route 4 Market Study: gain insights into development trends and the robustness of the local market

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

BUILDINGS & ENERGY

- Launched residential and small commercial energy aggregation initiative, with 50% renewable energy, in 2024
- Achieved 100% renewable energy for all municipal operations through renewable energy credits procurement since January 2021
- Initiated municipal Solar Feasibility Study in partnership with Miami University in 2023-2024
- Conducted internal comprehensive energy audit to identify opportunities for improved efficiencies through such improvements as LED lighting and smart energy management systems
- Actively retrofitting lighting with LEDs in municipal buildings and cobra head street lighting systems
- Actively installing light sensors and timers in municipal buildings
- Installed and actively monitoring smart energy management systems for real-time and remote adjustments to maximize energy efficiency throughout operations
- Worked with UD IAD to identify efficiency improvements for water treatment and wastewater treatment facilities in 2023, and begun appropriate upgrades
- Fairfield-based Cincinnati Financial Corporation received Energy Star certification for its office campus on South Gilmore Road
- Member of Energy Special Improvement District

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 262

12.B.1.c

RESOURCE CONSERVATION

- Established curbside recycling since the 1990s and green-waste (leaf and brush) pickup service since the 1980s
- City contracts with Rumpke as the franchised hauler for residential, multi-family and commercial recycling, and continues to expand diversion programs
- Fairfield partnered with Rumpke to offer a free upgrade to a 65-gallon recycling cart
- City partners with Butler County Recycling and Solid Waste District to provide waste diversion education and outreach
- City offers long-standing leaf and brush organic collection service
- City is currently upgrading to smart water meters to provide real time water usage data and reduce water loss from damage or leaks
- Active member of regional partnerships including Stormwater Collaborative and Hamilton to New Baltimore Groundwater Consortium to protect water quality, including: monitoring sourcing water, testing, protection of source water, through zone coding enforcement, and education
- Utility Billing Office offers complimentary toilet dye tablets to residents, helping them detect leaks within their households.
- Completed several recent utility system infrastructure improvement projects (e.g., Port Union water tower; John Gray Rd. water main replacement; Sewage sludge dewatering facility construction; etc.)
- The Snowbird Program allows residents to have their water service turned off and on without any associated charges
- The Summer Sewer Credit discounts sewer charges for single-family residences when water is not returned to the sewer system

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 263

NATURE & GREEN COMMUNITY

- 935+ acres of green space make parks and open space a core aspect of Fairfield
- Fairfield holds the designation of Tree City USA, it meets 4 standards set by the National Arbor Day Foundation and the National Association of State Foresters
- Village Green Park recent upgrade, including complete playground reconstruction and expansion
- 2014 Parks & Recreation Master Plan supports open space preservation throughout the development process
- Partnership with MetroParks of Butler County provides free nature programs

BUSINESS & COMMUNITY RESILIENCE

- Consistent growth in key economic indicators: income tax revenues, aggregate property & building permit valuation
- Redevelopment Investment: Public (ARPA and TIF) and private investment to redevelop older commercial corridors
- Annual capital budget investment in street maintenance, water distribution & sewer systems
- Substantial decades-long investments in flood damage mitigation projects and FEMA repetitive loss buyouts
- Fairfield Business Roundtable Series is a forum for business to discuss common issues and concerns
- The Fairfield Business Spotlight video series is aimed at engaging the public by showcasing new and expanding businesses
- Development Services Department offers support to new and established business

OTHER ACHIEVEMENTS:

- Consistent Economic Expansion: Sustained 4% annual growth in income tax revenue over a period of 20 years
- FEMA buyout grant (1990s-2000s): city demolished over 40 flood-prone homes and converted to permanent open space
- Modern, user-friendly Planning & Zoning Code

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX F: TECHNICAL ANNEX

(GHG INVENTORY & FORECAST REPORT)

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

EXECUTIVE SUMMARY

INTRODUCTION

The primary objective of this document is to outline the greenhouse gas (GHG) emissions landscape within Fairfield, Ohio, serving as a cornerstone for the 2024 Sustainability Action Plan. This framework aims to chart a course towards minimizing carbon footprints while enhancing the quality of life for the City's inhabitants. It includes a comprehensive GHG inventory that identifies key emission sources across the City, encompassing residential, commercial, and governmental sectors. The inventory differentiates between direct emissions, such as those from fossil fuel use in heating, and indirect emissions, like those associated with electricity consumption from the grid. The significance of this GHG inventory lies in its role in shaping initiatives aimed at emission reduction, focusing on the environmental health of Fairfield during the reference year. The inventory's integrity and thoroughness have been validated by the International Council for Local Environmental Initiatives (ICLEI), affirming its value in guiding evidence-based policy and action.

This inventory looks at emissions through two distinct lenses. The first, the **Community Scale Track**, examines emissions attributed to Fairfield's residents, businesses, nonprofit entities, and industrial activities, excluding local government operations. It further categorizes emissions into residential and commercial energy use, transportation and mobility, waste management, and water treatment. The second perspective, the **Government Track**, examines emissions from municipal buildings, public lighting, government vehicle fleets, and staff commuting practices. This dual-track analysis is grounded in the most reliable data available, resorting to estimations only when specific data points were unattainable. Emission factors were sourced from authoritative entities like the Environmental Protection Agency (EPA) and the U.S. Community Protocol, ensuring the inventory's reflection of actual emission levels in Fairfield. All emissions calculations were conducted in accordance with the U.S. Community Protocols for Greenhouse Gas Accounting, as endorsed by ICLEI. The report includes two appendices: Appendix F.1, listing the raw data collected from various utilities and sources, and Appendix F.2, detailing the methodologies employed in calculating the emission totals.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

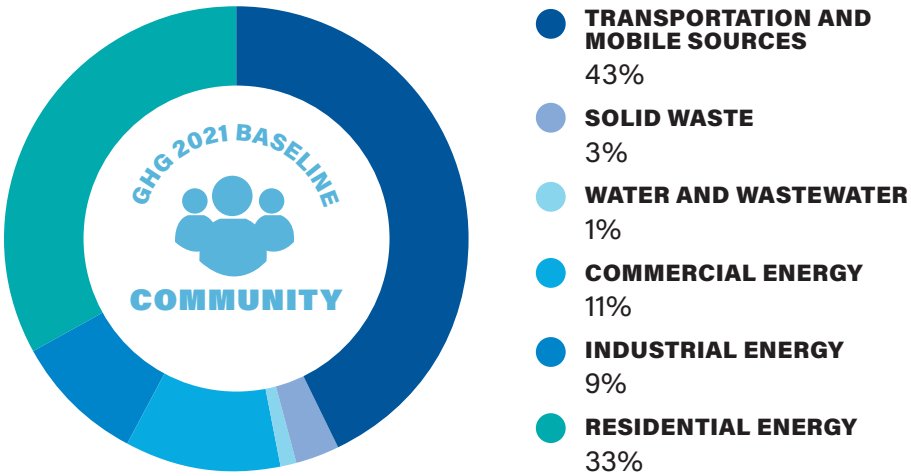
Packet Pg. 266

12.B.1.c

COMMUNITY INVENTORY RESULTS

In 2021, Fairfield's community generated a total carbon footprint of 391,185 metric tons of carbon dioxide equivalent emissions (MT CO2e). The primary source of these emissions, accounting for 43% or 168,125 MT CO2e, originated from the transportation sector, including both vehicular travel and other mobile sources. To better identify opportunities for emissions reduction, energy consumption has been divided into residential, commercial and industrial categories, contributing to 33%, 11%, 9% of the emissions, with 129,836, 34,454 and 42,710 MT CO2e respectively. This includes emissions from both the direct combustion of natural gas and those associated with electricity use. Furthermore, fugitive emissions, which consist of leaks and releases of natural gas use across the community accounted for less than 1% of the total, at precisely 1,775 MT CO2e. Other sources of emissions within the community's assessment include industrial activities, waste management, and the treatment of water and wastewater.

FIGURE F.1: COMMUNITY GREENHOUSE GAS EMISSION (2021)



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

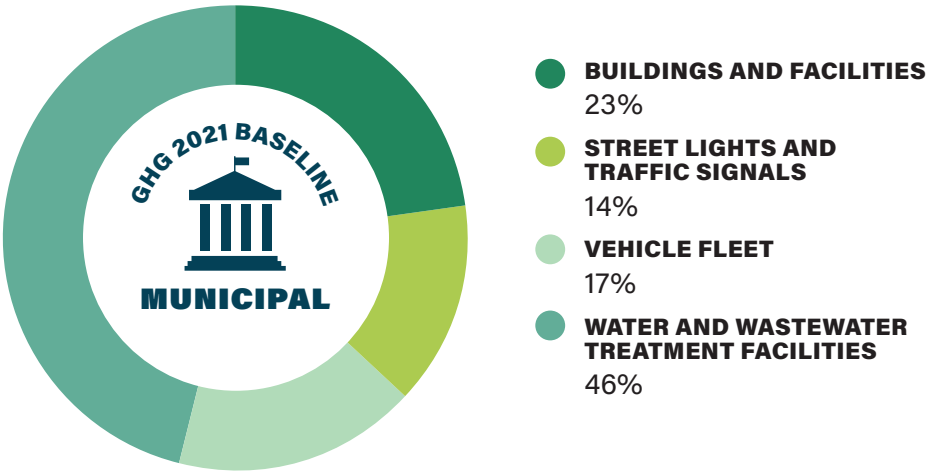
Packet Pg. 267

12.B.1.c

MUNICIPAL INVENTORY RESULTS

The analysis also covered GHG emissions from municipal activities. Operations within the City of Fairfield were found to emit 9,501 MT CO2e. The bulk of these emissions came from water and wastewater processing plants, which accounted for 46% or 4,377 MT CO2e. Buildings and facilities were the next largest contributors, representing 23% or 2,144 MT CO2e. The municipal vehicle fleet also contributed significantly, making up 17% with 1,604 MT CO2e, while street lighting and traffic management systems added another 14% to the emissions, totaling 1,376 MT CO2e.

FIGURE F.2: MUNICIPAL OPERATIONS GREENHOUSE GAS EMISSIONS (2021)



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 268

12.B.1.c

INTRODUCTORY SUMMARY

This inventory followed the U.S. Community Protocol Version 1.2 guidelines developed by ICLEI in July 2019 for this specific GHG accounting exercise. The methodology for estimating emissions followed industry best practices, leveraging data from 2021 collected by the City. These "usage" figures were analyzed to select the most fitting emission factor, facilitating the determination of the total emissions volume. This process was supported by the ICLEI ClearPath tool, a resource aimed at facilitating GHG accounting and strategic management at both community and municipal levels. Emission factors were compiled from 2021 data and information from the federal Environmental Protection Agency GHG Emission Factors Hub[1] and modeled in the ICLEI ClearPath tool.

Accordingly, this report consolidates data from the City and applies GHG modeling to provide a faithful representation of the City's emissions landscape. Moreover, it identifies priority areas for strategic planning and the initiation of programs not only aimed at reducing the City's emissions but also at enhancing the quality of life for its residents and lowering operational expenses.

COMMUNITY AND MUNICIPAL OPERATIONS INVENTORIES

The inventory differentiates between two GHG accounting tracks: **Community** and **Municipal sectors**. For the community sector, the focus is on emissions from individuals and activities within the City of Fairfield's jurisdiction. Required sectors for community GHG inventories are 1) energy consumption in community buildings measured in kilowatt hours and natural gas therms, 2) vehicular emissions calculated from miles traveled within the City, 3) emissions from solid waste disposal, 4) energy usage and gallons of water consumption in water treatment and wastewater management. In contrast, the municipal inventory encompasses emissions resulting from the City of Fairfield government operations and facilities.

Despite municipal emissions forming a small segment of the overall inventory, their significance is underscored by the government's capacity to serve as a model for enhancing quality of life, reducing operational expenses, fostering fiscal efficiency, and motivating action against climate change. The municipal sector's GHG emissions come from several sources, including energy use in municipal buildings, the municipal vehicle fleet, commutes by government employees, streetlights and traffic signals, and management of solid waste.

[1] https://www.epa.gov/climateleadership/ghg-emission-factors-hub

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 269

CALCULATING EMISSIONS

GREENHOUSE GASSES

Local governments are expected to evaluate emissions of the six internationally recognized greenhouse gasses (GHG) under the Kyoto Protocol,[2] namely Carbon dioxide (CO2), Methane (CH4), Nitrous oxide (N2O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulfur hexafluoride (SF6). Each of these greenhouse gasses is reported and converted into metric tons (MT), differentiated by their respective Global Warming Potential (GWP). The GWP is benchmarked on Carbon dioxide's potential, which is set at 1, as it serves as the reference point for the other gasses. Methane, with a GWP of 28, is largely emitted from landfills, wastewater, and natural gas leakage. Nitrous Oxide, with a higher GWP of 265, is primarily associated with energy production and wastewater treatment. Hydrofluorocarbons, having a wide GWP range of 12-11,700, are mainly tied to refrigerant usage. Perfluorocarbons, with a GWP between 6,500-9,200, typically result from manufacturing and production processes. Sulfur Hexafluoride, possessing the highest GWP of 23,900, is principally connected with power transmission and distribution. This inventory primarily uses Carbon, Methane, and Nitrous Oxide to establish the carbon dioxide emission equivalents (CO2e) for all sectors analyzed.[3]

SECTOR ACTIVITY DATA & EMISSIONS FACTORS

The methodology for determining carbon dioxide equivalents (CO2e) involves the use of both activity data and emissions factors. Activity data, when multiplied by the appropriate emissions factors, yields the volume of CO2e emissions. This conversion of activity data into CO2e allows for the comparison between different sectors, thereby providing a basis for further analysis. It also aids in the decision-making process regarding potential strategies for emissions reduction.

[2] https://unfccc.int/resource/docs/convkp/kpeng.pdf

[3] https://icleiusa.org/ghg-protocols/

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

EMISSIONS REPORTING

Emissions are calculated and expressed in terms of carbon dioxide equivalent (CO2e) to facilitate comparisons across different sectors. This detailed approach allows for each sector to be individually reported and evaluated in context with others, presenting a holistic view of the City's emissions landscape. The community-level inventory includes emissions from building energy consumption, transportation, solid waste management, wastewater treatment, and water usage, with building energy further categorized into residential, commercial, and industrial sectors, including electricity, natural gas, and other fuels. Meanwhile, the municipal inventory captures emissions from energy use in buildings, commutes by employees, street lighting and traffic control systems, the municipal vehicle fleet, and solid waste management.

METHODOLOGY

The methodology adopted for this emissions inventory adheres to the best practices outlined in the US Community Protocol, as recommended by the ICLEI ClearPath tool, and is benchmarked against the United States Environmental Protection Agency's GHG Emission Factors, establishing a standard for GHG inventory analysis nationwide. This approach integrates actual usage data (detailed in Appendix F.1) and applies it through the functionalities of the ICLEI ClearPath tool to estimate emissions.[4]

INVENTORY YEAR

The choice of 2021 as the inventory year was strategic, aiming to provide a more typical baseline for greenhouse gas (GHG) emissions in the aftermath of the COVID-19 pandemic, which had profoundly affected emissions across various sectors, particularly travel. Moreover, the Science Based Targets Initiative advises selecting and reporting a base year for which emissions data can be reliably verified, further justifying the choice of 2021 for this inventory.[5]

RESULTS

The following sections detail the findings from the community and municipal operations greenhouse gas inventories, with results organized by sectors. Calculation methodologies for all results are provided in Appendix F.2.

[4] https://icleiusa.org/clearpath/

[5] https://ghgprotocol.org/sites/default/files/standards/ghg-protocol-revised.pdf

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 271

COMMUNITY INVENTORY

In the City of Fairfield, total community carbon emissions were 391,185 MT CO2e. This result included emissions sources from the combustion of fuel for transportation and mobile services, onsite burning of natural gas and electricity procurement of residential, commercial, and industrial sectors. Additionally, emissions associated with the treatment of water and wastewater servicing the City, as well as emissions from solid waste generated within the City, were included in this total.

TABLE F.1: CITY OF FAIRFIELD COMMUNITY INVENTORY BY SECTOR

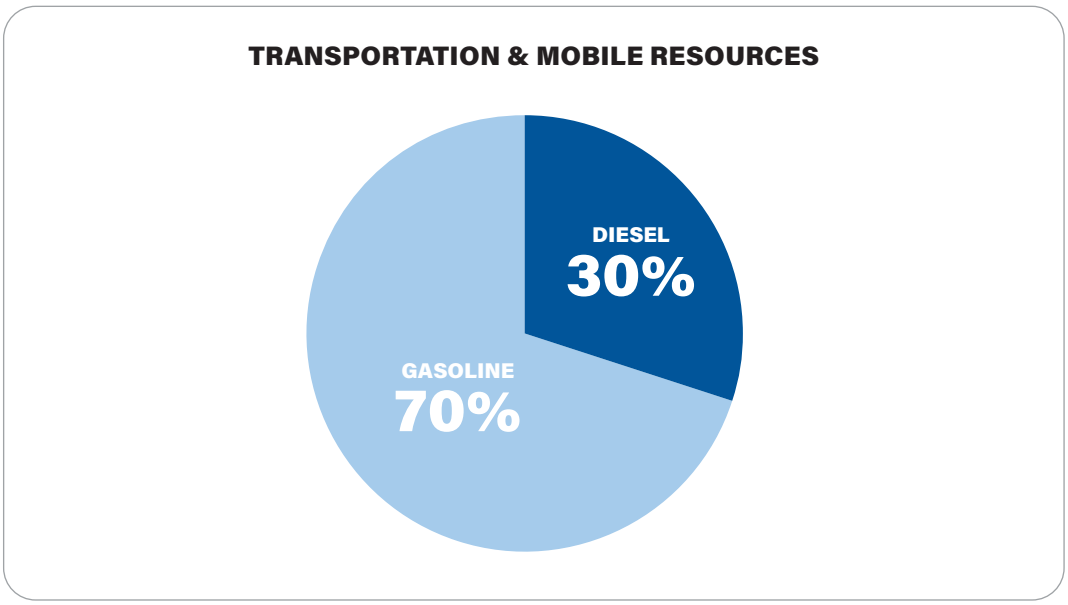
SECTOR	MT CO2e	PERCENTAGE (%)
Transportation & Mobile Sources	168,125	43%
Residential Energy	129,836	33%
Commercial Energy	42,710	11%
Industrial Energy	34,454	9%
Solid Waste	9,824	3%
Water & Wastewater	4,461	1%
Process and Fugitive Emissions	1,1775	<1%
Total	**391,185**	**100%**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TRANSPORTATION & MOBILE SERVICE

In the City of Fairfield, **Transport and Mobile Services** emerged as the main contributor to emissions, with a production of 168,125 MT CO2e. This figure represents 43% of Fairfield's overall emissions. The City's geographic makeup includes rural zones and significant commuter movement, which has resulted in a high reliance on automobiles. This, in turn, has led to an increased volume of Vehicle Miles Traveled (VMT) within Fairfield. The data pertaining to VMT for this analysis, focusing on diesel and gasoline-powered vehicles for the year 2021, was sourced from the Google Environmental Insights Explorer (Google EIE) website specific to Fairfield.

FIGURE F.4: TRANSPORTATION & MOBILE SERVICES EMISSIONS BREAKDOWN



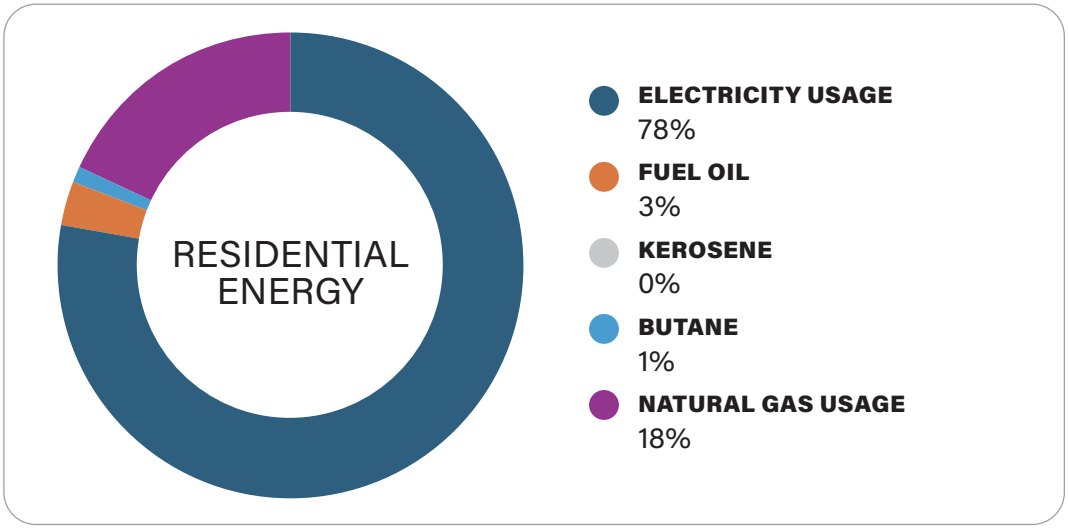
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

RESIDENTIAL ENERGY

Residential Energy has been identified as the second-largest source of energy emissions in the City of Fairfield. This encompasses emissions arising from the consumption of electricity, the burning of natural gas, the use of fuel oil no. 2, as well as the utilization of kerosene and butane. Duke Energy provided the data on electricity and natural gas consumption for the residential sector in the City of Fairfield. In total, energy consumption in homes accounted for 129,836 MT CO2e emissions stemming from electricity and natural gas use, making up 33% of the City's total emissions according to the community's emissions inventory. Of that total, emissions attributed to electricity was 100,818 MT CO2e, natural gas contributed 24,159 MT CO2e, distillate fuel oil no. 2 resulted in 3,574 MT CO2e, butane generated 1,143 MT CO2 and kerosene summed 141 MT CO2e.

FIGURE F.5: RESIDENTIAL ENERGY EMISSIONS BREAKDOWN



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

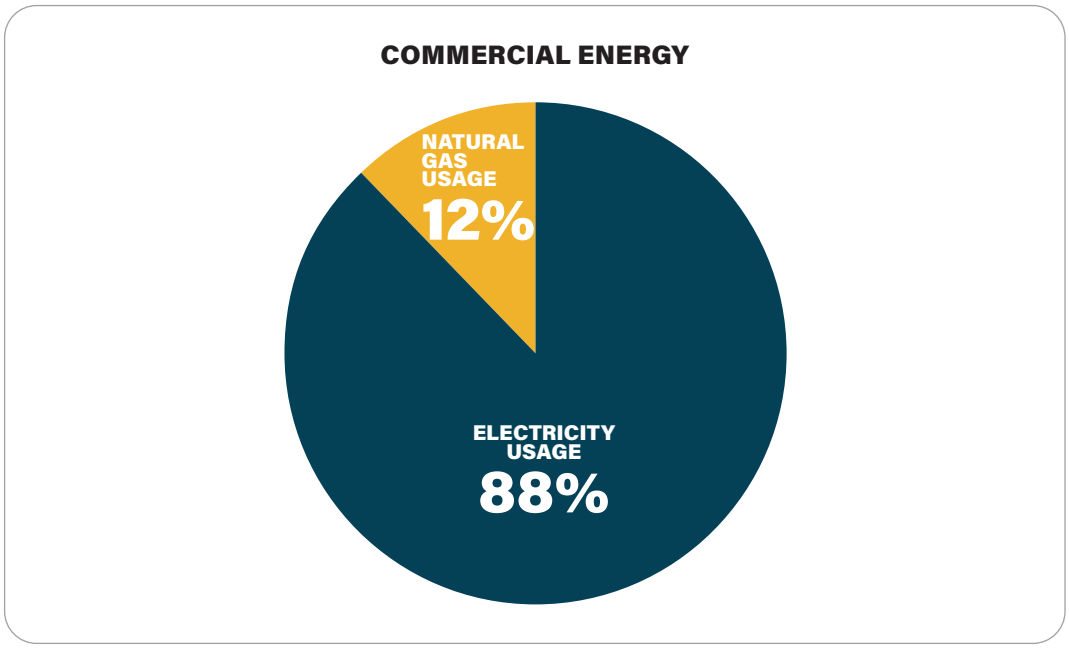
Packet Pg. 274

12.B.1.c

COMMERCIAL ENERGY

In Fairfield, **Commercial Energy** emerged as the third largest contributor to energy-related emissions, generating 42,710 MT CO2e. Duke Energy also supplied the data regarding the consumption of commercial electricity and natural gas. Within this sector, electricity usage reached 37,626 MT CO2e and natural gas usage generated 5,083 MT CO2e. Consequently, emissions from commercial energy represented 11% of Fairfield's overall community emissions.

FIGURE F.6: COMMERCIAL ENERGY EMISSIONS BREAKDOWN



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

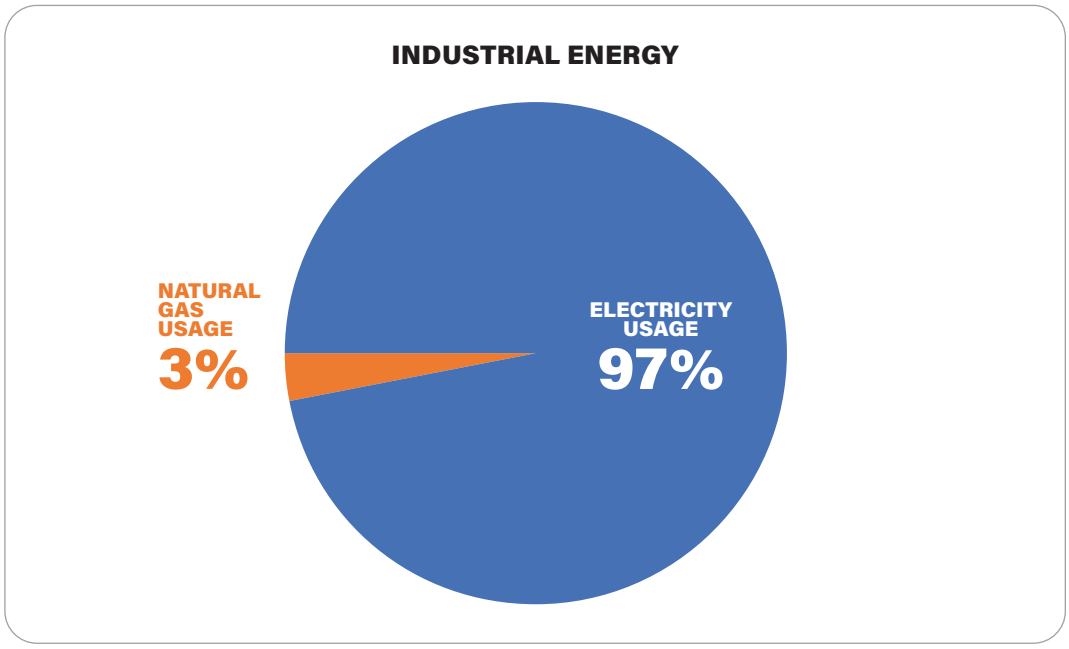
Packet Pg. 275

12.B.1.c

INDUSTRIAL ENERGY

Industrial Energy ranked as the third highest contributor to emissions within the City, emitting a total of 34,454 MT CO2e. Duke Energy supplied information on the consumption of electricity and natural gas within the industrial sector, too. According to this data, electricity usage amounted to 33,434 MT CO2e, while natural gas usage corresponded to 1,020 MT CO2e. Consequently, energy usage in the industrial sector accounted for 9% of Fairfield's overall community emissions.

FIGURE F.7: INDUSTRIAL ENERGY EMISSIONS BREAKDOWN



SOLID WASTE

Emissions linked to **Solid Waste** emanated from estimated methane emissions due to the decomposition of solid waste outside of the City's jurisdiction. These estimates were based on data collected from Rumpke Waste & Recycling services for residential solid waste collection. The disposal of solid waste accounted for 3% of Fairfield City's total emissions, totaling 9,824 MT CO2e.

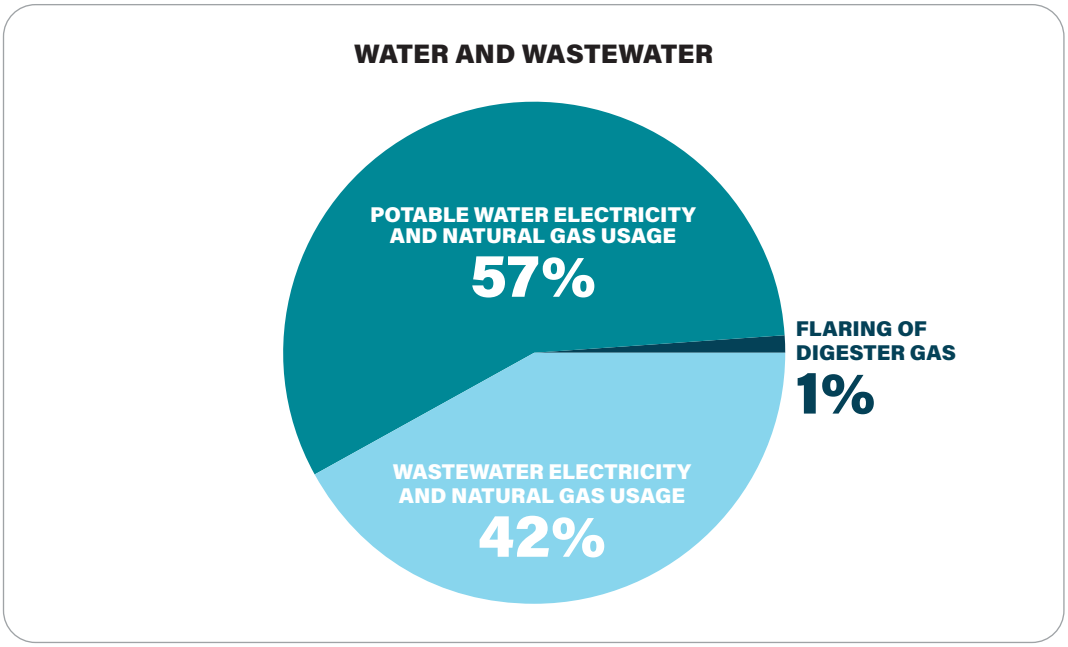
Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 276

WATER & WASTEWATER

The City of Fairfield provides **Water and Wastewater** services and it supplied all relevant data. The total emissions generated from water and sewage services reached 4,461 MT CO2e, representing 1% of the City's overall emissions. The primary source of these emissions stems from the electricity utilized in the water and sewage treatment processes, which is accounted for in the Commercial Energy sector's figures. Overall, potable water distribution corresponds to 1,868 MT CO2e, while wastewater treatment generates 2,536 MT CO2e. Digester gas produced at the wastewater treatment plant was assumed to consist of 65% methane by volume, with a flaring efficiency of 99%, resulting in a total of 56 MT CO2e.

FIGURE F.8: WATER & WASTEWATER EMISSIONS BREAKDOWN



PROCESSES & FUGITIVE EMISSIONS

Emissions categorized as fugitive - unintentional leaks or escapes of gasses during the transport or handling of materials such as natural gas - accounted for less than one percent of the City's overall emissions, totaling approximately 1,775 MT CO2e. These **Processes and Fugitive emissions** take place at different points, including production, processing, storage, transmission, and distribution phases.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MUNICIPAL INVENTORY

The next sections provide a comprehensive analysis of the municipal GHG emissions within the City of Fairfield. The emissions from local government operations encompass several sectors: the vehicle fleet, buildings and facilities, streetlights and traffic signals, employee commuting, solid waste facilities, and fugitive emissions. In 2021, activities related to the City's municipal functions resulted in a total of 9,501 MT CO2e, accounting for approximately 2% of the City's overall emissions.

TABLE F.2: CITY OF FAIRFIELD MUNICIPAL INVENTORY BY SECTOR

SECTOR	MT CO2e	PERCENTAGE (%)
Water and Wastewater	4,461	47%
Buildings and Facilities	2,144	23%
Vehicle Fleet	1,604	17%
Streetlights and Traffic Signals	1,376	14%
Total	**9,585**	**100%**

WATER & WASTEWATER

The City of Fairfield provides **Water and Wastewater** services and it supplied all relevant data. The total emissions generated from water and sewage services reached 4,461 MT CO2e, representing 47% of the total emissions from government operations. The primary source of these emissions stems from the electricity utilized in the water and sewage treatment processes, which is accounted for in the Commercial Energy sector's figures. Overall, potable water distribution corresponds to 1,868 MT CO2e, while wastewater treatment generates 2,536 MT CO2e. Digester gas produced at the wastewater treatment plant was assumed to consist of 65% methane by volume, with a flaring efficiency of 99%, resulting in a total of 56 MT CO2e.

BUILDING & FACILITIES

City of Fairfield's government-owned and operated **Buildings and Facilities** contribute 23% of the total emissions in the Municipal Inventory and a total of 2,144 MT CO2e. The main contributors to this emission total are the use of electricity, in addition to the burning of natural gas. Specifically, the electricity consumed by these governmental facilities totaled 3,034 MWh, while natural gas usage reached 13,077 MMBtu.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

VEHICLE & TRANSIT FLEET

The City's Vehicle and Transit fleet account for 17% of overall emissions, resulting in the production of 1,604 MT CO2e. These emissions primarily stem from the fuel consumption of the 296 vehicles in the City's fleet. This assessment specifically focuses on on-road vehicles, hence landscape equipment has not been included in this emissions calculation.

STREET LIGHTS & TRAFFIC SIGNALS

The energy consumption of Street Lights and Traffic Signals plays a significant role in the municipality's emissions. The collected data on their energy usage represents 14% of the City's total emissions, amounting to 1,376 MT CO2e.

CONCLUSION

In 2021, the City of Fairfield, Ohio, generated a total of 391,128 MT C02e. The most significant contributors to this total were transportation sources, accounting for 43% of the total. Residential energy came in second, constituting 33% of the emissions. Commercial Energy at 11% was the next substantial contributor, followed by Industrial Energy at 9% with all other sources relatively minor in comparison.

As for the emissions attributable to City of Fairfield's Municipal Operations, four primary areas were prominent: Water & Wastewater Treatment Facilities, Buildings, Vehicle Fleet, and Street Lights, responsible for 47%, 23%, 17%, and 14% of the total emissions, respectively. Looking ahead, Fairfield is determined to lead by example in Ohio, aiming to enhance the quality of life for its citizens by actively working to reduce greenhouse gas emissions.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 279

12.B.1.c

APPENDIX F.1: ATTACHED USE DATA

TABLE F.1.1: COMMUNITY INVENTORY DATA SOURCES

ACTIVITY	UNIT	DATA	SOURCE
Duke Residential Electricity	kWh	211,184,721	Duke Energy 2021
Duke Commercial Electricity	kWh	78,817,410	Duke Energy 2021
Duke Industrial Electricity	kWh	70,034,796	Duke Energy 2021
Residential Natural Gas	MMBtu	454,239	Duke Energy 2021
Commercial Natural Gas	MMBtu	95,586	Duke Energy 2021
Industrial Natural Gas	MMBtu	19,230	Duke Energy 2021
Residential Fuel Oil No. 2	MMBtu	48,000	
Residential Kerosene	MMBtu	1,870	
Residential Butane	MMBtu	17,400	
Process & Fugitive Emissions		3%	Calculated using ICLEI ClearPath's industry standard percentage.
Gasoline and Diesel Transportation	VMT	327,182,679	Google EIE
Solid Waste	Tons	15,041	Rumpke Estimates 2018
Water Electricity	kWh	5,132,600	Duke Energy 2021
Water Natural Gas	MMBtu	1,630	Duke Energy 2021
Wastewater Electricity	kWh	3,813,400	Duke Energy 2021
Wastewater Natural Gas	MMBtu	894	Duke Energy 2021
Volume of Water Delivered	millions gallons/year	2,072,000,000	2021 City of Fairfield
Volume of Water Treated	millions gallons/year	1,943,256,000	2021 City of Fairfield
Digester Gas Flared	scf/day	45,030	Calculated using ICLEI ClearPath's industry standard percentage.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 280

APPENDIX F.1: ATTACHED USE DATA

TABLE F.1.2: MUNICIPAL INVENTORY DATA SOURCES

ACTIVITY	UNIT	DATA	SOURCE
Buildings and Facilities Electricity	kWh	3,034,834	Duke Energy 2021
Buildings and Facilities Natural Gas	MMBtu	13,077	Duke Energy 2021
Streetlights and Traffic Signals	kWh	2,884,152	Duke Energy 2021
Vehicle Fleet, Gasoline	Gallons	105,625	2021 City of Fairfield Usage: 3,168,750 (VMT)
Vehicle Fleet, Diesel	Gallons	66,311	2021 City of Fairfield Usage: 1,326,220 (VMT)
Water Electricity	kWh	5,132,600	Duke Energy 2021
Water Natural Gas	MMBtu	1,630	Duke Energy 2021
Wastewater Electricity	kWh	3,813,400	Duke Energy 2021
Volume of Water Delivered	millions gallons/year	2,072,000,000	2021 City of Fairfield
Volume of Water Treated	millions gallons/year	1,943,256,000	2021 City of Fairfield
Digester Gas Flared	scf/day	45,030	Calculated using ICLEI ClearPath's industry standard percentage.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX F.2: DETAILED METHODOLOGY

COMMUNITY INVENTORY

ELECTRICITY

The electricity consumption figures for the residential, commercial, and industrial sectors for the year 2021 were provided by Duke Energy. The methodology for calculating emissions involved the multiplication of electricity consumption figures by the emissions factor applicable to the area of electricity production. The emissions factors for local jurisdictions were supplied by ICLEI: Local Governments for Sustainability, utilizing data from the EPA Emissions Hub, corresponding to the RFC West (RFCW) eGRID for the year 2021. The emission factors used were as follows: for CO2, 1,046 CO2 lbs/MWh; for CH4, 95 CH4 lbs/GWh; and for N2O, 14 N2O lbs/GWh.

NATURAL GAS

The natural gas usage for the residential, commercial, and industrial sectors for the year 2021 were provided by Duke Energy. The calculation of natural gas emissions involves multiplying the usage data by an emission factor provided by the US Community Protocol BE.1.1.[6] The respective emission factors are 53.02 kg/MMBtu for CO2, 0.005 kg/MMBtu for CH4, and 1 xE-4 for N2O.

[6] U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions Appendix C: Built Environment Emission Activities and Sources

Packet Pg. 282

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

APPENDIX F.2: DETAILED METHODOLOGY

FUEL OIL NO. 2, KEROSENE AND BUTANE

The data for these categories is derived from the United States Census Bureau's data[7] and the methodologies utilized by the US Community Protocol.[8] The Census Bureau monitors the usage of residential non-utility fuels on a statewide basis. To ascertain the fuel usage share in Fairfield, the analysis involved comparing the count of households within the City utilizing each fuel variety against the aggregate count of households across the state engaged in the use of that specific type of fuel. Statewide, 276,027 households use bottled, tank, or LP gas (assumed here as butane), and 92,792 use fuel oil, kerosene, or similar fuels (assumed here as fuel oil no. 2 and kerosene). In Fairfield, 249 households use bottled, tank, or LP gas, and 544 use fuel oil, kerosene, or similar fuels. The proportion of households in Fairfield using bottled, tank, or LP gas is 0.01354, while the proportion using fuel oil, kerosene, etc., is 0.0295. To calculate the City's share of energy consumption, we multiply these proportions by the statewide energy use. According to data from the US Energy Information Administration[9] Ohio consumes 38.6 trillion Btu of Hydrocarbon Gas Liquids (HGL, which includes LPG) and 284.6 trillion Btu of Fuel Oil No. 2. After converting these figures from trillion Btu to MMBtu and applying Fairfield's proportions, we estimate that the City's consumption of LPG is 17,400 MMBtu and its consumption of Fuel Oil No. 2 is 48,000 MMBtu. These estimates are calculated to carbon equivalencies using the US Community Protocol in ICLEI, applying emission factors of 73.96 kg/MMBtu for CO2, 0.01087 kg/MMBtu for CH4, and 0.00072464 kg/MMBtu for N2O.

[7] https://data.census.gov

[8] U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions Appendix C: Built Environment Emission Activities and Sources

[9] https://www.eia.gov/state/search/

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 283

APPENDIX F.2: DETAILED METHODOLOGY

TRANSPORTATION & MOBILE SERVICES

Transportation emissions in the City of Fairfield were calculated using the vehicle miles traveled (VMT) in 2021 available in the Google Environmental Insights Explorer. The emissions factors are sourced from the US Community Protocol[10] as follows:

TABLE F.2.1: TRANSPORTATION & MOBILE SERVICES EMISSIONS FACTORS

CO_2 Emissions Factor	0.07024
CO_2 Emissions Factor Units	MT/MMBtu
Biogenic CO_2 Emissions Factor	0.068414
Biogenic CO_2 Emissions Factor Units	MT/MMBtu
CH_4 Emissions Factor	1.9493×10^{-8}
CH_4 Emissions Factor Units	MT/mile
N_2O Emissions Factor	1.0608×10^{-8}
N_2O Emissions Factor Units	MT/mile

[10] U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions Appendix D: Transportation and Other Mobile Emission Activities and Sources

Packet Pg. 284

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX F.2: DETAILED METHODOLOGY

SOLID WASTE

Estimates of solid waste for Fairfield are obtained from Rumpke Waste & Recycling services, outside of Fairfield's jurisdiction, with its landfill situated in Cincinnati. Approximately 15,041 tons of residential solid trash are collected in Fairfield, and methane capture occurs at the landfill. The service does not handle the collection of separately sorted yard trimmings or compost in Fairfield; these tasks are managed by the City itself. The commercial and industrial sectors contract waste management facilities directly to meet their requirements, which complicates the City's efforts to monitor their emissions. The following are the specific emission factors: Mixed MSW Emission Factor (MT CH4/wet short ton) 0.0648, Newspaper Emission Factor (MT CH4/wet short ton) 0.042, Office Paper Emission Factor (MT CH4/wet short ton) 0.1556, Corrugated Cardboard Emission Factor (MT CH4/wet short ton) 0.1048, Magazines/Third Class Mail Emission Factor (MT CH4/wet short ton) 0.0476, Food Scraps Emission Factor (MT CH4/wet short ton) 0.0648, Grass Emission Factor (MT CH4/wet short ton) 0.0228, Leaves Emission Factor (MT CH4/wet short ton) 0.026, Branches Emission Factor (MT CH4/wet short ton) 0.058. The calculation methodology was adopted from the US Community Protocol.[11]

WATER AND WASTEWATER

Electricity is consumed by both drinking water and sewage systems, with the associated emissions determined as described earlier. Moreover, the process of treating wastewater employs natural gas, and the emissions from this usage are estimated using the methods previously mentioned. Emissions resulting from the flaring of digester gas are also considered in this inventory, factors from the US Community Protocols WW.1.A, WW2.A, and WW.3. Specifically, the CH4 Emissions Factor in this case is 1.2177 x10-7 MT CH4/scf and the annual digester gas flared is 1.6436 x10-7 scf/year.

[11] U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions Appendix E: Solid Waste Emission Activities and Sources

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX F.2: DETAILED METHODOLOGY

MUNICIPAL INVENTORY

A summary of data elements measured and collection sources by sector is presented in the following table.

TABLE F.2.2: MUNICIPAL INVENTORY DATA ELEMENT AND COLLECTION SOURCES BY SECTOR

SECTOR	WHAT IS MEASURED?	HOW DATA IS COLLECTED
Buildings and Facilities	Total amount of electricity (kWh) used for all Government Buildings	2021 Records from Duke Energy
Streetlights and Traffic Signals	Total electricity (kWh)used by all streetlights and traffic lights	2021 Records from Duke Energy
Vehicle and Transit Fleet	VMT, total gas used, or amount spent on gas	Data was provided by each department that manages a vehicle fleet, including Parks, Public Utilities, Police, Fire, and Public Work Departments
Water and Wastewater	Total amount of electricity (kWh) used in the water and wastewater facilities as well as the number of people served	2021 Records from Duke Energy

BUILDING & FACILITIES

Fairfield's buildings and facilities were calculated using usage data obtained from the government's tracking documents and utility data.

STREETLIGHTS AND TRAFFIC SIGNALS

Fairfield's streetlights and traffic signals were calculated using usage data obtained from the government's tracking documents and utility data. Utility bills from Duke Energy for 2021 were collected and analyzed specifically for streetlights and traffic signals.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX F.2: DETAILED METHODOLOGY

VEHICLE FLEET

Fuel usage for the City of Fairfield's vehicle fleet was supplied by the City and calculated using the US Community Protocol.[12] The annual miles traveled and annual fuel usage are tracked and multiplied by emission factors from ICLEI. These include a CO2 Emissions Factor of 0.070264 MT/MMBtu, a Biogenic CO2 Emissions Factor of 0 MT/MMBtu, a CH4 Emissions Factor of 2.153 x10-8 MT/vehicle mile, a Biofuel CH4 Emissions Factor of 0 MT/vehicle mile, a N2O Emissions Factor of 1.248 x10-8 MT/vehicle mile, and a Biofuel N2O Emissions Factor of 0 MT/vehicle mile.

WATER AND WASTEWATER

Emissions from water and wastewater are determined using the methodology outlined for this sector in the Community Inventory section.

[12] U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions Appendix E: Solid Waste Emission Activities and Sources

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX G: IMPLEMENTATION FRAMEWORK

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MOBILITY & TRANSPORTATION

* costs estimates encompass total anticipated implementation cost unless otherwise specified in chart
** Implementation Timeline: Short = 0-5 years; Medium = 5-15 years; Long term = 15 plus years
*** Cost: Low ≤ $50,000; Medium = $50,000-$500,000; High ≥ $500,000

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
MT.1.1: Create a more walkable, bikeable, transit-friendly City through robust implementation of Fairfield Connects by 2055.	**MT.1.1.1:** Continue dedicated Active Transportation Fund to invest in strategic infrastructure development, smart growth, education, incentives, and connectivity enhancements in line with Plan objectives.	**Number of new multi-use paths, sidewalks, shared roads and bike lanes**	**Up to 369,960 MTCO2e saved (cumulative reductions until 2030)** **Up to 1,815,740 MTCO2e saved (cumulative reductions from 2030 to 2055)**	**Long term**	**Public Works**	**High**	**In Progress**
	MT.1.1.2: Seize funding opportunities by proactively pursuing federal, state, local grant and related opportunities by monitoring and applying for relevant grants as outlined in Plan, and as new funding opportunities are available.			**Long term**		**High**	**In Progress**
	MT.1.1.3: Implement multi-use paths, bike lanes, shared lanes and sidewalk enhancements outlined in Fairfield Connects. Continue to integrate new paths with existing green spaces to create a more pleasant and natural walking and biking experience.			**Long term**		**High**	**In Progress**
	MT.1.1.4: Enhance safe bike and pedestrian infrastructure, aiming for an increase in residents within 0.2 mile of such facilities by 2030, adopting best practices in urban design and safety.			**Medium term**		**High**	**In Progress**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MOBILITY & TRANSPORTATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
MT.1.2: Promote and reduce barriers to adoption of active and public transportation opportunities.	**MT.1.2.1:** Leverage City's membership in Butler County Regional Transportation Authority (BCRTA) to advocate for and invest in improved transit connectivity to, from and within Fairfield by 2030, which may include but are not limited to: enhanced transit routes, schedule frequencies, micro-transit options, tools to ease use, lighting/safety features, shade, connectivity to bike routes, strategic park and ride locations, and other transit-friendly and last mile amenities.	**% of VMT reduction**	*Quantified Above*	**Medium term**	**Development Services**	**Medium**	**Not started**
	MT.1.2.2: Launch a targeted marketing campaign to promote greenway trails and multi-modal transit lanes, leveraging local events, developing educational programs and partnering with BCRTA, OKI or other regional entities.			**Short term**		**Low**	**Not started**
	MT.1.2.3: Continue to improve walkability along Route 4 by replicating successful features from Pleasant Avenue, such as safe pedestrian crossings and aesthetic enhancements.			**Long term**		**High**	**In Progress**
	MT.1.2.4: Continue construction of multimodal paths around Marsh Park to accommodate pedestrians, cyclists, and other non-motorized transport modes.			**Medium term**		**High**	**In Progress**
	MT.1.2.5: Increase community bike racks and amenities along multi-modal paths. Encourage businesses to install bike racks or active commuter amenities in key commercial zones.			**Medium term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MOBILITY & TRANSPORTATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
MT.1.3: Convert 20% of non-emergency City fleet to electric vehicles (EVs), hybrid or clean fuels by 2030 and 100% by 2055.	**MT.1.3.1:** Develop a Zero Emission Vehicle (ZEV) Plan for 100% Municipal Fleet by 2055 including right sizing, replacement schedule, costs, infrastructure needs, optimal charging locations, and funding opportunities.	**% of non-emergency City fleet that is EVs, hybrid, or clean fuel**	*Quantified Above*	**Long term**	**Public Works**	**Low**	**In Progress**
	MT.1.3.2: Ensure all newly acquired vehicles for city use are aligned with the ZEV Plan by incorporating policy into new Environmentally Preferable Purchasing Policy (EPPP). Establish annual targets to transition fleet to achieve 100% EVs, hybrids, or clean fuels by 2055 target.			**Long term**		**High**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MOBILITY & TRANSPORTATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
MT.1.4: Proactively support community EV expansion and readiness.	**MT.1.4.1:** Update building codes and zoning requirements to encourage and facilitate EV readiness or pre-wiring in new construction. Explore waiving permit fees for EV charging infrastructure installations in existing buildings to encourage adoption.	**Number of charging stations**	*Quantified Above*	**Short term**	**Development Services** **Public Works**	**Low**	**Not started**
	MT.1.4.2: Coordinate installation of 10 City & Community charging stations by 2030 through federal, regional and local funding. Continuously seek grants for the expansion of EV charging infrastructure. Strategically install EV charging stations near commercial areas and amenities to support local business utilization during charging and encourage EV adoption. Combine with educational promotion and buy local campaign.			**Short term**		**Medium**	**In Progress**
	MT.1.4.3: Consider partnering with EV charging infrastructure businesses to encourage installation of Level 2/3 charging banks at strategic locations and along travel corridors.			**Medium term**		**Low**	**Not started**
	MT.1.4.4: Create an information hub to educate residents and businesses on available EV incentives, rebates, charging information, and other resources to accelerate EV adoption.			**Short term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

MOBILITY & TRANSPORTATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
MT.1.5: Electrify specialty vehicle, off-road tools, equipment, and machinery in municipal operations	**MT.1.5.1:** Conduct a study to assess and set targets including replacement schedule for specialty and off-road vehicles, tools, and machinery by 2030.	**% of electrified equipments used in municipal operations**	*Quantified Above*	**Short term**	**Public Works** **Parks** **Public Utilities**	**Low**	**Not started**
	MT.1.5.2: Eliminate off-road emissions in municipal operations by 2055 by adopting a planned replacement and purchase policy for all specialty vehicles, tools, equipment and machinery, integrated into broader municipal Environmentally Preferable Purchasing Policy (EPPP).			**Long term**		**High**	**Not started**
	MT.1.5.3: Provide employee education, training and technical assistance to drive behavior change.			**Short term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
PROCUREMENT							
E1.1: Leverage energy aggregation procurement for residential and small commercial community energy use to achieve 50% carbon-free energy procurement by 2024 and 100% by 2035	**E.1.1.1:** Implement Energy Aggregation initiative for residential and small commercial customers by 2024 and achieve 50% renewable energy power procurement by 2024, initiating the shift towards greener, more affordable energy solutions.	**kWh derived from renewables**	*Quantified Above*	**Short term**	**Public Utilities** **Finance**	**Low**	**In Progress**
	E.1.1.2: Explore long-term (e.g. 10, 15, 20-year) power purchase agreements beginning in 2027 procurement cycle to secure low-cost and stable renewable and carbon-free power pricing and reduce risk against future anticipated price increases with growing demand.			**Long term**		**Low**	**Not started**
	E.1.1.3: Increase renewable energy procurement options by 2027 to include minimum 50% renewable energy standard + optional 100% renewable, wind, or carbon-free offering for customers, which could be available at a small premium for customers interested in supporting a higher sustainability option.			**Short term**		**Low**	**Not started**
	E.1.1.4: Reach 100% renewable, wind, or carbon-free power procurement by 2035, fulfilling our promise for a fully sustainable and economically advantageous energy supply.			**Medium term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
PROCUREMENT							
E.1.2: Procure 100% renewable energy for all municipal operations	**E.1.2.1:** Continue Renewable Energy Credit (REC) purchasing to achieve 100% renewable energy for all municipal operations through 2024. Renew REC procurement agreement to continue 100% renewable energy for all municipal operations by 2025.	**kWh derived from renewables**	**Up to 392,019 MTCO2e saved (cumulative reductions until 2025)** **Up to 4,503,977 MTCO2e saved (cumulative reductions from 2030 to 2055)**	**Short term**	**Public Utilities**	**Low**	**In Progress**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
RENEWABLE ENERGY							
E.2.1: Increase local on-site renewable energy in municipal operations by 2030	**E.2.1.1:** Demonstrate leadership in sustainable energy through on-site renewable energy production and potential battery storage for increased rate stability, emergency preparedness and peak shaving.	**Number of projects completed**	*Quantified Above*	**Medium term**	**Public Utilities** **Public Works** **Parks**	**High**	**Not started**
	E.2.1.2: Conduct a Municipal Solar Feasibility Study by 2026 to evaluate the potential and practicality of installing solar panels on municipally owned or operated buildings, parks, facilities, and other suitable properties to include such considerations as: sizing potential, feasible rooftop, ground-mounted, parking or other installation approaches, battery integration potential, capital costs, rate per kWh, tax rebates, payback periods, self-owning pay-back periods, etc.	**Study completed**		**Short term**		**Low**	**In Progress**
	E.2.1.3: Install on-site solar photovoltaic systems (combined with battery storage) at municipally owned or operated buildings, facilities, parks or suitable properties as identified in Solar Feasibility Study. Set short, mid and long-term installation targets for 2055 and monitor progress.	**Number of projects completed; kWh from solar energy**		**Long term**		**High**	**Not started**
	E.2.1.4: Actively monitor grant and funding sources and seek opportunities to partner with regional agencies, non-profits or others to respond to and secure available opportunities.	**Dollar amount secured**		**Medium term**		**Low**	**In Progress**
	E.2.1.5: Prioritize integrated systems installation with parks, parking, and facilities to support onsite energy use and charging of EV vehicles, golf carts and other building and equipment.	**Number of integrated systems installed**		**Medium term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
RENEWABLE ENERGY							
E.2.2: Encourage local community solar installation among community residents and businesses	**E.2.2.1:** Leverage OKI Solar Ready Program, including solar siting surveys, to guide promotion and adoption of solar for residents and businesses within Fairfield. Increase community solar capacity at strategic locations and among partners or regional agencies.	**kWh from solar energy**	*Quantified Above*	**Short term**	**Public Utilities** **Development Services**	**Low**	**Not started**
	E.2.2.2: Update building codes and zoning requirements to encourage and facilitate solar installations. Implement streamlined permitting process for solar installations. Explore waiving permit fees for solar installation projects to encourage and accelerate community solar adoption.	**Code updated, buildings completed**		**Short term**		**Low**	**Not started**
	E.2.2.3: Strategically utilize economic development funding to incentivize adoption of energy efficiency and renewable installation projects in the industrial and commercial sectors. Establish an annual fund and establish annual targets for business participation.	**Number of energy efficiency and renewable projects completed**		**Medium term**		**Low**	**Not started**
	E.2.2.4: Educate community on state and federal tax credits, rebates, and other incentive programs to remove barriers to solar energy adoption. Create an information hub with information on programs, service providers and financing options including but not limited to PACE for commercial businesses and ESIP resources.	**Number of program participants**		**Short term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
ENERGY EFFICIENCY & CONSERVATION							
E.3.1: Continue and enhance existing municipal energy efficiency program	**E.3.1.1:** Implement results of internal comprehensive energy audit to increase efficient operations at all municipal facilities. Update energy audit every 5 years or as needed.	**Number of projects completed from the energy audits**	*Quantified Above*	**Medium term**	**Public Utilities** **Public Works**	**Medium**	**In Progress**
	E.3.1.2: Prioritize window replacements in Municipal Building and Annex for energy efficiency gains in older municipal building stock.			**Medium term**		**Medium**	**Not started**
	E.3.1.3: Replace Justice Center low efficiency non-condensing boilers to high-efficiency condensing models, increasing efficiency from an estimated 70% to 95% efficiency.			**Medium term**		**Medium**	**Not started**
	E.3.1.4: Continue and expand energy savings retrofits and installations including LED lighting, as well as light sensors, timers, and smart thermostats based on occupancy patterns in all applicable areas in municipal buildings, parks and facilities.			**Medium term**		**Low**	**In Progress**
	E.3.1.5: Continue to utilize and improve smart energy management systems for real-time and remote adjustments. Regularly review data to refine energy management. Continue to regularly upgrade energy management systems for peak performance.			**Medium term**		**Low**	**In Progress**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
ENERGY EFFICIENCY & CONSERVATION							
E.3.2: Increase energy conservation initiatives in municipal operations	**E.3.2.1:** Prioritize energy efficiency installations across all municipal buildings, parks and facilities during upgrades, renovations, remodeling or other improvements.	**Number of energy efficiency installations**	*Quantified Above*	**Medium term**	**Public Utilities** **Parks** **Public Works**	**Medium**	**Not started**
	E.3.2.2: Implement ongoing employee conservation policies, and promote awareness through education and training.	**# policies** **# trainings**		**Medium term**		**Medium**	**Not started**
	E.3.2.3: When preparing for replacements of major building equipment, conduct an analysis of highest energy efficiency equipment models and systems, and consider equipment electrification (HVACs, boilers, heaters) to achieve further reduced emissions, if appropriate. Consider opportunities for planned early retirement and replacement to accelerate emissions reductions through the City's Five Year Capital Improvement Plan.	**Study completed**		**Medium term**		**Medium**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
ENERGY EFFICIENCY & CONSERVATION							
E.3.3: Decrease energy usage in street lighting by 50% by 2030	**E.3.3.1:** Upgrade all cobra head street lights and traffic signals to LED or other energy-efficient technologies. Accelerate end of life replacement of post head streetlights to LED or more efficient technologies. Seek partnerships and funding to accelerate adoption.	**Number of energy efficiency installations completed**	*Quantified Above*	**Medium term**	**Public Works**	**Medium**	**In Progress**
	E.3.3.2: Implement smart lighting and traffic control systems in appropriate areas to shift timing or adjust brightness based on traffic and pedestrian patterns to optimize energy use.			**Medium term**		**Medium**	**In Progress**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
ENERGY EFFICIENCY & CONSERVATION							
E.3.4: Increase wastewater treatment efficiency through strategic installation of improved systems	**E.3.4.1:** Install and optimize economizers to use outdoor air cooling by 2025 (University of Dayton (UD) Industrial Assessment Center (IAC) recommendation)	**Number of energy efficiency installations completed**	*Quantified Above*	**Short term**	**Public Utilities**	**Low**	**In Progress**
	E.3.4.2: Upgrade Aeration System 1 with Fine Bubble Diffusers by 2025. (UD IAC recommendation)			**Short term**		**High**	**In Progress**
	E.3.4.3: Install VFDs on all appropriate high surface pumps and optimize operation (UD IAC recommendation)			**Medium term**		**Medium**	**In Progress**
	E.3.4.4: Continue current biogas capture and reutilization efforts. Monitor systems and conduct regular upgrades to maintain peak performance.	**Amount of biogas captured**		**Medium term**		**Low**	**In Progress**
	E.3.4.5: Increase methane recapture energy program to reduce on-site flaring and improve air quality. Conduct an updated feasibility study on methane recapture to reduce seasonal summer flaring and increase heat or power utilization or energy sale to grid, including cost-benefit analysis, energy output, payback periods, tax rebates.	**Amount of methane captured**		**Medium term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

12.B.1.c

BUILDINGS & ENERGY

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
ENERGY EFFICIENCY & CONSERVATION							
E.3.5: Be a conduit for resources to encourage, liaise and facilitate adoption of renewables and energy efficiency community-wide.	**E.3.5.1:** Offer energy audit and technical assistance services to businesses and residents in targeted community sectors. Set annual targets for participants enrolled. Launch commercial program targeting City's largest commercial or industrial energy users beginning with the City's strong industrial base. Expand to additional sectors through 2055.	**Percentage or number of residential, commercial, or industrial users registering for and executing energy audits**	*Quantified Above*	**Long term**	**Public Utilities** **Development Services**	**Medium**	**Not started**
	E.3.5.2: Develop education and awareness programs to streamline and promote available energy conservation and renewable adoption programs, services, technical assistance and financial assistance programs, incentives, rebates and tax benefits.			**Long term**		**Low**	**Not started**
	E.3.5.3: Seek and establish partnerships with local or regional service providers offering services in the energy or sustainability sector. Establish, promote and regularly update list of service providers or other resources for businesses and residents.			**Long term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 302

RESOURCE CONSERVATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
SOLID WASTE STRATEGIES							
RC.1.1: Advance Sustainable Waste Management Planning	**RC.1.1.1:** Increase the City's understanding of current waste stream by conducting an up to date City specific Waste Characterization Study (WCS), partnering with Butler County Solid Waste District (BCSWD) as appropriate. Assess current recycling (diversion) rate to inform future planning and monitoring. Obtain detailed data on various material types and generation amounts to guide programmatic development. Use WCS to inform a comprehensive Waste Diversion Plan.	**Completed Waste Composition Study**	**Up to 5,898 MTCO2e saved (cumulative reductions until 2030)**	**Short term**	**Development Services** **Public Works** **Environmental Commission**	**Low**	**Not started**
	RC.1.1.2: Adopt a community-wide waste reduction and diversion rate goal by 2027 to track progress and foster collective action towards waste reduction, recycling and other diversion efforts. (Use WCS data to inform goal setting)	**% of waste reduction or diversion**		**Short term**		**Low**	**Not started**
	RC.1.1.3: Use WCS data to inform and complete a comprehensive recycling & waste reduction plan (Waste Diversion Plan) to include programmatic design for all waste stream generation sectors.	**Completed Waste Diversion Plan**		**Short term**		**Medium**	**Not started**
	RC.1.1.4: Conduct periodic audits of City and hauler green waste, recycling and other waste diversion programs to identify opportunities for increased participation, reduced contamination and/or address other barriers to current diversion programs.	**% of waste diversion**		**Medium term**		**Medium**	**Not started**
	RC.1.1.5: Increase recycling outreach, technical assistance and incentives efforts to educate the community about waste reduction, recycling and other diversion requirements and reduce barriers to participation.	**# programs** **# engagements** **# businesses** **# stakeholders**		**Medium term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
SOLID WASTE STRATEGIES							
RC.1.2: Enhance current organics collection services to increase diversion of compostable materials.	**RC.1.2.1:** Launch pilot food-scrap composting program with residents and businesses by 2026.	**Program launched; # participants; # tons diverted**	*Quantified Above*	**Short term**	**Development Services** **Public Works** **Parks** **Environmental Commission**	**Medium**	**Not started**
	RC.1.2.2: Explore food scrap (organics) collection program expansion utilizing learning from pilot program. Combine with organics collection & composting feasibility study to consider current and needed infrastructure, separated or integrated yard waste organics systems, inclusion of biodegradable single-use materials and pilot composting collection program results.	**Study complete**		**Medium term**		**Medium**	**Not started**
	RC.1.2.3: Consider expanding and launching comprehensive organics collection for residents/businesses based on pilot and study results.	**Study complete**		**Medium term**		**Medium**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
SOLID WASTE STRATEGIES							
RC.1.3: Increase diversion from City's existing recycling and diversion collection programs.	**RC.1.3.1:** Continue City's recycling collection service with franchised hauler. Expand and enhance recycling and diversion collection offerings over time in collection agreements with hauler and BCSWD.	**% or # tons of waste diverted**	*Quantified Above*	**Medium term**	**Public Works** **Environmental Commission** **Development Services**	**Low**	**In Progress**
	RC.1.3.2: Continue City's greenwaste and leaf collection program for residents and businesses.	**% or # tons of waste diverted**		**Medium term**		**Low**	**In Progress**
	RC.1.3.3: Promote increased participation in City's recycling, greenwaste and leaf collection program for residents and businesses.	**% or # tons of waste diverted**		**Medium term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
SOLID WASTE STRATEGIES							
RC1.4: Advance Targeted Waste Management Solutions	**RC.1.4.1:** Develop service-specific recycling education, outreach and technical assistance programs and incentives: (e.g. Business | Residential | Multi-family)	**Programs launched; # participants; # tons diverted**	*Quantified Above*	**Medium term**	**Development Services** **Public Works** **Parks** **Environmental Commission**	**Medium**	**Not started**
	RC.1.4.2: Develop sector-specific recycling education, outreach and technical assistance programs and incentives: (e.g. schools, restaurants, hotels, groceries, industry, special events, venues, etc.)	**Programs launched; # participants; # tons diverted**		**Short term**		**Medium**	**Not started**
	RC.1.4.3: Develop material-specific recycling programming for hard to recycle items based on WCS (e.g. carpet, solar panels, paint, fuel canisters, etc.). Promote and expand special collection events, drop-off facilities, and.or pick-up services (including bulky item pick-up days, Household Hazardous Waste (HHW) drop-off, E-waste collection, paint, batteries, etc.)	**Programs launched; # participants; # tons diverted**		**Short term**		**Medium**	**In Progress**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
SOLID WASTE STRATEGIES							
RC.1.5: Utilize Policy to Accelerate Waste Reduction	**RC.1.5.1:** Develop and adopt an Environmentally Preferable Purchasing Policy (EPPP) for municipal operations to maximize source reduction, prioritize energy-efficient equipment and reduce mobile source emissions. Develop internal purchasing tools and educational materials including preferred product and vendor lists and staff training to support EPPP procurement of items across departments for both every day and occasional purchasing.	**Policy adoption; $ invested; # units purchased**	*Quantified Above*	**Medium term**	**Development Services** **Public Works** **Parks** **Finance**	**Low**	**Not started**
	RC.1.5.2: Utilize waste management agreements to set diversion targets and expand education & outreach requirements. Leverage Butler County Solid Waste District to enhance education and outreach services.	**annual diversion rate** **annual outreach summary**		**Medium term**		**Low**	**Not started**
	RC.1.5.3: Develop special event and meeting sustainability protocols to include recycling and composting bins, source reduction, and guidance on use of disposable materials.	**protocol developed** **# events implemented** **# venues implemented**		**Medium term**		**Low**	**Not started**
	RC.1.5.4: Consider the adoption of a waste diversion equal space ordinance for renovations and new construction to reduce service barriers and encourage increased participation in available commercial and multifamily recycling and/or organics collection services.	**ordinance adoption** **# facilities implemented**		**Short Term**		**Low**	**Not started**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

RESOURCE CONSERVATION

STRATEGIES	ACTION STEPS	PERFORMANCE INDICATOR (KPIs)	EMISSIONS IMPACT	IMPLEMENTATION TIMELINE	LEAD DEPARTMENT	COST LO • MED • HI	PROGRESS TO DATE
WATER/WASTEWATER STRATEGIES							
RC.2.1. Demonstrate and Expand Water Efficiency Community Wide and in Municipal Operations	**RC.2.1.1:** Promote water-efficient fixtures and equipment within municipal departments, commercial and residential sectors. Regularly review and upgrade to newer water-saving technologies.	**Number of water-efficient fixtures installed**	**Up to 2,890 MTCO2e saved (cummulative reductions until 2055)**	**Medium term**	**Public Utilities** **Development Services** **Public Works** **Parks** **Environmental Commission**	**Medium**	**Not started**
	RC.2.1.2: Conduct periodic audits of the City facilities to identify water-saving and energy-saving opportunities.	**Gallons of water or energy (kWh/therms) units saved**		**Medium term**		**Low**	**Not started**
	RC.2.1.3: Install demonstration projects at City facilities and parks, combined with educational programming.	**Projects completed**		**Medium term**		**Low**	**Not started**
	RC.2.1.4: Maintain and expand the network of water refill stations across the city to reduce reliance on single-use bottled water and provide convenient access to clean drinking water.	**Number of water refill stations installed**		**Medium term**		**Medium**	**Not started**
	RC.2.1.5: Enhance smart water metering practices (e.g., installation of smart meters, sub-meters for tenant-occupied spaces) to enable monitoring and evaluation of consumption patterns. Install 80% smart meters by 2025.	**Gallons of water or energy (kWh/therms) units saved**		**Medium term**		**Low**	**In Progress**

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX H: PRIORITIZATION MATRIX

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FOCUS AREA	STRATEGIES	GHG REDUCTION POTENTIAL	COST	INCREASE OPERATIONAL EFFICIENCY	REDUCES OPERATIONAL COSTS	FUNDING AVAILABLE	INTERNAL CAPACITY/ SUPPORT	QUALITY OF LIFE	SCORE	PRIORITY SCORE
		(HIGH/ MEDIUM/ LOW)			(YES/ NO)		(HIGH/ MEDIUM/ LOW)			
Mobility & Transportation	MT.1.1: Create a more walkable, bikeable, transit-friendly City through robust implementation of Fairfield Connects by 2055.	High	High	High	Yes	Yes	High	High	6.00	1
Mobility & Transportation	MT.1.2: Promote and reduce barriers to adoption of active and public transportation opportunities.	Medium	Medium	Low	No	No	Low	Medium	1.50	3
Mobility & Transportation	MT.1.3: Convert 20% of non-emergency City fleet to electric vehicles (EVs), hybrid or clean fuels by 2030 and 100% by 2055.	High	Medium	Medium	Yes	Yes	Medium	Low	4.50	2
Mobility & Transportation	MT.1.4: Proactively support community EV expansion and readiness.	High	Low	Medium	No	Yes	Low	High	4.50	2
Mobility & Transportation	MT.1.5: Electrify specialty vehicle, off-road tools, equipment, and machinery in municipal operations	Low	Low	Medium	Yes	No	Medium	Low	3.00	3

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FOCUS AREA	STRATEGIES	GHG REDUCTION POTENTIAL	COST	INCREASE OPERATIONAL EFFICIENCY	REDUCES OPERATIONAL COSTS	FUNDING AVAILABLE	INTERNAL CAPACITY/ SUPPORT	QUALITY OF LIFE	SCORE	PRIORITY SCORE
		(HIGH/ MEDIUM/ LOW)			(YES/ NO)		(HIGH/ MEDIUM/ LOW)			
Buildings & Energy	E1.1: Leverage energy aggregation procurement for residential and small commercial community energy use to achieve 50% carbon-free energy procurement by 2025 and 100% by 2035	High	Low	High	Yes	No	High	High	6.00	1
Buildings & Energy	E.1.2: Procure 100% renewable energy for all municipal operations	High	Low	High	No	No	High	High	5.00	2
Buildings & Energy	E.2.1: Increase local on-site renewable energy in municipal operations by 2030	High	High	High	Yes	Yes	High	High	6.00	1
Buildings & Energy	E.2.2: Encourage local community solar installation among community residents and businesses	High	Medium	Medium	Yes	Yes	Low	High	5.00	2

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FOCUS AREA	STRATEGIES	GHG REDUCTION POTENTIAL	COST	INCREASE OPERATIONAL EFFICIENCY	REDUCES OPERATIONAL COSTS	FUNDING AVAILABLE	INTERNAL CAPACITY/ SUPPORT	QUALITY OF LIFE	SCORE	PRIORIT SCORE
		(HIGH/ MEDIUM/ LOW)			(YES/ NO)		(HIGH/ MEDIUM/ LOW)			
Buildings & Energy	E.3.1: Continue and enhance existing municipal energy efficiency program	Medium	Medium	High	Yes	Yes	High	Low	5.00	2
Buildings & Energy	E.3.2: Increase energy conservation initiatives in municipal operations	Low	Low	High	Yes	No	High	Low	4.00	3
Buildings & Energy	E.3.3: Decrease energy usage in street lighting by 50% by 2030	Medium	Low	High	Yes	Yes	High	Low	5.50	2
Buildings & Energy	E.3.4: Increase wastewater treatment efficiency through strategic installation of improved systems	Low	High	High	Yes	No	High	Medium	3.50	3
Buildings & Energy	E.3.5: Be a conduit for resources to encourage, liaise and facilitate adoption of renewables and energy efficiency community-wide.	Medium	Medium	High	No	Yes	Medium	High	4.50	2

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FOCUS AREA	STRATEGIES	GHG REDUCTION POTENTIAL	COST	INCREASE OPERATIONAL EFFICIENCY	REDUCES OPERATIONAL COSTS	FUNDING AVAILABLE	INTERNAL CAPACITY/ SUPPORT	QUALITY OF LIFE	SCORE	PRIORITY SCORE
		(HIGH/ MEDIUM/ LOW)			(YES/ NO)		(HIGH/ MEDIUM/ LOW)			
Resource Conservation	RC.1.1: Advance Sustainable Waste Management Planning	Medium	Medium	High	Yes	No	Low	Medium	3.50	3
Resource Conservation	RC.1.2: Enhance current organics collection services to increase diversion of compostable materials.	Medium	Medium	High	No	Yes	Low	Medium	3.50	3
Resource Conservation	RC.1.3: Increase diversion from City's existing recycling and diversion collection programs.	Medium	Low	Medium	Yes	Yes	High	High	6.00	1
Resource Conservation	RC1.4: Advance Targeted Waste Management Solutions	Medium	Low	Medium	No	Yes	High	Medium	4.50	2
Resource Conservation	RC.1.5: Utilize Policy to Accelerate Waste Reduction	Low	Low	High	No	No	High	Medium	3.50	3
Resource Conservation	RC.2.1. Demonstrate & Expand Water Efficiency Community Wide and in Municipal Operations	Low	Low	High	No	Yes	High	High	5.00	2

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FOCUS AREA	STRATEGIES	GHG REDUCTION POTENTIAL	COST	INCREASE OPERATIONAL EFFICIENCY	REDUCES OPERATIONAL COSTS	FUNDING AVAILABLE	INTERNAL CAPACITY/ SUPPORT	QUALITY OF LIFE	SCORE	PRIORITY SCORE
		(HIGH/ MEDIUM/ LOW)			(YES/ NO)		(HIGH/ MEDIUM/ LOW)			
Nature & Green Community	NGC.1.1: Preserve, expand and enhance 935 acres of existing publicly managed parks and greenspace.	Low	Low	High	Yes	Yes	High	High	6.00	1
Nature & Green Community	NGC.1.2: Demonstrate Leadership in Sustainability by Modeling Best Practices in City Operations by 2030	Low	Low	High	No	Yes	Medium	High	4.50	2

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

FOCUS AREA	STRATEGIES	GHG REDUCTION POTENTIAL	COST	INCREASE OPERATIONAL EFFICIENCY	REDUCES OPERATIONAL COSTS	FUNDING AVAILABLE	INTERNAL CAPACITY/ SUPPORT	QUALITY OF LIFE	SCORE	PRIORITY SCORE
		(HIGH/ MEDIUM/ LOW)			(YES/ NO)		(HIGH/ MEDIUM/ LOW)			
Business & Community Resilience	BCR.1.1: Actively Lead by Example in City Operations to Demonstrate Sustainable Practices.	Low	Low	Medium	No	Yes	High	High	4.50	2
Business & Community Resilience	BCR.1.2: Actively Encourage Sustainability Practice Adoption Among Residents & Businesses By Removing Barriers to Participation.	Medium	Medium	Low	No	Yes	Low	High	3.00	3
Business & Community Resilience	BCR.2.1: Ensure appropriate City resourcing to achieve sustainability action plan goals.	High	Medium	High	No	Yes	Medium	High	5.00	2
Business & Community Resilience	BCR.3.1: Promote Business Resilience through Sustainability Practice Adoption	Medium	Low	Medium	No	No	Medium	High	3.50	3
Business & Community Resilience	BCR.3.2: Promote Community Resilience Adaptation & Preparedness	Low	Medium	Medium	No	Yes	Medium	High	3.50	3

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX I: FUNDING OPPORTUNITIES & PROGRAMS

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
GOVERNMENT PROGRAMS	
FEDERAL PROGRAMS	**Inflation Reduction Act (IRA)** provides a variety of programs including Clean Energy Tax Credits in the form of Investment Tax credits or Production Tax credits. ▪ "Investment Tax Credits—dollar-for-dollar credits to offset expenses—for investments in renewable energy projects and the build out of manufacturing facilities to produce parts and materials for clean energy projects and clean vehicles." ▪ "Production tax credits provide a rebate based on the amount of a relevant product made by an entity. One example is a rebate per kilowatt of electricity produced by a renewable source. These can also apply to manufacturing—a production tax credit would provide a certain amount for each blade or solar panel component produced." ▪ Projects that begin construction after 2021 and before 2025 can receive the full tax credit of 30%; for public institutions the credit may be available as a cash payment. IRA includes funding for over 120 new and existing programs, including but are not limited to: **Energy Investment Tax Credit (ITC) Extension (Sec 13102)** ▪ Investment tax credits for clean energy deployment, including onshore and offshore wind, solar, geothermal, battery storage, and pumped-storage hydro. - Funding level:$13.9 Billion Base Credit: 6% of Project Cost; Bonus Credit: 30% of Project Cost if prevailing wage and registered apprenticeship requirements are met - Administered by: Internal Revenue Service (IRS) - Funding Mechanism: Investment Tax Credit. Direct pay available for tax exempt entity (must meet domestic content requirements to receive direct pay, phased in 2024-2026) - Timeline: FY22 - FY25 **Clean Energy Production Tax Credit (PTC) Extension (Sec. 13101)** ▪ Production tax credits for clean energy deployment, including solar, offshore and onshore wind, and geothermal to receive a tax credit for the production of electricity based on kilowatt-hour of power produced. - Funding level: $51 Billion Base Credit: 0.05 cents per kWh, increased for inflation since 1992 Bonus Credit: .25 cents per kWh if prevailing wage and registered apprenticeship requirements are met, increased for inflation since 1992** - Administered by: IRS - Funding Mechanism: Production Tax Credit Direct pay available for tax exempt entity (must meet domestic content requirements to receive direct pay, phased in 2024-2026) - Timeline: FY22 - FY25

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
FEDERAL PROGRAMS	**Commercial Clean Vehicle Tax Credit (Sec. 13403)** ▪ Accelerates the deployment of clean vehicles for commercial and other fleets. - Funding level: $3.6 Billion Tax credit of 15% of the vehicle cost (30% for a pure EV), but not more than the incremental cost of above what a comparable powered solely by gasoline or diesel would cost - Administered by: IRS - Funding Mechanism: Consumer Tax Credit - Timeline: Jan 1, 2022-Dec 31, 2032 - Eligible entities: Commercial uses **Alternative Fueling Property Credit (Sec. 13404)** ▪ Provides a tax credit of up to $100,000 per property for the installation of EV charging or alternative fueling infrastructure for ethanol, natural gas, compressed natural gas, liquefied natural gas, liquefied petroleum gas or hydrogen. - Funding level: $1.7 Billion. The base tax credit is 6%, but it increases to 30% if the wage and apprentice requirements are satisfied - Administered by: IRS - Funding Mechanism: Consumer Tax Credit - Timeline: Jan 1, 2022-Dec 31, 2032 - Eligible entities: Commercial uses **Clean Energy Production Tax Credit (PTC) Technology Neutral (Sec. 13701)** ▪ PTC for energy projects with net zero carbon emissions. This credit will go into effect for new projects placed in service in 2025 through sometime in the 2030s. This credit is not limited to a particular clean energy technology, but rather any technology that does not contribute carbon emissions. - Funding level: $11.2 Billion Base Credit: 0.05 cents per kWh, increased for inflation since 1992 Bonus Credit: 0.25 cents per kWh if prevailing wage and registered apprenticeship requirements are met, increased for inflation since 1992** - Administered by: IRS - Funding Mechanism: Production Tax Credit Direct pay available for tax exempt entity (must meet domestic content requirements to receive direct pay, phased in 2024-2026) - Timeline: FY22 - FY35 - This credit begins to phase out in 2034, reducing 25% annually, until 2035 at which point it phases out all together. Further, the credit remains available if U.S. annual greenhouse gas emissions have reduced by 75% by the time the credit phases out.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
FEDERAL PROGRAMS	**Clean Energy ITC Technology Neutral (Sec. 13702)** ▪ Investment tax credit for energy deployment for projects with net zero carbon emissions. This credit will go into effect for new projects placed in 2025 through sometime in the 2030s. This credit is not limited to a particular clean energy technology, but rather any technology that does not contribute carbon emissions. - Funding level: $50.8 Billion Base Credit: 6% of Project Cost; Bonus Credit: 30% of Project Cost if prevailing wage and registered apprenticeship requirements are met - Administered by: IRS - Funding Mechanism: Investment Tax Credit. Direct pay available for tax exempt entity (must meet domestic content requirements to receive direct pay, phased in 2024-2026) - Timeline: FY22 - FY35 - This credit begins to phase out in 2034, reducing 25% annually, until 2035 at which point it phases out all together. Further, the credit remains available if U.S. annual greenhouse gas emissions have reduced by 75% by the time the credit phases out. **Title 17 Innovative Clean Energy Loan Guarantee Program (Sec. 50141)** ▪ Provides an additional $40 billion of loan authority for clean energy projects eligible for loan guarantees under section 1703 of the Energy Policy Act of 2005. - Funding level: $40 Billion - Administered by: Department of Transportation (DOT) - Funding Mechanism: Loans - Timeline: FY22-FY26 - Eligible entities: Developers, utilities, nonprofits **Clean Heavy-Duty Vehicle Program (Sec. 60101)** ▪ To provide funding to offset the costs of replacing heavy-duty Class 6 and 7 commercial vehicles with zero-emission vehicles; deploying infrastructure needed to charge, fuel, or maintain these zero-emission vehicles; and developing and training the necessary workforce. - Funding Level: 1 Billion - Administered by: Environmental Protection Agency (EPA) - Funding Mechanism: Competitive grants and rebates - Timeline: To remain available until September 30, 2031 - Eligible entities: (1) a state; (2) a municipality; (3) an Indian Tribe; (4) a nonprofit school transportation association. - Program covers up to 100 percent of costs for (1) incremental cost of replacing an existing heavy-duty vehicle with a zero-emission vehicle; (2) purchasing and operating associated infrastructure; (3) workforce development and training; (4) planning and technical activities

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
FEDERAL PROGRAMS	**Greenhouse Gas Reduction Fund - Solar for All Program (Sec. 60103)** ▪ To provide up to 60 grants to States, Tribal governments, municipalities, and nonprofits to expand the number of low-income and disadvantaged communities that are primed for residential and community solar investment—enabling millions of families to access affordable, resilient, and clean solar energy. - Funding level: $7 Billion - Administered by: EPA - Funding Mechanism: Competitive grants - Timeline: To remain available until September 30, 2024. EPA will open applications for funding for this program in summer 2023. - Eligible entities: States, municipalities, Tribal governments, and "eligible recipients" are eligible for the $7 billion for low-income and disadvantaged communities. - Grantees will use grant funds to expand existing low-income solar programs or design and deploy new Solar for All programs. **Methane Emissions Reduction Program (Sec. 60113)** ▪ To provide financial and technical assistance to accelerate the reduction of methane and other greenhouse gas emissions from petroleum and natural gas systems. The statute also establishes a waste emissions charge for applicable facilities that report more than 25,000 metric tons of CO2 equivalent per year (to the petroleum and natural gas systems source category of the Greenhouse Gas Reporting Program) and that exceed statutorily specified waste emissions thresholds. - Funding level: $1.55 Billion - Administered by: DOT - Funding Mechanism: Grants, rebates, contracts, and other activities - Timeline: To remain available until September 30, 2028 - Eligible entities: States, Counties, Cities/Townships, Special Districts, Territories, Indian Tribes, Public Higher Education Institutions, Private Higher Education Institutions, Nonprofits with 501(c)(3) status, Nonprofits without 501(c)(3) status, Small Businesses, Businesses (other than small businesses), and Individuals.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
FEDERAL PROGRAMS	**Neighborhood Access and Equity Grant Program (Sec. 60501)** ▪ Awards grants to state and local governments to improve community walkability and connectivity through the removal, retrofitting, or replacement of roads and highways. - Funding level:$1.893 Billion - Administered by: DOT - Funding Mechanism: Competitive Grants - Timeline: FY22-FY26 - Eligible entities: States and Territories, Tribes, Units of Local Government, Political Subdivisions of a State, MPOs, Special Purpose Districts and Public Authorities with a Transportation Function, Nonprofits and Higher Ed in partnership with any of the above - $1.262 Billion reserved for projects including those serving DACs, those with CBAs, and those with anti-displacement policies or community land trusts **Additional Federal Programs include but are not limited to:** ▪ DOT Surface Transportation Block Grant Program: Funding for public road, pedestrian, bicycle infrastructure, and transit capital projects. ▪ DOT Transportation Alternatives Program: Funding for pedestrian/bicycle facilities, safe routes to schools, and other related projects ▪ DOT RAISE grants: Funding available for surface transportation projects like roads, rail, transit, and ports that align with national goals. For FY24, $1.5 billion is allocated to support projects with substantial local or regional effects. ▪ Charging and Fueling Infrastructure (CFI) Grant Program: Funding for deployment of publicly accessible electric vehicle charging infrastructure and other alternative fueling infrastructure. ▪ Safe Routes to Schools: Safe Routes to Schools is an international movement focused on increasing the number of children who walk or bike to school by funding projects that remove barriers to doing so. These barriers include a lack of infrastructure and non-infrastructure projects, safety, and limited programs that promote walking and bicycling. In Ohio, $5 million is awarded annually to fund the State's implementation of this program. ▪ Federal Transit Authority (FTA) Grants for Buses and Bus Facilities Program: Capital funding to replace, rehabilitate, and purchase buses and bus-related equipment.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
FEDERAL PROGRAMS	▪ Diesel Emissions Reduction Act (DERA) Program: Grants and rebates to reduce harmful emissions from diesel engines ($115 million for FY 22-23). ▪ U.S. Department of Energy (DOE): DOE provides grants and other financial incentives to local governments for renewable energy installations and alternative fuel vehicles and fueling infrastructure. ▪ WaterSense: Voluntary partnership program sponsored by the U.S. Environmental Protection Agency, is both a label for water-efficient products and a resource for helping residents and businesses save water. ▪ Energy Efficiency and Conservation Block Grant Program (EECBG): Funding for local governments for energy efficiency and conservation projects. ▪ Weatherization Assistance Program (WAP): Provides funding to increase the energy efficiency of homes. Typically, up to $6,500 per home. ▪ Low Income Home Energy Assistance Program (LIHEAP): Federal program administered by the U.S. Department of Health and Human Services that provides assistance to eligible low-income households to manage and meet their immediate home heating and/or cooling needs. Provides assistance to low-income households to help pay for energy bills and weatherization improvements. ▪ 179D Tax Deduction for Energy Efficiency: Section 179D of the U.S. tax code offers a deduction to owners or designers of commercial buildings for implementing energy-efficient upgrades. Eligible entities can claim up to $1.88 per square foot for improvements in lighting, HVAC systems, and building insulation, including windows. ▪ Solar Energy System Tax credits: Tax credits for solar water heaters and PV systems for residents or businesses. Receive 30% of the total solar system costs as a federal tax credit. ▪ FEMA Pre-Disaster Mitigation Program: Offers grants for long-term hazard and climate event risk reduction projects, aimed at decreasing future federal disaster recovery reliance. Eligible projects include generator installation at vital facilities and various mitigation construction efforts.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
STATE PROGRAMS (OH)	National Electric Vehicle Infrastructure (NEVI) funding through the Bipartisan Infrastructure Law (BIL): Ohio has secured $140 million for a five-year deployment plan, with around $20.7 million earmarked for FY22 and an estimated total allocation reaching $140 million by 2026. The NEVI Plan outlines Ohio's strategy for establishing public charging infrastructure along Federal Highway Administration (FHWA) Designated EV Alternative Fuel Corridors (AFCs). Appalachian Hydrogen Hub: The Regional Clean Hydrogen Hubs initiative allocates up to $7 billion towards establishing hydrogen hubs, which is part of a broader $8 billion initiative funded through the BIL. This program is geared towards expanding hydrogen production, processing, delivery, storage, and utilization. Ohio is set to receive funding as part of the Appalachian Hydrogen Hub. VW Mitigation Grants: Ohio EPA grants for replacing or repowering eligible on- and off-road vehicles and equipment, such as Class 4-8 trucks, school buses, shuttles, public transit buses, and freight switcher locomotives. These grants are funded through Ohio's portion of an Environmental Mitigation Trust Fund, which originated from Volkswagen's settlement with the U.S. EPA due to Clean Air Act violations. Transportation Alternatives Program (TAP): Provides funding for a wide range of transportation projects. These include both on- and off-road facilities for pedestrians and cyclists, improvements to infrastructure to enhance access to public transportation for non-drivers, and initiatives aimed at promoting greater mobility. Furthermore, TAP supports community development projects, environmental mitigation efforts, the development of recreational trails, and initiatives to ensure safe routes to educational institutions. Ohio Net Metering Program: Facilitates billing arrangements enabling customers generating their own electricity to receive credits on their electric utility bills for surplus energy produced, capped at 120% of their energy generation. Under the current program, all electric utilities are mandated to provide a standard net metering tariff to customers generating electricity through renewable or alternative methods. Ohio Property Assessed Cleaning Energy (PACE) Financing Program: Connects property owners with capital providers and contractors and offers fixed-rate PACE loans. PACE financing relies on special assessments to repay and secure upfront funding for energy efficiency or creation improvements, and can result in improved financing terms (e.g., lower interest rates). Ohio Community Reinvestment Area Program: Provides property tax exemptions for property owners who renovate existing or construct new buildings.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
STATE PROGRAMS (OH)	The Recycling and Litter Prevention Grant Program: Offers up to $200,000 for projects that initiate or expand recycling programs, encourage sustainable practices, and support litter prevention efforts. Local governments, schools, and non-profit organizations can receive funding to purchase equipment for the collection and processing of recyclables, implement litter collection events, and tire amnesty programs Clean Water Act Section 319(h) Grants: Up to $400,000 to conduct nonpoint source pollution management projects that reduce impairment of water resources or protect high-quality water resources. Proposed projects must be contained in a Nonpoint Source Implementation Strategy (9-Element Watershed plan). Clean Ohio Trail Fund (COTF): Provides funding through ODNR to improve outdoor recreational opportunities for Ohioans via land acquisition for trails, trail construction, and other related projects. Recreational Trails Program (RTP): Provides 80 percent federal funds matching (managed by ODNR) for projects related to trail maintenance, expansion, education, and restoration. Municipal Bridge Program (ODOT): Provides federal funds to municipal corporations, metroparks and Regional Transit Authorities for bridge replacement or bridge rehabilitation projects. A funding limit of $2 million per project is set. Statewide Transportation Improvement Program (STIP) / Local Transportation Improvement Program (LTIP): Provides funding for projects related to highway, public transit, rail, freight, bicycle and pedestrian transportation needs. Urban Paving Program (ODOT): Provides funds for eligible surface treatment and resurfacing projects on state and U.S. Routes within municipal corporations.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
INTERNAL MECHANISMS	
Fund	**General Funds:** Resources allocated within the City's operating budget for various non-specific purposes, which can be directed towards environmental projects and sustainability initiatives as decided by City governance. **Capital funds:** Funds designated for the acquisition or maintenance of fixed assets such as land, buildings, and equipment, which could include investments in sustainable infrastructure and green technology. **Green Revolving Fund:** A sustainable finance mechanism that reinvests savings generated from energy efficiency projects back into more green initiatives. This fund creates a positive feedback loop, where the initial investment in sustainability leads to cost savings, which are then used to fund additional environmental projects, further enhancing the City's commitment to sustainability and carbon neutrality. **Active Transportation Fund:** Fairfield Connects called on the City to create a dedicated active transportation plan, established in 2023 in order for the city to fund the required matches for projects or the entire cost of routes that may not be eligible for outside assistance (e.g. grant funding). This fund has been seeded with an initial $3 million investment allocated from the annual operating budget so that project resources can accumulate over time. Two priority projects are identified for current investment, while additional funds are accumulating with the designed fund structure. Fairfield Connects also recommends that the city consider opportunities for allocating other revenues such as development fees and charitable contributions in order to achieve specific project goals, in addition to annual appropriations to this fund. Fairfield Sustains recommends continued annual appropriations to accelerate active transportation projects. **Sustainability Fund:** Fairfield Sustains recommends the replication of the dedicated Active Transportation Fund as a broader dedicated fund for the implementation of various strategies and actions presented throughout this Plan. Precise focus of annual fund investment may be established at the onset and/or shift year by year to address current sustainability priorities outlined within this Plan, as they evolve over time. The fund structure may be identical to that of the Active Transportation Fund as annual appropriations from the general fund, or utilize a Green Revolving Fund mechanism as outlined above.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TYPE	EXAMPLES/DESCRIPTION
THIRD PARTY MECHANISMS	
Energy Performance Contracts (EPC)	**Energy Efficiency Agreement:** Contracts for energy upgrades in exchange for cash flows from a portion of savings.
Public-Private Partnerships (PPP)	Private investors may provide funding to local governments. For example, energy service companies can finance the up-front investments in energy efficiency, reimbursed by the local government over a contract period. Private companies may finance solar power installations, and then recoup their investment by selling the resulting power to the building owner.
Infrastructure as a Service (IAAS)	**Independent Energy Purchase/Solar Services Model:** Local governments can install solar PV systems with no initial cost through a power purchase agreement with a developer, who covers the system's design, construction, and installation using third-party financing. The investor funding the project profits from fixed-price payments made by the hosting government, similar to a utility bill. This arrangement offers the local government reduced energy costs, lower greenhouse gas emissions, and fixed-income benefits without upfront expenses.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

APPENDIX J: REFERENCE DOCUMENTS

12.B.1.c

COMPLEMENTARY STUDIES

- **Miami University**
  Solar Power Implementation for Fairfield's Wastewater Treatment Plant **(2024)**
- **Miami University**
  Fairfield EV Fleet Feasibility **(2024)**
- **University of Dayton (UD) Industrial Assessment Center (IAC)**
  Guides to Energy Productivity for Fairfield's Water and Wastewater Systems **(2023)**

TABLE 1 SOURCE REFERENCES

HUBER HEIGHTS
Comprehensive Plan (2023)

BEXLEY
Zero Waste Plan (2017)

MIAMI UNIVERSITY
Miami 2040: Climate Action Plan for Miami University Draft (2024)

OHIO UNIVERSITY
Sustainability and Climate Action Plan (2021)

OXFORD
Climate Action Plan (2023)

DUBLIN
Sustainability Framework (2018-2020)

COLUMBUS
Columbus Climate Action Plan (2021)

CLEVELAND
Cleveland's Clean and Equitable Energy Future (2021)

CLEVELAND
The Cleveland Climate Action Plan (2017)

DAYTON
Strategy for a Sustainable Dayton (2021)

DAYTON
Resolution 6572-21 (2020)

OBERLIN
Climate Action Plan (2019)

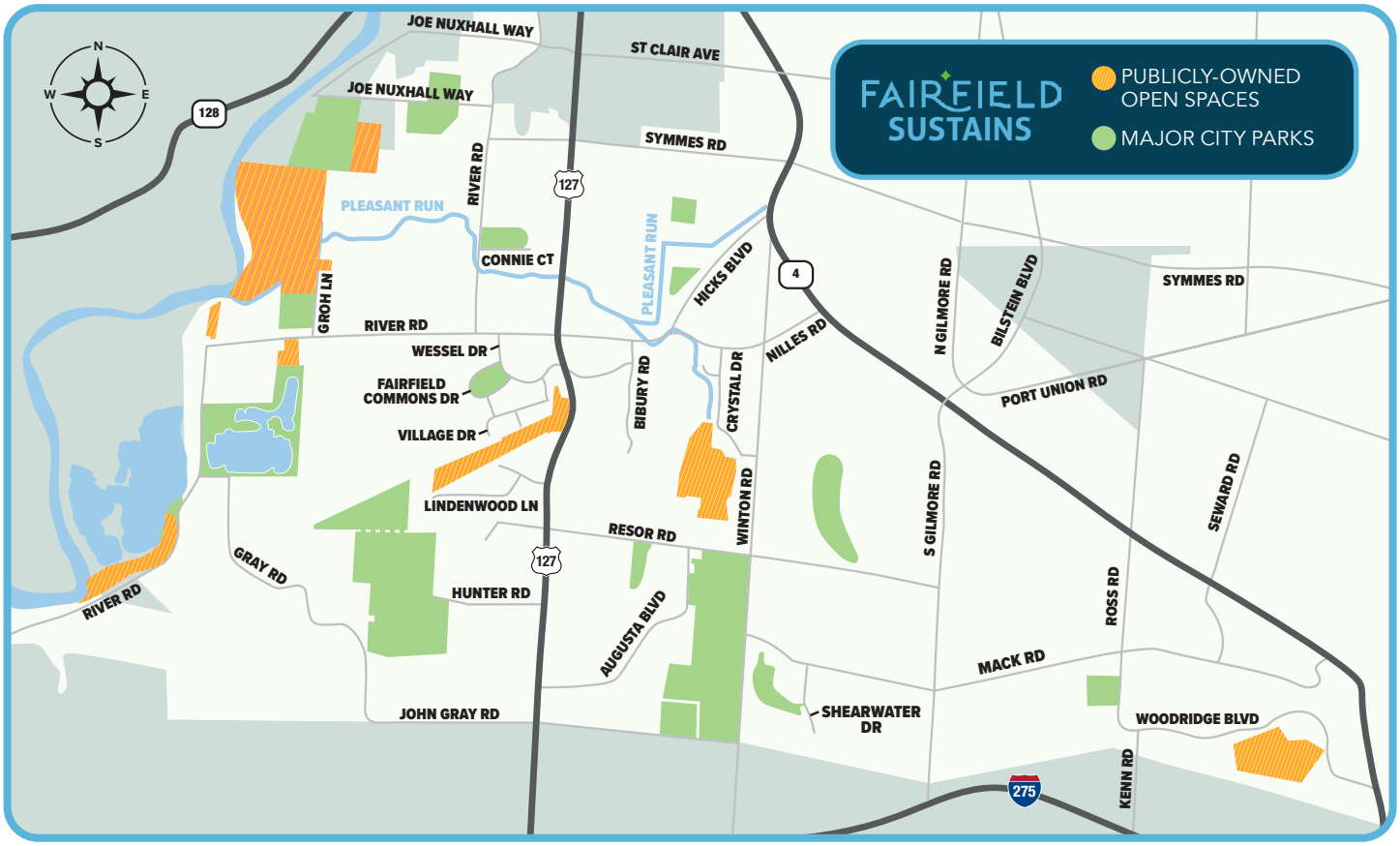
CINCINNATI
Green Cincinnati Plan (2023)

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

Packet Pg. 328

APPENDIX K: MAP OF OPEN SPACES AND CITY PARKS

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')



Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

TABLES AND FIGURES

FIGURES

FIGURE 1 Greenhouse Gas Emissions per capita by location

FIGURE 2 Community Greenhouse Gas Emissions from the 2021 Baseline

FIGURE 3 Municipal Operation Greenhouse Gas Emissions from the 2021 Baseline

FIGURE 4 Projected Business-As-Usual Emissions for the City of Fairfield

FIGURE 5 Projected Adjusted-Business-As-Usual Emissions for the City of Fairfield

FIGURE 6 Projected Greenhouse Gas Emissions for the City of Fairfield Reflecting the 2030 Goals

FIGURE 7 Projected Greenhouse Gas Emissions for the City of Fairfield Reflecting the 2055 Goals

FIGURE 8 Fairfield's 2021 Baseline, ABAU, 2030 and 2055 Targets

TABLES

TABLE 1 Overview of Community-wide Emissions

TABLE 2 Breakdown of Total GHG Emissions by Sector in Fairfield (measured in MTCO2e), showing 2021 Baseline, ABAU, and Target Emissions for 2030 and 2055.

Attachment: Fairfield Sustain_Final Plan_7.22.24 (4001 : Ordinance to Adopt 'Fairfield Sustains')

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
2024 South Trace Cart Path Resurfacing Project – Construction Award

Legislation Title:
Ordinance to authorize the City Manager to execute a contract with Mt. Pleasant Blacktopping Company, Inc. for the 2024 South Trace Cart Path Resurfacing Project and declaring an emergency.

Recommendation:
The staff recommends that City Council authorize the City Manager to enter into a contract with the Mt. Pleasant Blacktopping Co. Inc for the 2024 South Trace Cart Path Resurfacing Project at the unit prices indicated on the bid form.

It is further recommended that City Council authorize and direct the preparation of legislation for the appropriation of funding in the amounts indicated in the Financial Impact Section.

Background/Synopsis:

This project is programmed in the 2024-2028 Capital Improvement Program under 4RC03 (Cart Path Repairs) and will resurface the cart path for all 18 holes at South Trace using approximately 3,890 tons of asphalt.

Public Works advertised the overlay project and bids were opened on February 12, 2024, for the 2024 Asphalt Paving and Resurfacing Project. Three (3) bids were received. The complete bid results are attached.

At that time, the South Trace cart paths were included as an alternate and were not awarded to the low bidder on the base bid, John R. Jurgensen, as it was over the engineer's estimate and there was not enough funding available to award the alternate.

Mt. Pleasant Blacktopping submitted considerably lower prices than the other two bidders for the alternate bid and is willing to do the alternate items as a separate contract.

The lowest and best bidder for this emergency contract award for the alternate items for South Trace Golf Course is the Mt. Pleasant Blacktopping Co. Inc. (Fairfield, Ohio).

Financial Impact:

The financial impact of the project is the requested funding of $600,000.00 from the Recreation

Facilities Fund.

Emergency Provision Explanation:

A suspension of rules and emergency provision is being requested because Public Works staff has determined that the cart paths are in poor condition, and it is imperative that they be paved this fall so that they do not further deteriorate over the winter. Further deterioration would increase the cost to pave them next year, cause the City to do more base repairs at significantly greater cost, and hinder the ability for Parks and Recreation staff to maintain an acceptable level of play in 2025.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. 2024 Asphalt Resurfacing Project Bid Results with Alternate Item Bid - South Trace Golf Course
2. South Trace Paving Map
3. MT. PLEASANT BLACKTOPPING COMPANY-ORD

City of Fairfield
Bid Tabulation for "2024 Asphalt Resurfacing Project"
Bid Opening: February 12, 2024
Engineer's Estimate: $2,506,068.00

					BIDDER (Name/Address/Phone)					
					Mt Pleasant Blacktopping 3199 Production Dr Fairfield, OH 45014 513-874-3777		Barrett Paving Materials 3751 Commerce Dr Franklin, OH 45005 513-422-4662		John R Jurgenson Company 11641 Mosteller Rd Cincinnati, OH 45241 513-771-0820	
ODOT Item #	Description	Est. Qnty.		Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
254	Full Width Street Planing: 1-1/2" (typical depth of cut)	168,409	*	Sq.Yds.	$ 2.15	$ 362,079.35	$ 2.75	$ 463,124.75	$ 2.05	$ 345,238.45
254	Parking Lot Planing: 1-1/2" (Point Pleasant Parking Lot)	200		Sq Yds	$ 3.00	$ 600.00	$ 6.50	$ 1,300.00	$ 4.00	$ 800.00
441	Asphalt Surface Course, Type 1, PG 64-22 (448)	11,692		Sq.Yds.	$ 108.00	$ 1,262,736.00	$ 110.00	$ 1,286,120.00	$ 100.25	$ 1,172,123.00
441	Asphalt Surface Course, Type 1, PG 64-22 (448) – Point Pleasant Parking Lot	320		Tons	$ 118.00	$ 37,760.00	$ 130.00	$ 41,600.00	$ 100.25	$ 32,080.00
441	Asphalt Surface Course, Type 1, PG 64-22 (448), Fiber Reinforcement for Asphalt Concrete, as per plan	2,623		Tons	$ 124.00	$ 325,252.00	$ 122.50	$ 321,317.50	$ 108.00	$ 283,284.00
SPEC	Asphalt Rejuvenating Agent	52,994		Sq.Yds.	$ 1.20	$ 63,592.80	$ 1.20	$ 63,592.80	$ 1.20	$ 63,592.80
253	Full Depth Asphalt Repairs	800	**	Sq.Yds.	$ 50.00	$ 40,000.00	$ 55.00	$ 44,000.00	$ 45.00	$ 36,000.00
441	Asphalt Intermediate Course Type 1, PG 64-22 (448)	100	**	Tons	$ 97.00	$ 9,700.00	$ 105.00	$ 10,500.00	$ 100.50	$ 10,050.00
611	Adjustment of Manholes to grade, as per plan	54		Each	$ 500.00	$ 27,000.00	$ 762.00	$ 41,148.00	$ 725.00	$ 39,150.00
638	Adjustment of Valve Boxes to grade	55		Each	$ 300.00	$ 16,500.00	$ 470.01	$ 25,850.55	$ 575.00	$ 31,625.00
621	RPM	336		Each	$ 49.00	$ 16,464.00	$ 35.85	$ 12,045.60	$ 35.85	$ 12,045.60
621	RPM Removed	437		Each	$ 5.00	$ 2,185.00	$ 5.00	$ 2,185.00	$ 4.00	$ 1,748.00
614	Work Zone Center Line (Double Yellow), Class III, 642 Paint	3.02		Mile	$ 3,500.00	$ 10,570.00	$ 2,075.00	$ 6,266.50	$ 2,075.00	$ 6,266.50
614	Work Zone Center Line (Broken & Solid), Class III, 642 Paint	2.08		Mile	$ 3,500.00	$ 7,280.00	$ 1,495.00	$ 3,109.60	$ 1,495.00	$ 3,109.60
614	Work Zone Channelizing Line (4" White), Class III, 642 Paint	4,500		Feet	$ 0.65	$ 2,925.00	$ 0.75	$ 3,375.00	$ 0.75	$ 3,375.00
614	Work Zone Lane Line (4" White), Class III, 642 Paint	2.78		Mile	$ 1,400.00	$ 3,892.00	$ 725.00	$ 2,015.50	$ 725.00	$ 2,015.50
642	Parking Lot Stall and Transverse Lines (4" White) Point Pleasant Park	902		Feet	$ 2.40	$ 2,164.80	$ 5.45	$ 4,915.90	$ 5.45	$ 4,915.90
642	Parking Lot Handicap Symbols – Point Pleasant Park	4		Each	$ 70.00	$ 280.00	$ 100.00	$ 400.00	$ 100.00	$ 400.00
642	Parking Lot Straight Arrows – Point Pleasant Park	2		Each	$ 70.00	$ 140.00	$ 80.00	$ 160.00	$ 80.00	$ 160.00
644	Center Line (Double Yellow)	2.32		Mile	$ 6,700.00	$ 15,544.00	$ 6,155.00	$ 14,279.60	$ 6,155.00	$ 14,279.60
644	Center Line (Broken & Solid)	1.09		Mile	$ 5,800.00	$ 6,322.00	$ 4,115.00	$ 4,485.35	$ 4,155.00	$ 4,528.95
644	Edge Line (4" White)	**3.22**		Mile	$ 3,300.00	$ 10,626.00	$ 3,360.00	$ 10,819.20	$ 3,360.00	$ 10,819.20
644	Arrow	47		Each	$ 115.00	$ 5,405.00	$ 125.00	$ 5,875.00	$ 125.00	$ 5,875.00
644	School	4		Each	$ 765.00	$ 3,060.00	$ 445.00	$ 1,780.00	$ 445.00	$ 1,780.00
644	Crosswalk Line (24" White – 24" Space Piano Key Style)	2,272		Feet	$ 7.00	$ 15,904.00	$ 6.05	$ 13,745.60	$ 6.05	$ 13,745.60
644	Crosswalk Line (12" White)	92		Feet	$ 3.80	$ 349.60	$ 5.80	$ 533.60	$ 5.80	$ 533.60
644	Stop (24" White)	485		Feet	$ 7.65	$ 3,710.25	$ 6.30	$ 3,055.50	$ 6.30	$ 3,055.50
644	Channelizing Line (8" White)	2,392		Feet	$ 1.75	$ 4,186.00	$ 1.25	$ 2,990.00	$ 1.25	$ 2,990.00
644	Lane Line (4" White)	1.39		Mile	$ 2,300.00	$ 3,197.00	$ 915.00	$ 1,271.85	$ 915.00	$ 1,271.85
644	Dotted Guide Line (4" White)	98		Feet	$ 1.75	$ 171.50	$ 1.20	$ 117.60	$ 1.20	$ 117.60
Bid Base Total Amount						**$ 2,259,596.30**		**$ 2,391,980.00**		**$ 2,106,976.25**

* City will obtain up to 50 tandem axle loads for in-house use. Hauling will be by City forces

** Contingency item – to be used as directed by Engineer

These bids will be reviewed by the Public Works Department, and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest.

City of Fairfield
Bid Tabulation for "2024 Asphalt Resurfacing Project"
Bid Opening: February 12, 2024
Engineer's Estimate: $2,506,068.00

ALTERNATE ITEM BID (SOUTH TRACE GOLF COURSE):

					BIDDER (Name/Address/Phone)					
					Mt Pleasant Blacktopping 3199 Production Dr Fairfield, OH 45014 513-874-3777		Barrett Paving Materials 3751 Commerce Dr Franklin, OH 45005 513-422-4662		John R Jurgenson Company 11641 Mosteller Rd Cincinnati, OH 45241 513-771-0820	
ODOT Item #	Description	Est. Qnty.		Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
254	Cart Path Planning 1-1/2": South Trace Front 9 Holes	100		Sq. Yds.	$ 25.00	$ 2,500.00	$ 25.00	$ 2,500.00	$ 99.25	$ 9,925.00
254	Pavement Repair - South Trace Golf Course Front 9 - 3" Asphalt on 6" 304	1,000		Sq. Yds.	$ 53.00	$ 53,000.00	$ 160.00	$ 160,000.00	$ 82.50	$ 82,500.00
441	Asphalt Surface Course, Type 1, PG 64-22 (448) - South Trace Golf Course Front 9 Holes - 3" Average	1,740		Tons	$ 130.00	$ 226,200.00	$ 193.00	$ 335,820.00	$ 184.60	$ 321,204.00
254	Cart Path Planning 1-1/2": South Trace Back 9 Holes	100		Sq. Yds.	$ 25.00	$ 2,500.00	$ 25.00	$ 2,500.00	$ 99.25	$ 9,925.00
254	Pavement Repair - South Trace Golf Course Back 9 - 3" Asphalt on 6" 304	1,250		Sq. Yds.	$ 53.00	$ 66,250.00	$ 160.00	$ 200,000.00	$ 82.50	$ 103,125.00
441	Asphalt Surface Course, Type 1, PG 64-22 (448) - South Trace Golf Course Back 9 Holes - 3" Average	2,150		Tons	$ 130.00	$ 279,500.00	$ 193.00	$ 414,950.00	$ 184.60	$ 396,890.00
Alternate Item Bid (South Trace Golf Course) Total:						**$ 629,950.00**		**$ 1,115,770.00**		**$ 923,569.00**

South Trace
2200 John Gray Rd

Back 9 Access from Club House and 2605 Augusta Blvd
Front 9 Access from 2200 John Gray Rd & Pontentially Winton Rd
The City may choose to pave path for 9 holes or all 18 holes

FAIRFIELD

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH MT. PLEASANT BLACKTOPPING COMPANY, INC. FOR THE 2024 SOUTH TRACE CART PATH RESURFACING PROJECT AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to execute a contract with Mt. Pleasant Blacktopping Company, Inc. for the 2024 South Trace Cart Path Resurfacing Project in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the cart paths be paved this fall; wherefore, this ordinance shall take effect immediately upon its passage.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____ Emergency _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\MT. PLEASANT BLACKTOPPING COMPANY-ORD

Attachment: MT. PLEASANT BLACKTOPPING COMPANY-ORD (4015 : 2024 South Trace Cart Path Resurfacing Project – Construction Award)

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: John Clemmons,
Submitting Department: Legal

Subject:
Update of the Traffic and General Offenses Codes of the City of Fairfield Codified Ordinances.

Legislation Title:
Ordinance to adopt new Sections 331.45, 337.34, 505.19, 509.10 and 521.19 and amend various other Sections of the Traffic and General Offenses Codes of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio.

Recommendation:
It is recommended that Council adopt an ordinance to update the Traffic and General Offenses Codes. Suspension of the rules is requested so that the amendments can be effective as soon as possible after state law changes.

Background/Synopsis:
The Traffic and General Offenses Codes were last updated in June, 2023. Periodically the City updates its Traffic and General Offenses Code in order to conform them to the extent possible to recent amendments in state law and provide the latest versions of traffic and general offenses and other ordinances for use by the City's law enforcement and safety personnel.

Financial Impact:
This update is included in the annual budget at approximately $10,000.00 per year for our codified ordinance service company.

Emergency Provision Explanation:
No, emergency is needed, however, rules suspension is requested so that the ordinance can be effective in a reasonable time.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. CODIFIED-ORD
2. EXHIBIT A CODIFIED ORDINANCE

ORDINANCE NO. _____

ORDINANCE TO ADOPT NEW SECTIONS 331.45, 337.34, 505.19, 509.10 AND 521.19 AND AMEND VARIOUS OTHER SECTIONS OF THE TRAFFIC AND GENERAL OFFENSES CODES OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. New sections 331.45, 337.34, 505.19, 509.10 and 521.19 are hereby adopted and various other sections of the Traffic and General Offenses Codes of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, are hereby amended to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\CODIFIED-ORD

Attachment: CODIFIED-ORD (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified Ordinances.)

EXHIBIT "A"

301.35 SCHOOL BUS.

"School bus" means every bus designed for carrying more than nine passengers that is owned by a public, private or governmental agency or institution of learning and operated for the transportation of children to or from a school session or a school function, or owned by a private person and operated for compensation for the transportation of children to or from a school session or a school function; provided "school bus" does not include a bus operated by a municipally owned transportation system, a mass transit company operating exclusively within the territorial limits of the Municipality, or within such limits and the territorial limits of [~~municipal corporations~~] **MUNICIPALITIES** immediately contiguous to the Municipality, nor a common passenger carrier certified by the Public Utilities Commission unless such bus is devoted exclusively to the transportation of children to and from a school session or a school function, and "school bus" does not include a van or bus used by a licensed child [~~day-~~]care center or type A family [~~day-~~] **CHILD** care home to transport children from the child [~~day-~~]care center or type A family [~~day-~~] **CHILD** care home to a school if the van or bus does not have more than fifteen children in the van or bus at any time. "Child [~~day-~~]care center" and "type A family [~~day-~~] **CHILD** care home" have the same meanings as in Ohio R.C. 5104.01.
(ORC 4511.01(F), (FFF))

303.081 IMPOUNDING VEHICLES ON PRIVATE RESIDENTIAL OR AGRICULTURAL PROPERTY.

(a) (1) The [~~C~~]**c**hief of [~~Police~~] **A LAW ENFORCEMENT AGENCY OF THE MUNICIPAL CORPORATION,** upon complaint of any person adversely affected may order into storage any motor vehicle, other than an abandoned junk motor vehicle as defined in Ohio R.C. 4513.63, that has been left on private residential or private agricultural property for at least four hours without the permission of the person having the right to the possession of the property. The [~~C~~]**c**hief [~~of Police~~], upon complaint of a repair garage or place of storage, may order into storage any motor vehicle, other than an abandoned junk motor vehicle, that has been left at the garage or place of storage for a longer period than that agreed upon. When ordering a motor vehicle into storage pursuant to this section, the [~~C~~]**c**hief [~~of Police~~] may arrange for the removal of the motor vehicle by a towing service and shall designate a storage facility.

(2) A towing service towing a motor vehicle under subsection (a)(1) of this section shall remove the motor vehicle in accordance with that subsection. The towing service shall deliver the motor vehicle to the location designated by the [~~C~~]**c**hief [~~of Police~~] not more than two hours after the time it is removed from the private property, unless the towing service is unable to deliver the motor vehicle within two hours due to an uncontrollable force, natural disaster, or other event that is not within the power of the towing service.

(3) Subject to subsection (b) of this section, the owner of a motor vehicle that has been removed pursuant to this subsection may recover the vehicle only in accordance with subsection (d) of this section.

(4) As used in this section "private residential property" means private property on which is located one or more structures that are used as a home, residence or sleeping place by one or more persons, if no more than three separate households are maintained in the structure or structures. "Private residential property" does not include any private property on which is located one or more

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

structures that are used as a home, residence or sleeping place by two or more persons, if more than three separate households are maintained in the structure or structures.

[NO FURTHER CHANGES UNTIL PARAGRAPH (c)(1).]

(c) (1) The [~~C~~]**c**hief of [~~Police~~] **A LAW ENFORCEMENT AGENCY IN THE MUNICIPAL CORPORATION** shall maintain a record of motor vehicles that the Chief orders into storage pursuant to subsection (a)(1) of this section. The record shall include an entry for each such motor vehicle that identifies the motor vehicle's license number, make, model and color, the location from which it was removed, the date and time of the removal, the telephone number of the person from whom it may be recovered, and the address of the place to which it has been taken and from which it may be recovered. The [~~C~~]**c**hief [~~of Police~~] shall provide any information in the record that pertains to a particular motor vehicle to any person who, either in person or pursuant to a telephone call, identifies self as the owner or operator of the motor vehicle and requests information pertaining to its location.

(2) Any person who registers a complaint that is the basis of the [~~Police~~] [~~C~~]**c**hief's order for the removal and storage of a motor vehicle under subsection (a)(1) of this section shall provide the identity of the law enforcement agency with which the complaint was registered to any person who identifies self as the owner or operator of the motor vehicle and requests information pertaining to its location.

(d) (1) The owner or lienholder of a motor vehicle that is ordered into storage pursuant to subsection (a)(1) of this section may reclaim it upon both of the following:

A. Payment of all applicable fees established by the Public Utilities Commission in rules adopted under Ohio R.C. 4921.25 or, if the vehicle was towed within a municipal corporation that has established fees for vehicle removal and storage, payment of all applicable fees established by the municipal corporation.

B. Presentation of proof of ownership, which may be evidenced by a certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement.

(2) When the owner of a vehicle towed under this section retrieves the vehicle, the towing service or storage facility in possession of the vehicle shall give the owner written notice that if the owner disputes that the motor vehicle was lawfully towed, the owner may be able to file a civil action under Ohio R.C. 4513.611.

[~~(2)~~]**(3)** Upon presentation of proof of ownership as required under subsection (d)(1)B. of this section, the owner of a motor vehicle that is ordered into storage under subsection (a)(1) of this section may retrieve any personal items from the motor vehicle without retrieving the vehicle and without paying any fee. However, a towing service or storage facility may charge an after-hours retrieval fee established by the Public Utilities Commission in rules adopted under Ohio R.C. 4921.25 if the owner retrieves the personal items after hours, unless the towing service or storage facility fails to provide the notice required under division (B)(3) of Ohio R.C. 4513.69, if applicable. The owner of a motor vehicle shall not do either of the following:

A. Retrieve any personal item that has been determined by the [~~sheriff or~~] chief [~~of police, as applicable,~~] to be necessary to a criminal investigation;

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

B. Retrieve any personal item from a vehicle if it would endanger the safety of the owner unless the owner agrees to sign a waiver of liability.

For purposes of subsection (d)(2) of this section, "personal items" do not include any items that are attached to the motor vehicle.

[~~(3)~~]**(4)** If a motor vehicle that is ordered into storage pursuant to subsection (a)(1) of this section remains unclaimed by the owner for thirty days, the procedures established by Ohio R.C. 4513.61 and 4513.62 apply.

[NO FURTHER CHANGES TO THIS SECTION.]

303.082 PRIVATE TOW-AWAY ZONES.

[NO CHANGES TO THIS SECTION UNTIL PARAGRAPH (e)(1).]

(e) (1) If an owner of a private property that is established as a private tow-away zone in accordance with subsection (a) of this section causes the removal of a vehicle from that property by a towing service under subsection (b) of this section, the towing service, within two hours of removing the vehicle, shall provide notice to the [~~Police Department~~] **LAW ENFORCEMENT AGENCY OF THE MUNICIPAL CORPORATION** concerning all of the following:

A. The vehicle's license number, make, model and color;

B. The location from which the vehicle was removed;

C. The date and time the vehicle was removed;

D. The telephone number of the person from whom the vehicle may be recovered;

E. The address of the place from which the vehicle may be recovered.

(2) The [~~C~~]**c**hief of [~~Police~~] **A LAW ENFORCEMENT AGENCY OF THE MUNICIPAL CORPORATION** shall maintain a record of any vehicle removed from private property in the [~~C~~]**c**hief's jurisdiction that is established as a private tow-away zone of which the [~~C~~]**c**hief has received notice under this section. The record shall include all information submitted by the towing service. The [~~C~~]**c**hief shall provide any information in the record that pertains to a particular vehicle to a person who, either in person or pursuant to a telephone call, identifies self as the owner, operator or lienholder of the vehicle, and requests information pertaining to the vehicle.

[NO FURTHER CHANGES TO THIS SECTION.]

303.083 IMPOUNDING VEHICLES ON PUBLIC PROPERTY.

(a) The [~~county sheriff or~~] chief of [~~police~~] **A LAW ENFORCEMENT AGENCY OF THE MUNICIPAL CORPORATION**, within the [~~sheriff's or~~] chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the [~~sheriff or~~] chief [~~of police~~] of such action and of the location of the place of storage, may order into storage any motor vehicle, including an abandoned junk motor vehicle as defined in Ohio R.C. 4513.63, that:

(1) Has come into the possession of the [~~sheriff,~~] chief [~~of police~~], or state highway patrol trooper as a result of the performance of the [~~sheriff's,~~] chief's or trooper's duties; or

(2) Has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer without notification to the [~~sheriff or~~] chief [~~of police~~] of the reasons for leaving the motor vehicle in such place. However, when such a

motor vehicle constitutes an obstruction to traffic it may be ordered into storage immediately unless either of the following applies:

A. The vehicle was involved in an accident and is subject to Ohio R.C. 4513.66, or any substantially equivalent municipal ordinance;

B. The vehicle is a commercial motor vehicle. If the vehicle is a commercial motor vehicle, the [~~sheriff,~~] chief [~~of police~~], or state highway patrol trooper shall allow the owner or operator of the vehicle the opportunity to arrange for the removal of the motor vehicle within a period of time specified by the [~~sheriff,~~] chief [~~of police~~], or state highway patrol trooper. If the [~~sheriff,~~] chief [~~of police~~], or state highway patrol trooper determines that the vehicle cannot be removed within the specified period of time, the [~~sheriff,~~] chief [~~of police~~], or state highway patrol trooper shall order the removal of the vehicle.

(3) Subject to subsection (c) of this section, the [~~sheriff or~~] chief [~~of police~~] shall designate the place of storage of any motor vehicle so ordered removed.

(b) If the [~~sheriff,~~] chief [~~of police~~], or a state highway patrol trooper issues an order under subsection (a) of this section and arranges for the removal of a motor vehicle by a towing service, the towing service shall deliver the motor vehicle to the location designated by the [~~sheriff or~~] chief [~~of police~~] not more than two hours after the time it is removed.

(c) (1) The [~~sheriff or~~] chief [~~of police~~] shall cause a search to be made of the records of an applicable entity listed in Ohio R.C. 4513.601(F)(1) to ascertain the identity of the owner and any lienholder of a motor vehicle ordered into storage by the [~~sheriff or~~] chief [~~of police~~], or by a state highway patrol trooper within five business days of the removal of the vehicle.

Upon obtaining such identity, the [~~sheriff or~~] chief [~~of police~~] shall send or cause to be sent to the owner or lienholder at the owner's or lienholder's last known address by certified or express mail with return receipt requested, by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt.

The notice shall inform the owner or lienholder that the motor vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of the sending of the notice.

(2) A. The owner or lienholder of the motor vehicle may reclaim the motor vehicle upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title or memorandum certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement. Upon presentation of proof of ownership evidenced as provided above, the owner of the motor vehicle also may retrieve any personal items from the vehicle without retrieving the vehicle and without paying any fee. However, a towing service or storage facility may charge an after-hours retrieval fee established by the [~~p~~]**P**ublic [~~u~~]**U**tilities [~~c~~]**C**ommission in rules adopted under Ohio R.C. 4921.25 if the owner retrieves the personal items after hours, unless the towing service or storage facility fails to provide the notice required under Ohio R.C. 4513.69(B)(3), if applicable. However, the owner shall not do either of the following:

1. Retrieve any personal item that has been determined by the [~~sheriff,~~] chief [~~of police~~], or a state highway patrol trooper, as applicable, to be necessary to a criminal investigation;
2. Retrieve any personal item from a vehicle if it would endanger the safety of the owner, unless the owner agrees to sign a waiver of liability.

B. For purposes of subsection (c)(2) of this section, "personal items" do not include any items that are attached to the vehicle.

(3) If the owner or lienholder of the motor vehicle reclaims it after a search of the applicable records has been conducted and after notice has been sent to the owner or lienholder as described in this section, and the search was conducted by the place of storage, and the notice was sent to the motor vehicle owner by the place of storage, the owner or lienholder shall pay to the place of storage a processing fee of twenty-five dollars ($25.00), in addition to any expenses or charges incurred in the removal and storage of the vehicle.

(d) If the owner or lienholder makes no claim to the motor vehicle within ten days of the date of sending the notice, and if the vehicle is to be disposed of at a public auction as provided in Ohio R.C. 4513.62 or any substantially equivalent municipal ordinance, the [~~sheriff or~~] chief [~~of police~~], without charge to any party, shall file with the [~~c~~]**C**lerk of [~~c~~]**C**ourts of the county in which the place of storage is located an affidavit showing compliance with the requirements of this section. Upon presentation of the affidavit, the [~~c~~]**C**lerk, without charge, shall issue a salvage certificate of title, free and clear of all liens and encumbrances, to the [~~sheriff or~~] chief [~~of police~~]. If the vehicle is to be disposed of to a motor vehicle salvage dealer or other facility as provided in Ohio R.C. 4513.62 or any substantially equivalent municipal ordinance, the [~~sheriff or~~] chief [~~of police~~] shall execute in triplicate an affidavit, as prescribed by the [~~r~~]**R**egistrar of [~~m~~]**M**otor [~~v~~]**V**ehicles, describing the motor vehicle and the manner in which it was disposed of, and that all requirements of this section have been complied with. The [~~sheriff or~~] chief [~~of police~~] shall retain the original of the affidavit for the [~~sheriff's or~~] chief's records, and shall furnish two copies to the motor vehicle salvage dealer or other facility. Upon presentation of a copy of the affidavit by the motor vehicle salvage dealer, the [~~c~~]**C**lerk of [~~c~~]**C**ourts, within thirty days of the presentation, shall issue a salvage certificate of title, free and clear of all liens and encumbrances.

(e) Whenever a motor vehicle salvage dealer or other facility receives an affidavit for the disposal of a motor vehicle as provided in this section, the dealer or facility shall not be required to obtain an [~~o~~]**O**hio certificate of title to the motor vehicle in the dealer's or facility's own name if the vehicle is dismantled or destroyed and both copies of the affidavit are delivered to the [~~c~~]**C**lerk of [~~c~~]**C**ourts.

(f) No towing service or storage facility shall fail to comply with this section.

(ORC 4513.61[~~; Ord. 102-23. Passed 6-29-23.~~])

303.09 LEAVING JUNK AND OTHER VEHICLES ON PRIVATE OR PUBLIC PROPERTY WITHOUT PERMISSION OR NOTIFICATION.

(a) No person shall willfully leave any vehicle or an "abandoned junk motor vehicle" as defined in Ohio R.C. 4513.63 on private property for more than seventy-two [~~consecutive~~] hours without the permission of the person having the right to the possession of the property or on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway, for forty-eight [~~consecutive~~] hours or longer, without notification to the [~~Police~~] [~~C~~]**c**hief of the **LAW ENFORCEMENT AGENCY OF THE MUNICIPAL CORPORATION OF THE** reason[~~s~~] for leaving the **MOTOR** vehicle in such place.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

For purposes of this section, the fact that a vehicle has been so left without permission or notification is prima-facie evidence of abandonment. Nothing contained in this section shall invalidate the provisions of other ordinances regulating or prohibiting the abandonment of motor vehicles on streets, highways, public property or private property within the Municipality.

(b) Whoever violates this section is guilty of a minor misdemeanor and shall also be assessed any costs incurred by the Municipality in disposing of an abandoned junk motor vehicle that is the basis of the violation, less any money accruing to the Municipality from this disposal of the vehicle. (ORC 4513.64)

303.10 LEAVING JUNK VEHICLES ON PRIVATE PROPERTY WITH PERMISSION OF OWNER.

(a) For the purposes of this section, "junk motor vehicle" means any motor vehicle meeting the requirements of Ohio R.C. 4513.63(B) to (E) that is left uncovered in the open on private property for more than seventy-two hours with the permission of the person having the right to the possession of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under authority of Ohio R.C. 4737.05 to 4737.12; or regulated under authority of the Municipality; or if the property on which the motor vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to the possession of the property can establish that the motor vehicle is part of a bona fide commercial operation, or if the motor vehicle is a collector's vehicle.

Persons may store or keep by unrestricted method any collector's vehicle as defined in Ohio R.C. 4501.01(F) on private property with the permission of the person having the right to the possession of the property; except that such person having such permission shall conceal, by means of buildings, fences, vegetation, terrain or other suitable obstruction, any unlicensed collector's vehicle stored in the open.

Council, the [~~C~~]**c**hief of [~~Police~~] **A LAW ENFORCEMENT AGENCY, A STATE HIGHWAY PATROL TROOPER** or the Municipal Zoning Authority, may send notice by certified mail with return receipt requested, to the person having the right to the possession of the property on which a junk motor vehicle is left, that within ten days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure or shall be removed from the property.

No person shall willfully leave a junk motor vehicle uncovered in the open for more than ten days after receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima-facie evidence of willful failure to comply with the notice. Each subsequent period of thirty days that a junk motor vehicle continues to be so left constitutes a separate offense. (ORC 4513.65)

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 145-09. Passed 12-14-09.)

303.991 COMMITTING AN OFFENSE WHILE DISTRACTED PENALTY.

(a) As used in this section and each section of the Traffic Code where specified, all of the following apply:

(1) "Distracted" means doing either of the following while operating a vehicle:

A. Using a**N** [~~handheld~~] electronic wireless communications device, as defined in Ohio R.C. 4511.204**, IN VIOLATION OF THAT SECTION.** [~~except when utilizing any of the following:~~]

[~~1. The device's speakerphone function;~~

~~2. A wireless technology standard for exchanging data over short distances;~~

~~3. A "voice-operated or hands-free" device that allows the person to use the electronic wireless communications device without~~

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

~~the use of either hand except to activate, deactivate, or initiate a feature or function;~~

~~4. Any device that is physically or electronically integrated into the motor vehicle.~~]

B. Engaging in any activity that is not necessary to the operation of a vehicle and impairs, or reasonably would be expected to impair, the ability of the operator to drive the vehicle safely.

(2) "Distracted" does not include operating a motor vehicle while wearing an earphone or earplug over or in both ears at the same time. A person who so wears earphones or earplugs may be charged with a violation of Section 331.43.

(3) "Distracted" does not include conducting any activity while operating a utility service vehicle or a vehicle for or on behalf of a utility, provided that the driver of the vehicle is acting in response to an emergency, power outage or a circumstance affecting the health or safety of individuals.

As used in subsection (a)(3) of this section:

A. "Utility" means an entity specified in division (A), (C), (D), (E) or (G) of Ohio R.C. 4905.03.

B. "Utility service vehicle" means a vehicle owned or operated by a utility.

(b) If an offender violates any section of this Traffic Code which provides for an enhanced penalty for an offense committed while distracted and the distracting activity is a contributing factor to the commission of the violation, the offender is subject to the applicable penalty for the violation and, notwithstanding Ohio R.C. 2929.28, is subject to an additional fine of not more than one hundred dollars ($100.00) as follows:

(1) Subject to Traffic Rule 13, if a law enforcement officer issues an offender a ticket, citation or summons for a violation of any section of the Traffic Code that indicates that the offender was distracted while committing the violation and that the distracting activity was a contributing factor to the commission of the violation, the offender may enter a written plea of guilty and waive the offender's right to contest the ticket, citation or summons in a trial provided that the offender pays the total amount of the fine established for the violation and pays the additional fine of one hundred dollars ($100.00).

In lieu of payment of the additional fine of one hundred dollars ($100.00), the offender instead may elect to attend a distracted driving safety course, the duration and contents of which shall be established by the Ohio Director of Public Safety. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of one hundred dollars ($100.00), so long as the offender submits to the court both the offender's payment in full and such written evidence **WITHIN NINETY DAYS OF THE UNDERLYING VIOLATION THAT RESULTED IN THE IMPOSITION OF THE ADDITIONAL FINE UNDER THIS SECTION**.

(2) If the offender appears in person to contest the ticket, citation or summons in a trial and the offender pleads guilty to or is convicted of the violation, the court, in addition to all other penalties provided by law, may impose the applicable penalty for the violation and may impose the additional fine of not more than one hundred dollars ($100.00).

If the court imposes upon the offender the applicable penalty for the violation and an additional fine of not more than one hundred dollars ($100.00), the court shall inform the offender that, in lieu of payment of the additional fine of not more than one hundred dollars ($100.00), the offender instead may elect to attend the distracted driving safety course described in subsection (b)(1) of this section. If the offender elects the course option and attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of not more than one hundred dollars ($100.00), so long as the offender submits to the court the offender's payment and such written evidence **WITHIN NINETY DAYS OF THE UNDERLYING VIOLATION THAT RESULTED IN THE IMPOSITION OF THE ADDITIONAL FINE UNDER THIS SECTION**.

(c) IF A LAW ENFORCEMENT OFFICER ISSUES AN OFFENDER A TICKET, CITATION, OR SUMMONS FOR A VIOLATION OF SUBSECTION (b) OF THIS SECTION THAT INDICATES THAT THE OFFENDER WAS DISTRACTED WHILE COMMITTING THE VIOLATION AND THAT THE DISTRACTING ACTIVITY WAS A CONTRIBUTING FACTOR TO THE COMMISSION OF THE VIOLATION, THE OFFICER SHALL DO BOTH OF THE FOLLOWING:

(1) REPORT THE ISSUANCE OF THE TICKET, CITATION, OR SUMMONS TO THE OFFICER'S LAW ENFORCEMENT AGENCY;

(2) ENSURE THAT SUCH REPORT INDICATES THE OFFENDER'S RACE.

(ORC 4511.991[~~; Ord. 120-18. Passed 11-26-18.~~])

331.35 OCCUPYING [~~A MOVING~~] TRAVEL TRAILER, FIFTH WHEEL VEHICLE OR MANUFACTURED OR MOBILE HOME WHILE IN MOTION.

(a) **EXCEPT AS PROVIDED IN SUBSECTION (b) OF THIS SECTION,** [~~N~~]**n**o person shall occupy any travel trailer**, FIFTH WHEEL TRAILER** or manufactured or mobile home while it is being used as a conveyance upon a street or highway.

(b) (1) SUBSECTION (a) OF THIS SECTION DOES NOT APPLY TO A FIFTH WHEEL TRAILER WHEN BOTH OF THE FOLLOWING APPLY:

A. ANY CHILD RIDING IN THE FIFTH WHEEL TRAILER IS PROPERLY SECURED IN THE MANNER PROVIDED IN OHIO R.C. 4511.81.

B. THE OPERATOR OF THE VEHICLE TOWING THE FIFTH WHEEL TRAILER HAS SOME MEANS OF VIABLE COMMUNICATION WITH THE PASSENGERS RIDING IN THE TRAILER.

(2) AS USED IN THIS SECTION, "VIABLE COMMUNICATION" INCLUDES A CELLULAR OR SATELLITE TELEPHONE, A RADIO OR ANY OTHER SIMILAR ELECTRONIC WIRELESS COMMUNICATIONS DEVICE.

[~~(b)~~]**(c) (1)** Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(2) THE OFFENSE ESTABLISHED UNDER THIS SECTION IS A STRICT LIABILITY OFFENSE AND OHIO R.C. 2901.20 DOES NOT APPLY. THE DESIGNATION OF THIS OFFENSE

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

AS A STRICT LIABILITY OFFENSE SHALL NOT BE CONSTRUED TO IMPLY THAT ANY OTHER OFFENSE, FOR WHICH THERE IS NO SPECIFIED DEGREE OF CULPABILITY, IS NOT A STRICT LIABILITY OFFENSE. (ORC 4511.701)

331.38 STOPPING FOR SCHOOL BUS; DISCHARGING CHILDREN.

[NO CHANGES TO THIS SECTION UNTIL PARAGRAPH (b).]

(b) Every school bus shall be equipped with amber and red visual signals meeting the requirements of Ohio R.C. 4511.771, **OR A SUBSTANTIALLY EQUIVALENT MUNICIPAL ORDINANCE,** and an automatically extended stop warning sign of a type approved by the [~~State Board~~] **OHIO DEPARTMENT** of Education **AND WORKFORCE**, which shall be actuated by the driver of the bus whenever but only whenever the bus is stopped or stopping on the roadway for the purpose of receiving or discharging school children, persons attending programs offered by community boards of mental health and County boards of developmental disabilities, or children attending programs offered by head start agencies. A school bus driver shall not actuate the visual signals or the stop warning sign in designated school bus loading areas where the bus is entirely off the roadway or at school buildings when children or persons attending programs offered by community boards of mental health and County boards of developmental disabilities are loading or unloading at curbside or at buildings when children attending programs offered by head start agencies are boarding or unloading at curbside. The visual signals and stop warning sign shall be synchronized or otherwise operated as required by rule of the [~~Board~~] **OHIO ADMINISTRATIVE CODE**.

[NO FURTHER CHANGES TO THIS SECTION UNTIL PARAGRAPH (f).]

(f) As used in this section:

(1) "Head start agency" has the same meaning as in Ohio R.C. 3301.32.

(2) "School bus", as used in relation to children who attend a program offered by a head start agency, means a bus that is owned and operated by a head start agency, is equipped with an automatically extended stop warning sign of a type approved by the [~~State Board~~] **OHIO DEPARTMENT** of Education **AND WORKFORCE**, is painted the color and displays the markings described in Ohio R.C. 4511.77, and is equipped with amber and red visual signals meeting the requirements of Ohio R.C. 4511.771, irrespective of whether or not the bus has fifteen or more children aboard at any time. "School bus" does not include a van owned and operated by a head start agency, irrespective of its color, lights, or markings.

[NO FURTHER CHANGES TO THIS SECTION.]

331.45 RESTRICTIONS ON THE OPERATION OF SCHOOL BUSES.

(a) NO PERSON SHALL OPERATE A VEHICLE USED FOR PUPIL TRANSPORTATION WITHIN THIS MUNICIPALITY IN VIOLATION OF THE RULES OF THE OHIO DEPARTMENT OF EDUCATION AND WORKFORCE OR THE OHIO DEPARTMENT OF PUBLIC SAFETY. NO PERSON, BEING THE OWNER THEREOF, OR HAVING THE SUPERVISORY RESPONSIBILITY THEREFOR, SHALL PERMIT THE OPERATION OF A VEHICLE USED FOR PUPIL TRANSPORTATION WITHIN THIS MUNICIPALITY IN VIOLATION OF THE RULES OF THE OHIO DEPARTMENT OF EDUCATION AND WORKFORCE OR THE OHIO DEPARTMENT OF PUBLIC SAFETY.

(b) AS USED IN THIS SECTION, "VEHICLE USED FOR PUPIL TRANSPORTATION" MEANS ANY VEHICLE THAT IS IDENTIFIED AS SUCH BY THE OHIO DEPARTMENT OF EDUCATION AND WORKFORCE BY RULE AND THAT IS SUBJECT TO O.A.C. CHAPTER 3301-83.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(c) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, WHOEVER VIOLATES THIS SECTION IS GUILTY OF A MINOR MISDEMEANOR. IF THE OFFENDER PREVIOUSLY HAS BEEN CONVICTED OF OR PLEADED GUILTY TO ONE OR MORE VIOLATIONS OF THIS SECTION OR OHIO R.C. 4511.76, OR OHIO R.C. 4511.63, 4511.761, 4511.762, 4511.764, 4511.77, OR 4511.79 OR A MUNICIPAL ORDINANCE THAT IS SUBSTANTIALLY EQUIVALENT TO ANY OF THOSE SECTIONS, WHOEVER VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR OF THE FOURTH DEGREE. (ORC 4511.76(C), (H), (I))

333.01 DRIVING OR PHYSICAL CONTROL WHILE UNDER THE INFLUENCE; EVIDENCE.

[NO CHANGES TO THIS SECTION UNTIL PARAGRAPH (a)(2).]

(a) …..

(2) No person who, within twenty years of the conduct described in subsection (a)(2)A. of this section, previously has been convicted of or pleaded guilty to a violation of [~~Ohio R.C. 4511.19(A) or (B),~~] **THIS SUBSECTION OR A SUBSTANTIALLY EQUIVALENT STATE LAW OR MUNICIPAL ORDINANCE, A VIOLATION OF SUBSECTION (a)(1) OF THIS SECTION OR A SUBSTANTIALLY EQUIVALENT STATE LAW OR MUNICIPAL ORDINANCE,** or any other equivalent offense shall do both of the following:

A. Operate any vehicle within this Municipality while under the influence of alcohol, a drug of abuse or a combination of them;

B. Subsequent to being arrested for operating the vehicle as described in subsection (a)(2)A. of this section, being asked by a law enforcement officer to submit to a chemical test or tests under Ohio R.C. 4511.191, and being advised by the officer in accordance with Ohio R.C. 4511.192 of the consequences of the person's refusal or submission to the test or tests, refuse to submit to the test or tests.

[NO FURTHER CHANGES UNTIL PARAGRAPH (c).]

(c) <u>One Conviction Limitation.</u> In any proceeding arising out of one incident, a person may be charged with a violation of subsection (a)(1)A. or (a)(2) and a violation of subsection (b)(1), (2) or (3) of this section, but the person may not be convicted of more than one violation of these subsections. (ORC 4511.[~~99~~]**19**)

[NO FURTHER CHANGES UNTIL PARAGRAPH (h)(1)D.]

(h) …..

(1) …..

D. Except as otherwise provided in subsection (h)(1)E. of this section, an offender who, within ten years of the offense, previously has been convicted of or pleaded guilty to three or four violations of subsection (a) [~~or (b)~~] of this section or other equivalent offenses or an offender who, within twenty years of the offense, previously has been convicted of or pleaded guilty to five or more violations of that nature**, OR AN OFFENDER WHO PREVIOUSLY HAS BEEN CONVICTED OF OR PLEADED GUILTY TO A SPECIFICATION OF THE TYPE DESCRIBED IN OHIO R.C. 2941.1413,** is guilty of a felony [~~of the fourth degree and shall~~] **TO** be prosecuted under appropriate state law.

[NO FURTHER CHANGES UNTIL PARAGRAPH (i).]

(i) Vehicle Operation After Underage Alcohol Consumption Penalty. Whoever violates subsection (b) of this section is guilty of operating a vehicle after underage alcohol consumption and shall be punished as follows:

(1) Except as otherwise provided in subsection (i)(2) of this section, the offender is guilty of a misdemeanor of the fourth degree. In addition to any other sanction imposed for the offense, the court shall impose a class six suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(6) of Ohio R.C. 4510.02.

The court may grant limited driving privileges relative to the suspension under Ohio R.C. 4510.021 and 4510.13. The court may grant unlimited driving privileges with an ignition interlock device relative to the suspension and may reduce the period of suspension as authorized under Ohio R.C. 4510.022. If the court grants unlimited driving privileges under Ohio R.C. 4510.022, the court shall suspend any jail term imposed under subsection (i)(1) of this section as required under that section.

(2) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one or more violations of subsection (a) [~~or (b)~~] of this section or other equivalent offenses, the offender is guilty of a misdemeanor of the third degree. In addition to any other sanction imposed for the offense, the court shall impose a class four suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(4) of Ohio R.C. 4510.02. The court may grant limited driving privileges relative to the suspension under Ohio R.C. 4510.021 and 4510.13. (Ord. 119-17. Passed 11-13-17.)

[~~(3) If the offender also is convicted of or also pleads guilty to a specification of the type described in Ohio R.C. 2941.1416 and if the court imposes a jail term for the violation of subsection (b) of this section, the court shall impose upon the offender an additional definite jail term pursuant to division (E) of Ohio R.C. 2929.24.~~]

[~~(4)~~] **(3)** The offender shall provide the court with proof of financial responsibility as defined in Ohio R.C. 4509.01. If the offender fails to provide that proof of financial responsibility, then, in addition to any other penalties provided by law, the court may order restitution pursuant to Ohio R.C. 2929.28, in an amount not exceeding five thousand dollars ($5,000) for any economic loss arising from an accident or collision that was the direct and proximate result of the offender's operation of the vehicle before, during or after committing the violation of subsection (b) of this section.

(Ord. 102-11. Passed 10-11-11.)

[NO FURTHER CHANGES UNTIL PARAGRAPH (q).]

(q) Definitions. As used in this section:

(1) "Equivalent offense" means any of the following:

A. A violation of division (A) [~~or (B)A~~] of Ohio R.C. 4511.19;

B. A violation of a municipal OVI ordinance;

C. A violation of Ohio R.C. 2903.04 in a case in which the offender was subject to the sanctions described in division (D) of that section;

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

D. A violation of division (A)(1) of Ohio R.C. 2903.06 or 2903.08 or a municipal ordinance that is substantially equivalent to either of those divisions;

E. A violation of division (A)(2), (3) or (4) of Ohio R.C. 2903.06, division (A)(2) of Ohio R.C. 2903.08, or former Ohio R.C. 2903.07, or a municipal ordinance that is substantially equivalent to any of those divisions or that former section, in a case in which a judge or jury as the trier of fact found that the offender was under the influence of alcohol, a drug of abuse, or a combination of them;

F. A violation of division (A) [~~or (B)~~] of Ohio R.C. 1547.11;

G. A violation of a municipal ordinance prohibiting a person from operating or being in physical control of any vessel underway or from manipulating any water skis, aquaplane or similar device on the waters of this State while under the influence of alcohol, a drug of abuse, or a combination of them or prohibiting a person from operating or being in physical control of any vessel underway or from manipulating any water skis, aquaplane or similar device on the waters of this State with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath or urine;

H. A violation of an existing or former municipal ordinance, law of another state, or law of the United States that is substantially equivalent to division (A) [~~or (B)~~] of Ohio R.C. 4511.19 or division (A) [~~or (B)~~] or Ohio R.C. 1547.11;

I. A violation of a former law of this State that was substantially equivalent to division (A) [~~or (B)~~] of Ohio R.C. 4511.19 or division (A) [~~or (B)~~] of Ohio R.C. 1547.11;

[NO FURTHER CHANGES TO THIS SECTION.]

333.03 MAXIMUM SPEED LIMITS; ASSURED CLEAR DISTANCE AHEAD.

[NO CHANGES TO THIS SECTION UNTIL PARAGRAPH (b).]

(b) It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to Ohio R.C. 4511.21 by the Ohio Director of Transportation or Council, for the operator of a motor vehicle to operate the same at a speed not exceeding the following:

(1) A. Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school speed limit signs are erected; except, that on controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by subsection (b)(4) hereof and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by subsection (b)(7) hereof. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

lights, or giving other special notice of the hours in which the school zone speed limit is in effect.
(Ord. 123-19. Passed 12-9-19.)

B. As used in this section, "school" means all of the following:

1. Any school chartered under Ohio R.C. 3301.16;
2. Any nonchartered school that during the preceding year filed with the **OHIO** Department of Education **AND WORKFORCE** in compliance with O.A.C. § 3301-35-08, a copy of the school's report for the parents of the school's pupils certifying that the school meets state minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone;

[NO FURTHER CHANGES UNTIL PARAGRAPH (j).]

(j) (1) A violation of any provision of this section is one of the following:

A. Except as otherwise provided in subsections (j)(1)B., (1)C., (2) and (3) of this section, a minor misdemeanor;

B. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of Ohio R.C. 4511.21 or a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;

C. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of this section or of any provision of Ohio R.C. 4511.21 or a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.

(2) If the offender [~~has not previously been convicted of or pleaded guilty to a violation of any provision of Ohio R.C. 4511.21 or of any provision of a municipal ordinance that is substantially similar to Ohio R.C. 4511.21 and~~] operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster than thirty-five miles an hour in a school zone during recess or while children are going to or leaving school during the school's opening or closing hours, a misdemeanor of the fourth degree. **THIS SUBSECTION DOES NOT APPLY IF PENALTIES MAY BE IMPOSED UNDER SUBSECTIONS (j)(1)B. OR (j)(1)C. OF THIS SECTION.**

[NO FURTHER CHANGES TO THIS SECTION.]

333.11 ELECTRONIC WIRELESS COMMUNICATION DEVICE USE PROHIBITED [~~TEXTING~~] WHILE DRIVING [~~PROHIBITED~~].

(a) No person shall [~~drive~~] **OPERATE** a motor vehicle on any street, highway, or property open to the public for vehicular traffic while using, **HOLDING OR PHYSICALLY SUPPORTING WITH ANY PART OF THE PERSON'S BODY AN** [~~a handheld~~] electronic wireless communications device to write, send, or read a text-based communication.

(b) Subsection (a) of this section does not apply to any of the following:

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(1) A person using [~~a handheld~~] **AN** electronic wireless communications device [~~in that manner for emergency purposes, including an emergency~~] **TO MAKE** contact, **FOR EMERGENCY PURPOSES,** with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity[~~;~~]**.**

(2) A person driving a public safety vehicle [~~who uses a handheld~~] **WHILE USING AN** electronic wireless communications device in [~~that manner in~~] the course of the person's duties[~~;~~]**.**

(3) A person using [~~a handheld~~] **AN** electronic wireless communications device [~~in that manner whose~~] **WHEN THE PERSON'S** motor vehicle is in a stationary position and who is outside a lane of travel**, AT A TRAFFIC CONTROL SIGNAL THAT IS CURRENTLY DIRECTING TRAFFIC TO STOP, OR PARKED ON A ROAD OR HIGHWAY DUE TO AN EMERGENCY OR ROAD CLOSURE**;

(4) A person [~~reading, selecting, or entering a name or telephone number in a handheld~~] **USING AND HOLDING AN** electronic wireless communications device **DIRECTLY NEAR THE PERSON'S EAR** for the purpose of making**,** [~~or~~] receiving **OR CONDUCTING** a telephone call**, PROVIDED THAT THE PERSON DOES NOT MANUALLY ENTER LETTERS, NUMBERS OR SYMBOLS INTO THE DEVICE**;

(5) A person receiving wireless messages on [~~a~~] **AN ELECTRONIC WIRELESS COMMUNICATIONS** device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic or weather alerts; or data used primarily by the motor vehicle**, PROVIDED THAT THE PERSON DOES NOT HOLD OR SUPPORT THE DEVICE WITH ANY PART OF THE PERSON'S BODY**;

(6) A person [~~receiving~~] **USING THE SPEAKER PHONE FUNCTION OF THE ELECTRONIC** wireless [~~messages via radio waves~~] **COMMUNICATIONS DEVICE, PROVIDED THAT THE PERSON DOES NOT HOLD OR SUPPORT THE DEVICE WITH ANY PART OF THE PERSON'S BODY**;

(7) A person using [~~a~~] **AN ELECTRONIC WIRELESS COMMUNICATIONS** device for navigation purposes**, PROVIDED THAT THE PERSON DOES NOT DO EITHER OF THE FOLLOWING DURING THE USE**[~~;~~]**:**

A. MANUALLY ENTER LETTERS, NUMBERS, OR SYMBOLS INTO THE DEVICE;

B. HOLD OR SUPPORT THE DEVICE WITH ANY PART OF THE PERSON'S BODY;

(8) A person [~~conducting~~] **USING A FEATURE OR FUNCTION OF THE ELECTRONIC** wireless [~~interpersonal~~] communication**S** [~~with a~~] device [~~that does not require manually entering letters, numbers, or symbols or reading text messages, except to activate, deactivate, or initiate the device or a feature or function of the device~~] **WITH A SINGLE TOUCH OR SINGLE SWIPE, PROVIDED THAT THE PERSON DOES NOT DO EITHER OF THE FOLLOWING DURING THE USE**[~~;~~]**:**

A. MANUALLY ENTER LETTERS, NUMBERS, OR SYMBOLS INTO THE DEVISE;

B. HOLD OR SUPPORT THE DEVICE WITH ANY PART OF THE PERSON'S BODY;

(9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;

(10) A PERSON OPERATING A UTILITY SERVICE VEHICLE OR A VEHICLE FOR OR ON BEHALF OF A UTILITY, IF THE PERSON IS ACTING IN RESPONSE TO AN

EMERGENCY, POWER OUTAGE, OR CIRCUMSTANCE THAT AFFECTS THE HEALTH OR SAFETY OF INDIVIDUALS;

[~~(10)~~]**(11)** A person using [~~a handheld~~] **AN** electronic wireless communications device in conjunction with a voice-operated or hands-free device feature or function of the vehicle **OR OF THE DEVICE WITHOUT THE USE OF EITHER HAND EXCEPT TO ACTIVATE, DEACTIVATE, OR INITIATE THE FEATURE OR FUNCTION WITH A SINGE TOUCH OR SWIPE, PROVIDED THE PERSON DOES NOT HOLD OR SUPPORT THE DEVICE WITH ANY PART OF THE PERSON'S BODY;**

(12) A PERSON USING TECHNOLOGY THAT PHYSICALLY OR ELECTRONICALLY INTEGRATES THE DEVICE INTO THE MOTOR VEHICLE, PROVIDED THAT THE PERSON DOES NOT DO EITHER OF THE FOLLOWING DURING THE USE:

A. MANUALLY ENTER LETTERS, NUMBERS, OR SYMBOLS INTO THE DEVICE;

B. HOLD OR SUPPORT THE DEVICE WITH ANY PART OF THE PERSON'S BODY;

(13) A PERSON STORING AN ELECTRONIC WIRELESS COMMUNICATIONS DEVICE IN A HOLSTER, HARNESS, OR ARTICLE OF CLOTHING ON THE PERSON'S BODY.

(c) [~~Notwithstanding any provision of law to the contrary, no law enforcement officer shall cause an operator of an automobile being operated on any street or highway to stop the automobile for the sole purpose of determining whether a violation of subsection (a) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation or summons for a violation of that nature or causing the arrest of or commencing a prosecution of a person for a violation of that nature, and no law enforcement officer shall view the interior or visually inspect any automobile being operated on any street or highway for the sole purpose of determining whether a violation of that nature has been or is being committed. (Ord. 103-12. Passed 11-26-12.)~~]

IF A LAW ENFORCEMENT OFFICER ISSUES AN OFFENDER A TICKET, CITATION OR SUMMONS FOR A VIOLATION OF SUBSECTION (a) OF THIS SECTION, THE OFFICER SHALL DO BOTH OF THE FOLLOWING:

(1) REPORT THE ISSUANCE OF THE TICKET, CITATION, OR SUMMONS TO THE OFFICER'S LAW ENFORCEMENT AGENCY;

(2) ENSURE THAT SUCH REPORT INDICATES THE OFFENDER'S RACE.

(d) Whoever violates subsection (a) of this section is guilty of **OPERATING A MOTOR VEHICLE WHILE USING AN ELECTRONIC WIRELESS COMMUNICATION DEVICE, AN UNCLASSIFIED** [~~a minor~~] misdemeanor **AND SHALL BE PUNISHED AS PROVIDED IN SUBSECTIONS (d)(1) TO (5) OF THIS SECTION**.

(1) THE OFFENDER SHALL BE FINED, AND IS SUBJECT TO A SUSPENSION OF THE OFFENDER'S DRIVER'S LICENSE, COMMERCIAL DRIVER'S LICENSE, TEMPORARY INSTRUCTION PERMIT, PROBATIONARY LICENSE, OR NONRESIDENT OPERATING PRIVILEGE, AS FOLLOWS:

A. EXCEPT AS PROVIDED IN SUBSECTIONS (d)(1)B., (d)(1)C., (d)(1)D. AND (d)(2) OF THIS SECTION, THE COURT SHALL IMPOSE UPON THE OFFENDER A FINE OF NOT MORE THAN ONE HUNDRED FIFTY DOLLARS ($150.00).

B. IF, WITHIN TWO YEARS OF THE VIOLATION, THE OFFENDER HAS BEEN CONVICTED OF OR PLEADED GUILTY TO ONE PRIOR VIOLATION OF THIS SECTION, OHIO R.C. 4511.204, OR A SUBSTANTIALLY EQUIVALENT MUNICIPAL ORDINANCE, THE COURT SHALL IMPOSE UPON THE OFFENDER A FINE OF NOT MORE THAN TWO HUNDRED FIFTY DOLLARS ($250.00).

C. IF, WITHIN TWO YEARS OF THE VIOLATION, THE OFFENDER HAS BEEN CONVICTED OF OR PLEADED GUILTY TO TWO OR MORE PRIOR VIOLATIONS OF THIS SECTION, OHIO R.C. 4511.204, OR A SUBSTANTIALLY EQUIVALENT OR MUNICIPAL ORDINANCE, THE COURT SHALL IMPOSE UPON THE OFFENDER A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS ($500.00). THE COURT ALSO MAY IMPOSE A SUSPENSION OF THE OFFENDER'S DRIVER'S LICENSE, COMMERCIAL DRIVER'S LICENSE, TEMPORARY INSTRUCTION PERMIT, PROBATIONARY LICENSE, OR NONRESIDENT OPERATING PRIVILEGE FOR NINETY DAYS.

D. NOTWITHSTANDING SUBSECTIONS (d)(1)A. TO (d)(1)C. OF THIS SECTION, IF THE OFFENDER WAS OPERATING THE MOTOR VEHICLE AT THE TIME OF THE VIOLATION IN A CONSTRUCTION ZONE WHERE A SIGN WAS POSTED IN ACCORDANCE WITH OHIO R.C. 4511.98, THE COURT, IN ADDITION TO ALL OTHER PENALTIES PROVIDED BY LAW, SHALL IMPOSE UPON THE OFFENDER A FINE OF TWO TIMES THE AMOUNT IMPOSED FOR THE VIOLATION UNDER SUBSECTIONS (d)(1)A., (d)(1)B., OR (d)(1)C. OF THIS SECTION, AS APPLICABLE.

(2) IF THE OFFENDER IS IN THE CATEGORY OF OFFENDERS TO WHOM SUBSECTION (d)(1)A OF THIS SECTION APPLIES, IN LIEU OF PAYMENT OF THE FINE OF ONE HUNDRED FIFTY DOLLARS ($150.00) UNDER SUBSECTION (d)(1)A. OF THIS SECTION AND THE ASSESSMENT OF POINTS UNDER SUBSECTION (d)(4) OF THIS SECTION, THE OFFENDER INSTEAD MAY ELECT TO ATTEND THE DISTRACTED DRIVING SAFETY COURSE, AS DESCRIBED IN SECTION 303.991. IF THE OFFENDER ATTENDS AND SUCCESSFULLY COMPLETES THE COURSE, THE OFFENDER SHALL BE ISSUED WRITTEN EVIDENCE THAT THE OFFENDER SUCCESSFULLY COMPLETED THE COURSE. THE OFFENDER SHALL NOT BE REQUIRED TO PAY THE FINE AND SHALL NOT HAVE THE POINTS ASSESSED AGAINST THAT OFFENDER'S DRIVER'S LICENSE IF THE OFFENDER SUBMITS THE WRITTEN EVIDENCE TO THE COURT. THIS SUBSECTION DOES NOT APPLY WITH RESPECT TO ANY OFFENDER IN THE CATEGORY OF OFFENDERS TO WHOM SUBSECTION (d)(1)B., C., OR D. OF THIS SECTION APPLIES.

(3) THE COURT MAY IMPOSE ANY OTHER PENALTY AUTHORIZED UNDER OHIO R.C. 2929.21 TO 2929.28. HOWEVER, THE COURT SHALL NOT IMPOSE A FINE OR A SUSPENSION NOT OTHERWISE SPECIFIED IN SUBSECTION (d)(1) OF THIS SECTION. THE COURT ALSO SHALL NOT IMPOSE A JAIL TERM OR COMMUNITY RESIDENTIAL SANCTION.

(4) EXCEPT AS PROVIDED IN SUBSECTION (d)(2) OF THIS SECTION, POINTS SHALL BE ASSESSED FOR A VIOLATION OF SUBSECTION (a) OF THIS SECTION IN ACCORDANCE WITH OHIO R.C. 4510.036.

(5) THE OFFENSE ESTABLISHED UNDER THIS SECTION IS A STRICT LIABILITY OFFENSE AND OHIO R.C. 2901.20 DOES NOT APPLY. THE DESIGNATION OF THIS OFFENSE AS A STRICT LIABILITY OFFENSE SHALL NOT BE CONSTRUED TO IMPLY THAT ANY OTHER OFFENSE, FOR WHICH THERE IS NO SPECIFIED DEGREE OF CULPABILITY, IS NOT A STRICT LIABILITY OFFENSE.

(e) A prosecution for [~~a~~] **AN OFFENSE IN** violation of **THIS SECTION DOES NOT PRECLUDE A PROSECUTION FOR AN OFFENSE IN VIOLATION OF** Ohio R.C. 4511.204 [~~does not preclude a prosecution~~

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

~~for a violation of a substantially equivalent municipal ordinance based on the same conduct. However, if an offender is convicted of or pleads guilty to a violation of Ohio R.C. 4511.204 and is also convicted of or pleads guilty to a violation of a substantially equivalent municipal ordinance~~] based on the same conduct[~~,~~]**. HOWEVER,** the two offenses are allied offenses of similar import under Ohio R.C. 2941.25.

(f) (1) A LAW ENFORCEMENT OFFICER DOES NOT HAVE PROBABLE CAUSE AND SHALL NOT STOP THE OPERATOR OF A MOTOR VEHICLE FOR THE PURPOSES OF ENFORCING THIS SECTION UNLESS THE OFFICER VISUALLY OBSERVES THE OPERATOR USING, HOLDING, OR PHYSICALLY SUPPORTING WITH ANY PART OF THE PERSON'S BODY THE ELECTRONIC WIRELESS COMMUNICATIONS DEVICE.

(2) A LAW ENFORCEMENT OFFICER WHO STOPS THE OPERATOR OF A MOTOR VEHICLE FOR A VIOLATION OF SUBSECTION (a) OF THIS SECTION SHALL INFORM THE OPERATOR THAT THE OPERATOR MAY DECLINE A SEARCH OF THE OPERATOR'S ELECTRONIC WIRELESS COMMUNICATIONS DEVICE. THE OFFICER SHALL NOT DO ANY OF THE FOLLOWING:

A. ACCESS THE DEVICE WITHOUT A WARRANT UNLESS THE OPERATOR VOLUNTARILY AND UNEQUIVOCALLY GIVES CONSENT FOR THE OFFICER TO ACCESS THE DEVICE;

B. CONFISCATE THE DEVICE WHILE AWAITING THE ISSUANCE OF A WARRANT TO ACCESS THE DEVICE;

C. OBTAIN CONSENT FROM THE OPERATOR TO ACCESS THE DEVICE THROUGH COERCION OR ANY OTHER IMPROPER MEANS. ANY CONSENT BY THE OPERATOR TO ACCESS THE DEVICE SHALL BE VOLUNTARY AND UNEQUIVOCAL BEFORE THE OFFICER MAY ACCESS THE DEVICE WITHOUT A WARRANT.

[~~(f)~~] **(g)** As used in this section:

(1) "Electronic wireless communications device" includes any of the following:

A. A wireless telephone;

B. A text-messaging device;

C. A personal digital assistant;

D. A computer, including a laptop computer and a computer tablet;

E. ANY DEVICE CAPABLE OF DISPLAYING A VIDEO, MOVIE, BROADCAST TELEVISION IMAGE, OR VISUAL IMAGE;

[~~E.~~] **F.** Any other substantially similar wireless device that is designed or used to communicate text**, INITIATE OR RECEIVE COMMUNICATION, OR EXCHANGE INFORMATION OR DATA**.

(2) "UTILITY" MEANS AN ENTITY SPECIFIED IN OHIO R.C. 4905.03(A), (C), (D), (E) OR (G).

(3) "UTILITY SERVICE VEHICLE" MEANS A VEHICLE OWNED OR OPERATED BY A UTILITY.

[~~(2)~~] **(4)** "Voice-operated or hands-free [~~device~~] **FEATURE OR FUNCTION**" means a [~~device~~] **FEATURE OR FUNCTION** that allows [~~the user to vocally compose or send, or to listen to a text-based communication~~] **A PERSON TO USE AN ELECTRONIC WIRELESS COMMUNICATION DEVICE** without the use of either hand**,** except to activate, or deactivate**, OR INITIATE THE** [~~a~~] feature or function **WITH A SINGLE TOUCH OR SINGLE SWIPE.**

(ORC 4511.204)

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

[~~(3) "Write, send or read a text-based communication" means to manually write or send, or read a text-based communication using an electronic wireless communications device, including manually writing or sending, or reading communications referred to as text messages, instant messages, or electronic mail.~~
~~(Ord. 1-14. Passed 1-13-14.)~~]

335.07 DRIVING UNDER SUSPENSION OR LICENSE RESTRICTION.
[NO CHANGE TO THIS SECTION UNTIL NEW PARAGRAPH (i).]
(i) IT IS AN AFFIRMATIVE DEFENSE TO ANY PROSECUTION BROUGHT UNDER THIS SECTION THAT THE ALLEGED OFFENDER DROVE UNDER SUSPENSION, WITHOUT A VALID PERMIT OR DRIVER'S OR COMMERCIAL DRIVER'S LICENSE, OR IN VIOLATION OF A RESTRICTION BECAUSE OF A SUBSTANTIAL EMERGENCY, AND BECAUSE NO OTHER PERSON WAS REASONABLY AVAILABLE TO DRIVE IN RESPONSE TO THE EMERGENCY.
(ORC 4510.04)

335.071 DRIVING UNDER OVI SUSPENSION.
[NO CHANGE TO THIS SECTION UNTIL NEW PARAGRAPH (i).]
(i) IT IS AN AFFIRMATIVE DEFENSE TO ANY PROSECUTION BROUGHT UNDER THIS SECTION THAT THE ALLEGED OFFENDER DROVE UNDER SUSPENSION, WITHOUT A VALID PERMIT OR DRIVER'S OR COMMERCIAL DRIVER'S LICENSE, OR IN VIOLATION OF A RESTRICTION BECAUSE OF A SUBSTANTIAL EMERGENCY, AND BECAUSE NO OTHER PERSON WAS REASONABLY AVAILABLE TO DRIVE IN RESPONSE TO THE EMERGENCY.
(ORC 4510.04)

335.072 DRIVING UNDER FINANCIAL RESPONSIBILITY LAW SUSPENSION OR CANCELLATION; DRIVING UNDER A NONPAYMENT OF JUDGMENT SUSPENSION.
[NO CHANGE TO THIS SECTION UNTIL NEW PARAGRAPH (f).]
(f) IT IS AN AFFIRMATIVE DEFENSE TO ANY PROSECUTION BROUGHT UNDER THIS SECTION THAT THE ALLEGED OFFENDER DROVE UNDER SUSPENSION, WITHOUT A VALID PERMIT OR DRIVER'S OR COMMERCIAL DRIVER'S LICENSE, OR IN VIOLATION OF A RESTRICTION BECAUSE OF A SUBSTANTIAL EMERGENCY, AND BECAUSE NO OTHER PERSON WAS REASONABLY AVAILABLE TO DRIVE IN RESPONSE TO THE EMERGENCY. (ORC 4510.04)

335.073 DRIVING WITHOUT COMPLYING WITH LICENSE REINSTATEMENT REQUIREMENTS.
[NO CHANGE TO THIS SECTION UNTIL NEW PARAGRAPH (d).]
(d) IT IS AN AFFIRMATIVE DEFENSE TO ANY PROSECUTION BROUGHT UNDER THIS SECTION THAT THE ALLEGED OFFENDER DROVE UNDER SUSPENSION, WITHOUT A VALID PERMIT OR DRIVER'S OR COMMERCIAL DRIVER'S LICENSE, OR IN VIOLATION OF A RESTRICTION BECAUSE OF A SUBSTANTIAL EMERGENCY, AND BECAUSE NO OTHER PERSON WAS REASONABLY AVAILABLE TO DRIVE IN RESPONSE TO THE EMERGENCY. (ORC 4510.04)

335.074 DRIVING UNDER LICENSE FORFEITURE OR CHILD SUPPORT SUSPENSION.
[NO CHANGE TO THIS SECTION UNTIL NEW PARAGRAPH (d).]
(d) IT IS AN AFFIRMATIVE DEFENSE TO ANY PROSECUTION BROUGHT UNDER THIS SECTION THAT THE ALLEGED OFFENDER DROVE UNDER SUSPENSION, WITHOUT A VALID PERMIT OR DRIVER'S OR COMMERCIAL DRIVER'S LICENSE, OR IN VIOLATION OF A RESTRICTION BECAUSE OF A SUBSTANTIAL

EMERGENCY, AND BECAUSE NO OTHER PERSON WAS REASONABLY AVAILABLE TO DRIVE IN RESPONSE TO THE EMERGENCY.
(ORC 4510.04)

337.16 NUMBER OF LIGHTS; LIMITATIONS ON FLASHING, OSCILLATING OR ROTATING LIGHTS.
[NO CHANGE TO THIS SECTION UNTIL PARAGRAPH (c).]

(c) (1) Flashing lights are prohibited on motor vehicles, except as a means for indicating a right or left turn, or in the presence of a vehicular traffic hazard requiring unusual care in approaching, or overtaking or passing.

(2) The prohibition in subsection (c)(1) of this section does not apply to any of the following:

A. Emergency vehicles, road service vehicles servicing or towing a disabled vehicle, stationary waste collection vehicles actively collecting garbage, refuse, trash or recyclable materials on the roadside, rural mail delivery vehicles, vehicles as provided in Ohio R.C. 4513.182, highway maintenance vehicles, and similar equipment operated by state or local authorities, provided such vehicles are equipped with and display, when used on a street or highway for the special purpose necessitating such lights, a flashing, oscillating or rotating amber light:

B. Vehicles or machinery permitted by Ohio R.C. 4513.111 to have a flashing red light;

C. Farm machinery and vehicles escorting farm machinery provided such machinery and vehicles are equipped with and display, when used on a street or highway, a flashing, oscillating, or rotating amber light. Farm machinery also may display the lights described in Ohio R.C. 4513.111.

D. A funeral hearse or funeral escort vehicle, provided that the funeral hearse or funeral escort vehicle is equipped with and displays, when used on a street or highway for the special purpose necessitating such lights, a flashing, oscillating or rotating purple or amber light;

E. A VEHICLE BEING USED FOR EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY ACTIVITIES, AS THOSE TERMS ARE DEFINED IN OHIO R.C. 5502.21, THAT IS EQUIPPED WITH AND DISPLAYS, WHEN USED ON A STREET OR HIGHWAY FOR THE SPECIAL PURPOSE NECESSITATING SUCH LIGHTS, A FLASHING, OSCILLATING, OR ROTATING AMBER OR RED AND WHITE LIGHT, PROVIDED THAT THE VEHICLE IS BEING OPERATED BY A PERSON FROM ONE OF THE FOLLOWING AND THE VEHICLE IS CLEARLY MARKED WITH THE APPLICABLE AGENCY'S OR AUTHORITY'S INSIGNIA:

1. THE OHIO EMERGENCY MANAGEMENT AGENCY;

2. A COUNTYWIDE EMERGENCY MANAGEMENT AGENCY ESTABLISHED UNDER OHIO R.C. 5502.26;

3. A REGIONAL AUTHORITY FOR EMERGENCY MANAGEMENT ESTABLISHED UNDER OHIO R.C. 5502.27;

4. A PROGRAM FOR EMERGENCY MANAGEMENT ESTABLISHED UNDER OHIO R.C. 5502.271.

(3) Subsection (c)(1) of this section does not apply to animal-drawn vehicles subject to Ohio R.C. 4513.114.

(d) (1) Except a person operating a public safety vehicle, as defined in Ohio R.C. 4511.01(E), **AN EMERGENCY MANAGEMENT AGENCY VEHICLE, AS DESCRIBED IN SUBSECTION (c)(2)E. OF THIS SECTION,** or a school bus, no person shall operate, move or park upon or permit to stand within the right of way of any public street or highway any vehicle or equipment that is equipped with and displaying a flashing red or a flashing combination red and white light, or an oscillating or rotating red light, or a combination red and white oscillating or rotating light.

(2) Except a public law enforcement officer, or other person sworn to enforce the criminal and traffic laws of the State or Municipality, operating a public safety vehicle when on duty, no person shall operate, move or park upon, or permit to stand within the right of way of any street or highway any vehicle or equipment that is equipped with, or upon which is mounted, and displaying a flashing blue or a flashing combination blue and white light, or an oscillating or rotating blue light, or a combination blue and white oscillating or rotating light.

(Ord. 102-23. Passed 6-29-23.)

[NO FURTHER CHANGES TO THIS SECTION.]

337.22 WINDSHIELD AND WINDSHIELD WIPER; SIGN OR POSTER THEREON.

[NO CHANGE TO THIS SECTION UNTIL PARAGRAPH (b).]

(b) (1) No person shall drive any motor vehicle, other than a bus, with any sign, poster or other nontransparent material upon the front windshield, sidewings, side or rear windows of such vehicle other than a certificate or other paper required to be displayed by law, except that there may be in the lower left-hand or right-hand corner of the windshield a sign, poster or decal not to exceed four inches in height by six inches in width. No sign, poster or decal shall be displayed in the front windshield in such a manner as to conceal the vehicle identification number for the motor vehicle when in accordance with federal law, that number is located inside the vehicle passenger compartment and so placed as to be readable through the vehicle glazing without moving any part of the vehicle.

(2) Subsection (b)(1) of this section does not apply to a person who is driving a passenger car with an electronic device, including an antenna, electronic tolling or other transponder, camera, directional navigation device, or other similar electronic device located in the front windshield if the device meets both of the following:

A. IT IS A "VEHICLE SAFETY TECHNOLOGY" AS DEFINED IN 49 C.F.R. §393.5 AND COMPLIES WITH 49 C.F.R. §393.60(e)(1)(ii).

[~~A.~~] **B.** It does not restrict the vehicle operator's sight lines to the road and highway signs and signals**, AND IT DOES NOT CONCEAL THE VEHICLE IDENTIFICATION NUMBER**.

[~~B. It does not conceal the vehicle identification number.~~]

(3) Subsection (b)(1) of this section does not apply to a person who is driving a commercial car with an electronic device, including an antenna, electronic tolling or other transponder, camera, directional navigation device, or other similar electronic device located in the front windshield if the device meets both of the following:

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

A. IT IS A "VEHICLE SAFETY TECHNOLOGY" AS DEFINED IN 49 C.F.R. §393.5 AND COMPLIES WITH 49 C.F.R. §393.60(e)(1)(ii).

[~~A.~~] **B.** It does not restrict the vehicle operator's sight lines to the road and highway signs and signals**, AND IT IS MOUNTED NOT MORE THAN EIGHT AND ONE-HALF INCHES BELOW THE UPPER EDGE OF THE WINDSHIELD.**

[~~B. It is mounted not more than six inches below the upper edge of the windshield and is outside the area swept by the vehicle's windshield wipers.~~

[~~(Ord. 102-11. Passed 10-11-11.)~~]

[NO FURTHER CHANGES TO THIS SECTION.]

337.26 CHILD RESTRAINT SYSTEM USAGE.

[NO CHANGE TO THIS SECTION UNTIL PARAGRAPH (b).]

(b) When any child who is in either or both of the following categories is being transported in a motor vehicle, other than a taxicab, that is owned, leased or otherwise under the control of a nursery school, or [~~day~~] **CHILD** care center, the operator of the motor vehicle shall have the child properly secured in accordance with the manufacturer's instructions in a child restraint system that meets federal motor vehicle safety standards:

(1) A child who is less than four years of age;

(2) A child who weighs less than forty pounds.

[NO FURTHER CHANGES TO THIS SECTION.]

337.34 LIGHTS AND SIGN ON TRANSPORTATION FOR PRESCHOOL CHILDREN.

(a) NO PERSON SHALL OPERATE ANY MOTOR VEHICLE OWNED, LEASED, OR HIRED BY A NURSERY SCHOOL, KINDERGARTEN, OR CHILD CARE CENTER, WHILE TRANSPORTING PRESCHOOL CHILDREN TO OR FROM SUCH AN INSTITUTION UNLESS THE MOTOR VEHICLE IS EQUIPPED WITH AND DISPLAYING TWO AMBER FLASHING LIGHTS MOUNTED ON A BAR ATTACHED TO THE TOP OF THE VEHICLE, AND A SIGN BEARING THE DESIGNATION "CAUTION – CHILDREN", WHICH SHALL BE ATTACHED TO THE BAR CARRYING THE AMBER FLASHING LIGHTS IN SUCH A MANNER AS TO BE LEGIBLE TO PERSONS BOTH IN FRONT OF AND BEHIND THE VEHICLE. THE LIGHTS AND SIGN SHALL MEET STANDARDS AND SPECIFICATIONS ADOPTED BY THE OHIO DIRECTOR OF PUBLIC SAFETY.

(b) NO PERSON SHALL OPERATE A MOTOR VEHICLE DISPLAYING THE LIGHTS AND SIGN REQUIRED BY THIS SECTION FOR ANY PURPOSE OTHER THAN THE TRANSPORTATION OF PRESCHOOL CHILDREN AS PROVIDED IN THIS SECTION. (ORC 4513.182)

(c) WHOEVER VIOLATES THIS SECTION IS GUILTY OF A MINOR MISDEMEANOR. (ORC 4513.99)

341.01 DEFINITIONS.

[NO CHANGE TO THIS SECTION UNTIL PARAGRAPH (b).]

(b) "Commercial driver's license"**.** [~~means~~]

(1) [~~a~~] **A** license issued in accordance with Ohio R.C. Chapter 4506 that authorizes an individual to drive a commercial motor vehicle. **EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED "COMMERCIAL DRIVER'S LICENSE" INCLUDES AN "ENHANCED COMMERCIAL DRIVER'S LICENSE."** [~~(Ord. 133-06. Passed 10-23-06.)~~]

(2) "ENHANCED COMMERCIAL DRIVER'S LICENSE" MEANS A COMMERCIAL DRIVER'S LICENSE ISSUED IN ACCORDANCE WITH OHIO R.C. 4507.021 AND

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

4506.072 THAT DENOTES CITIZENSHIP AND IDENTITY AND IS APPROVED BY THE UNITED STATES SECRETARY OF HOMELAND SECURITY OR OTHER DESIGNATED FEDERAL AGENCY FOR PURPOSES OF ENTERING THE UNITED STATES.

[NO FURTHER CHANGES UNTIL PARAGRAPH (i).]

(i) "Drug of abuse" means any controlled substance, dangerous drug as defined in Ohio R.C. 4729.01**, HARMFUL INTOXICANT AS DEFINED IN OHIO R.C. 2925.01,** or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

[NO FURTHER CHANGES TO THIS SECTION.]

341.04 PROHIBITIONS.

(a) No person shall do any of the following:

(1) Drive a commercial motor vehicle while having in the person's possession or otherwise under the person's control more than one valid driver's license issued by this State, any other state or by a foreign jurisdiction;

(2) Drive a commercial motor vehicle on a highway in this Municipality in violation of an out-of-service order, while the person's driving privilege is suspended, revoked or canceled, or while the person is subject to disqualification;

(3) Drive a motor vehicle on a highway in this Municipality under authority of a commercial driver's license issued by another state or a foreign jurisdiction, after having been a resident of this State for thirty days or longer.

(4) KNOWINGLY GIVE FALSE INFORMATION IN ANY APPLICATION OR CERTIFICATION REQUIRED BY OHIO R.C. 4506.07;

(5) KNOWINGLY PROVIDE FALSE STATEMENTS OR ENGAGE IN ANY FRAUDULENT ACT RELATED TO TESTING FOR A COMMERCIAL DRIVER'S LICENSE AS REQUIRED IN OHIO R.C. 4506.09.

(b) [~~Whoever violates this section is guilty of a misdemeanor of the first degree. (ORC 4506.04)~~] **THE MUNICIPALITY SHALL GIVE EVERY CONVICTION OCCURRING OUT OF THIS STATE AND NOTICE OF WHICH WAS RECEIVED BY THE STATE DEPARTMENT OF PUBLIC SAFETY AFTER DECEMBER 31, 1989, FULL FAITH AND CREDIT AND TREAT IT FOR SANCTIONING PURPOSES UNDER THIS CHAPTER AS THOUGH THE CONVICTION HAD OCCURRED IN THIS STATE. (ORC 4506.04(A), (B))**

(c) NO PERSON SHALL DRIVE ANY COMMERCIAL MOTOR VEHICLE FOR WHICH AN ENDORSEMENT IS REQUIRED UNDER OHIO R.C. 4506.12 UNLESS THE PROPER ENDORSEMENT APPEARS ON THE PERSON'S COMMERCIAL DRIVER'S LICENSE OR COMMERCIAL DRIVER'S LICENSE TEMPORARY INSTRUCTION PERMIT. NO PERSON SHALL DRIVE A COMMERCIAL MOTOR VEHICLE IN VIOLATION OF A RESTRICTION ESTABLISHED UNDER OHIO R.C. 4506.12 THAT APPEARS ON THE PERSON'S COMMERCIAL DRIVER'S LICENSE OR COMMERCIAL DRIVER'S LICENSE TEMPORARY INSTRUCTION PERMIT. (ORC 4506.12(I))

(d) (1) WHOEVER VIOLATES SUBSECTION (a)(1), (a)(2) or (a)(3) OF THIS SECTION IS GUILTY OF A MISDEMEANOR OF THE FIRST DEGREE.

(2) WHOEVER VIOLATES SUBSECTION (a)(4) OF THIS SECTION IS GUILTY OF FALSIFICATION, A MISDEMEANOR OF THE FIRST DEGREE. IN ADDITION, THE PROVISIONS OF OHIO R.C. 4507.19 APPLY.

(3) WHOEVER VIOLATES SUBSECTION (a)(5) OF THIS SECTION IS GUILTY OF FALSIFICATION, A MISDEMEANOR OF THE THIRD DEGREE. IN ADDITION, THE PROVISIONS OF OHIO R.C. 4507.19 APPLY. (ORC 4506.04(C))

(4) A. WHOEVER VIOLATES SUBSECTION (c) OF THIS SECTION IS GUILTY OF A

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

MISDEMEANOR OF THE FIRST DEGREE.

B. THE OFFENSES ESTABLISHED UNDER SUBSECTION (c) OF THIS SECTION ARE STRICT LIABILITY OFFENSES AND OHIO R.C. 2901.20 DOES NOT APPLY. THE DESIGNATION OF THESE OFFENSES AS STRICT LIABILITY OFFENSES SHALL NOT BE CONSTRUED TO IMPLY THAT ANY OTHER OFFENSE FOR WHICH THERE IS NO SPECIFIED DEGREE OF CULPABILITY, WHETHER IN THIS SECTION OR ANOTHER SECTION OF THIS CODE OR THE OHIO REVISED CODE, IS NOT A STRICT LIABILITY OFFENSE. (ORC 4506.12(J))

341.05 CRIMINAL OFFENSES.

(a) No person who holds a commercial driver's license, or commercial driver's license temporary instruction permit or who operates a motor vehicle for which a commercial driver's license or permit is required shall do any of the following:

(1) Drive a commercial motor vehicle while having a measureable or detectable amount of alcohol or of a controlled substance in the person's blood, breath or urine;

(2) Drive a commercial motor vehicle while having an alcohol concentration of four-hundredths of one per cent or more by whole blood or breath;

(3) Drive a commercial motor vehicle while having an alcohol concentration of forty-eight-thousandths of one per cent or more by blood serum or blood plasma;

(4) Drive a commercial motor vehicle while having an alcohol concentration of fifty-six-thousandths of one per cent or more by urine;

(5) Drive a motor vehicle while under the influence of a controlled substance;

(6) Drive a motor vehicle in violation of Ohio R.C. 4511.19 or a municipal OVI ordinance as defined in Ohio R.C. 4511.181;

(7) Use a motor vehicle in the commission of a felony;

(8) Refuse to submit to a test under Ohio R.C. 4506.17 or 4511.191;

(9) Operate a commercial motor vehicle while the person's commercial driver's license or permit or other commercial driving privileges are revoked, suspended, canceled, or disqualified;
(Ord. 99-15. Passed 11-23-15.)

(10) Cause a fatality through the negligent operation of a commercial motor vehicle, including, but not limited to, the offenses of aggravated vehicular homicide, vehicular homicide, and vehicular manslaughter;

(11) Fail to stop after an accident in violation of Sections 335.12 to 335.14;

(12) Drive a commercial motor vehicle in violation of any provision of Ohio R.C. 4511.61 to 4511.63 or any federal or local law or ordinance pertaining to railroad-highway grade crossings;

(13) Use a motor vehicle in the commission of a felony involving the manufacture, distribution, or dispensing of a controlled substance as defined in Ohio R.C. 3719.01 or the possession with intent to manufacture, distribute, or dispose a controlled substance.

(14) USE A COMMERCIAL MOTOR VEHICLE IN THE COMMISSION OF A VIOLATION OF OHIO R.C. 2905.32 OR ANY OTHER SUBSTANTIALLY EQUIVALENT OFFENSE ESTABLISHED UNDER FEDERAL LAW OR THE LAWS OF ANOTHER STATE.

(b) Whoever violates this section is guilty of a misdemeanor of the first degree.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

[~~(Ord. 103-12. Passed 11-26-12.)~~]

(c) THE OFFENSE ESTABLISHED UNDER SUBSECTION (a) OF THIS SECTION ARE STRICT LIABILITY OFFENSES AND OHIO R.C. 2901.20 DOES NOT APPLY. THE DESIGNATION OF THESE OFFENSES AS STRICT LIABILITY OFFENSES SHALL NOT BE CONSTRUED TO IMPLY THAT ANY OTHER OFFENSE, FOR WHICH THERE IS NO SPECIFIED DEGREE OF CULPABILITY, IS NOT A STRICT LIABILITY OFFENSE. (ORC 4506.15)

351.04 PARKING NEAR CURB; HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES.

[NO CHANGES TO THIS SECTION UNTIL PARAGRAPH (e).]

(e) [~~Special~~] **ACCESSIBLE** parking locations and privileges for persons with disabilities that limit or impair the ability to walk[~~, also known as handicapped parking spaces or disability parking spaces~~] shall be provided and designated by [~~the Municipality~~] **ALL POLITICAL SUBDIVISIONS AND BY THE STATE** and all agencies and instrumentalities thereof at all offices and facilities, where parking is provided, whether owned, rented or leased, and at all publicly owned parking garages. The locations shall be designated through the posting of an elevated sign, whether permanently affixed or movable, imprinted with the international symbol of access and shall be reasonably close to exits, entrances, elevators and ramps. All elevated signs posted in accordance with this [~~subsection~~] **DIVISION** and Ohio R.C. 3781.111 (C) shall be mounted on a fixed or movable post, and the distance from the ground to the bottom edge of the sign shall measure not less than five feet. If a new sign or a replacement sign designating [~~a special~~] **AN ACCESSIBLE** parking location is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the [~~special~~] designated **ACCESSIBLE** parking location if the motor vehicle is not legally entitled to be parked in that location.

[~~(Ord. 103-12. Passed 11-26-12.)~~]

(f) (1) A. No person shall stop, stand or park any motor vehicle at [~~special~~] **ACCESSIBLE** parking locations provided under subsection (e) [~~hereof~~] **OF THIS SECTION**, or at [~~special~~] **ACCESSIBLE** clearly marked parking locations provided in or on privately owned parking lots, parking garages, or other parking areas and designated in accordance with [~~subsection (e) hereof~~] **THAT DIVISION**, unless one of the following applies:

1. The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or special license plates; **OR**
2. The motor vehicle is being operated by or for the transport of a [~~handicapped~~] person **WITH A DISABILITY** and is displaying a parking card or [~~special handicapped~~] **ACCESSIBLE** license plates.

B. Any motor vehicle that is parked in [~~a special~~] **AN ACCESSIBLE** marked parking location in violation of subsection (f)(1)A.**1. OR (f)(1)A.2.** of this section may be towed or otherwise removed from the parking location by the [~~Police Department~~] **LAW ENFORCEMENT AGENCY OF THE MUNICIPALITY**. A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed by the [~~M~~]**m**unicipality for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the

lessee presents proof that [~~that~~] **THE** person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed by the [~~M~~]**m**unicipality for towing and storing motor vehicles.

C. If a person is charged with a violation of subsection (f)(1)A.**1. OR (f)(1)A.2.** of this section, it is an affirmative defense to the charge that the person suffered an injury not more than seventy-two hours prior to the time the person was issued the ticket or citation and that, because of the injury, the person meets at least one of the criteria contained in Ohio R.C. 4503.44(A)(1).

(2) No person shall stop, stand or park any motor vehicle in an area that is commonly known as an access aisle, which area is marked by diagonal stripes and is located immediately adjacent to [~~a special~~] **AN ACCESSIBLE** parking location provided under subsection (e) of this section or at [~~a special~~] **AN ACCESSIBLE** clearly marked parking location provided in or on a privately owned parking lot, parking garage, or other parking area and designated in accordance with that [~~subsection~~] **DIVISION**. [~~(Ord. 99-15. Passed 11-23-15.)~~]

(g) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or [~~a temporary removable windshield placard or special~~] **ACCESSIBLE** license plates, or when a motor vehicle is being operated by or for the transport of a [~~handicapped~~] person **WITH A DISABILITY,** and is displaying a parking card or [~~special handicapped~~] **ACCESSIBLE** license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.

(h) NO OWNER OF AN OFFICE, FACILITY, OR PARKING GARAGE WHERE ACCESSIBLE PARKING LOCATIONS ARE REQUIRED TO BE DESIGNATED IN ACCORDANCE WITH SUBSECTION (e) OF THIS SECTION SHALL FAIL TO PROPERLY MARK THE ACCESSIBLE PARKING LOCATIONS IN ACCORDANCE WITH THAT DIVISION OR FAIL TO MAINTAIN THE MARKINGS OF THE ACCESSIBLE LOCATIONS, INCLUDING THE ERECTION AND MAINTENANCE OF THE FIXED OR MOVABLE SIGNS.

(i) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE A PERSON OR ORGANIZATION TO APPLY FOR A REMOVABLE WINDSHIELD PLACARD OR ACCESSIBLE LICENSE PLATES IF THE PARKING CARD OR ACCESSIBLE LICENSE PLATES, ISSUED TO THE PERSON OR ORGANIZATION UNDER PRIOR LAW HAVE NOT EXPIRED OR BEEN SURRENDERED OR REVOKED.

[~~(h)~~] **(j)** As used in this section:

[~~(1) "Handicapped person" means any person who has lost the use of one or both legs, or one or both arms, who is blind, deaf or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary or other handicapping condition.~~

~~(2) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in Ohio R.C. 4503.44.~~

~~(3) "Special license plates" and "removable windshield placard" mean any license plates or removable windshield placard or temporary removable windshield placard issued under Ohio R.C. 4503.41 or 4503.44, and also mean any substantially similar license plates or removable windshield placard or temporary removable windshield placard issued by a state, district, country or sovereignty.~~]

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(1) "ACCESSIBLE LICENSE PLATES" AND "REMOVABLE WINDSHIELD PLACARD" MEAN ANY LICENSE PLATES, STANDARD REMOVABLE WINDSHIELD PLACARD, PERMANENT REMOVABLE WINDSHIELD PLACARD OR TEMPORARY REMOVABLE WINDSHIELD PLACARD ISSUED UNDER OHIO R.C. 4503.41 OR 4503.44, AND ALSO MEAN ANY SUBSTANTIALLY EQUIVALENT LICENSE PLATES OR REMOVABLE WINDSHIELD PLACARD ISSUED BY A STATE, DISTRICT, COUNTRY, OR SOVEREIGNTY.

(2) "PERSON WITH A DISABILITY" MEANS ANY PERSON WHO HAS LOST THE USE OF ONE OR BOTH LEGS OR ONE OR BOTH ARMS, WHO IS BLIND, DEAF, OR UNABLE TO MOVE WITHOUT THE AID OF CRUTCHES OR A WHEELCHAIR, OR WHOSE MOBILITY IS RESTRICTED BY A PERMANENT CARDIOVASCULAR, PULMONARY OR OTHER DISABLING CONDITION.

(3) "PERSON WITH A DISABILITY THAT LIMITS OR IMPAIRS THE ABILITY TO WALK" HAS THE SAME MEANING AS IN OHIO R.C. 4503.44.

[~~(i)~~] **(k)** **PENALTY.**

(1) Whoever violates subsection (a) or (c) of this section is guilty of a minor misdemeanor.

(2) A. Whoever violates subsection (f)(1)A.1. or 2. of this section is guilty of a misdemeanor and shall be punished as provided in subsection [~~(i)~~]**(k)**(2)A. and B. of this section. Except as otherwise provided in subsection [~~(i)~~]**(k)**(2)A. of this section, an offender who violates subsection (f)(1)A.1. or 2. of this section shall be fined not less than two hundred fifty dollars ($250.00) nor more than five hundred dollars ($500.00). An offender who violates subsection (f)(1)A.1. or 2. of this section shall be fined not more than one hundred dollars ($100.00) if the offender, prior to sentencing, proves either of the following to the satisfaction of the court:

1. At the time of the violation of subsection (f)(1)A.1. of this section, the offender or the person for whose transport the motor vehicle was being operated had been issued a removable windshield placard that then was valid or [~~special~~] **ACCESSIBLE** license plates that then were valid but the offender or the person neglected to display the placard or license plates as described in subsection (f)(1)A.1. of this section.

2. At the time of the violation of subsection (f)(1)A.2. of this section, the offender or the person for whose transport the motor vehicle was being operated had been issued a parking card that then was valid or [~~special handicapped~~] **ACCESSIBLE** license plates that then were valid but the offender or the person neglected to display the card or license plates as described in subsection (f)(1)A.2. of this section.

B. In no case shall an offender who violates subsection (f)(1)A.1. or 2. of this section be sentenced to any term of imprisonment.

An arrest or conviction for a violation of subsection (f)(1)A.1. or 2. of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.

[~~(3) Whoever violates subsection (f)(2) of this section shall be fined not less than two hundred fifty dollars ($250.00) nor more than five hundred dollars ($500.00). In no case shall an offender who violates subsection (f)(2) of this section be sentenced to any term of imprisonment. An arrest or conviction for a violation of subsection (f)(2) of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness. (ORC 4511.69; Ord. 99-15. Passed 11-23-15.)~~]

501.01 DEFINITIONS.

[NO CHANGES TO THIS SECTION UNTIL PARAGRAPH (i).]

(i) "Offense of violence" means any of the following:

(1) A violation of Ohio R.C. 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, **2903.18,** 2903.21, 2903.211, 2903.22, 2905.01, 2905.02, 2905.11, 2905.32, 2907.02, 2907.03, 2907.05, 2909.02, 2909.03, 2909.24, 2911.01, 2911.02, 2911.11, 2917.01, 2917.02, 2917.03, 2917.31, **2917.321,** 2919.25, 2921.03, 2921.04, 2921.34, 2923.161, 2903.[~~0~~]**3**4(A)(1), 2911.12(A)(1) to (3) or 2919.22(B)(1) to (4), or felonious sexual penetration in violation of former Ohio R.C. 2907.12; [~~(Ord. 119-17. Passed 11-13-17.)~~]

(2) A violation of an existing or former municipal ordinance or law of this or any other state or the United States, substantially equivalent to any section listed in subsection (i)(1) hereof;

(3) An offense, other than a traffic offense, under an existing or former municipal ordinance or law of this or any other state or the United States, committed, purposely or knowingly, and involving physical harm to persons or a risk of serious physical harm to persons;

(4) A conspiracy or attempt to commit, or complicity in committing any offense under subsection (i)(1), (2) or (3) hereof.

(5) A VIOLATION OF DIVISION (C) OF OHIO R.C. 959.131.

[NO FURTHER CHANGES UNTIL PARAGRAPH (k).]

(k) "Law enforcement officer" means any of the following:

(1) A sheriff, deputy sheriff, constable, police officer of a township or joint police district, marshal, deputy marshal, municipal police officer, member of a police force employed by a metropolitan housing authority under Ohio R.C. 3735.31(D) or State highway patrol trooper;
(Ord. 1-14. Passed 1-13-14.)

(2) An officer, agent or employee of the State or any of its agencies, instrumentalities or political subdivisions, upon whom, by statute, Charter or ordinance, a duty to conserve the peace or to enforce all or certain laws is imposed and the authority to arrest violators is conferred, within the limits of that statutory duty and authority;

(3) A mayor or manager in the mayor's or manager's capacity as chief conservator of the peace within the mayor's or manager's municipal corporation;

(4) A member of an auxiliary police force organized by county, township or municipal law enforcement authorities, within the scope of the member's appointment or commission;

(5) A person lawfully called pursuant to Ohio R.C. 311.07 to aid a sheriff in keeping the peace, for the purposes and during the time when the person is called;

(6) A person appointed by a mayor pursuant to Ohio R.C. 737.[~~01~~]**10** as a special patrolling officer during riot or emergency, for the purposes and during the time when the person is appointed;

(7) A member of the organized militia of this State or the armed forces of the United States, lawfully called to duty to aid civil authorities in keeping the peace or protect against domestic violence;

(8) A prosecuting attorney, assistant prosecuting attorney, secret service officer or municipal prosecutor.

(9) A veterans' home police officer appointed under Ohio R.C. 5907.02.

(10) A member of a police force employed by a regional transit authority under Ohio R.C. 306.35(Y).

(11) A special police officer employed by a port authority under Ohio R.C. 4582.04 or 4582.28. (Ord. 139-07. Passed 11-19-07.)

(12) The Senate Sergeant of Arms and or Assistant Sergeant at Arms;

(13) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in Section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States Department of Transportation as provided in Parts 1542 and 1544 of Title 49 of the Code of Federal Regulations, as amended.

(Ord. 1-14. Passed 1-13-14.)

[NO FURTHER CHANGES UNTIL NEW PARAGRAPH (r).]

(r) "SCHOOL ACTIVITY" MEANS ANY ACTIVITY HELD UNDER THE AUSPICES OF A BOARD OF EDUCATION OF A CITY, LOCAL, EXEMPTED VILLAGE, JOINT VOCATIONAL, OR COOPERATIVE EDUCATION SCHOOL DISTRICT; A GOVERNING AUTHORITY OF A COMMUNITY SCHOOL ESTABLISHED UNDER OHIO R.C. CHAPTER 3314; A GOVERNING BOARD OF AN EDUCATIONAL SERVICE CENTER; OR THE GOVERNING BODY OF A NONPUBLIC SCHOOL FOR WHICH THE OHIO DIRECTOR OF EDUCATION AND WORKFORCE PRESCRIBES MINIMUM STANDARDS UNDER OHIO R.C. 3301.07.

501.99 PENALTIES FOR MISDEMEANORS.

(a) Financial Sanctions. In addition to imposing court costs pursuant to Ohio R.C. 2947.23, the court imposing a sentence upon an offender for a misdemeanor committed under the Codified Ordinances, including a minor misdemeanor, may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section**, AND IF THE OFFENDER IS BEING SENTENCED FOR A CRIMINAL OFFENSE AS DEFINED IN OHIO R.C. 2930.01, SHALL SENTENCE THE OFFENDER TO MAKE RESTITUTION PURSUANT TO THIS SECTION AND OHIO R.C. 2929.281**. If the court in its discretion **OR AS REQUIRED BY THIS SECTION,** imposes one or more financial sanctions, the financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:

(1) Restitution.

A. Unless the misdemeanor offense [~~is a minor misdemeanor or~~] could be disposed of by the traffic violations bureau serving the court under Traffic Rule 13, restitution by the offender to the victim of the offender's crime

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

or [~~any survivor of the victim,~~] **THE VICTIM'S ESTATE,** in an amount based on the victim's economic loss. The court may not impose restitution as a sanction pursuant to this section if the offense [~~is a minor misdemeanor or~~] could be disposed of by the traffic violations bureau serving the court under Traffic Rule 13. If the court requires restitution, the court shall order that the restitution be made to the victim in open court or to the adult probation department that serves the jurisdiction or the clerk of the court on behalf of the victim.

B. [~~If the court imposes restitution, the court shall determine the amount of restitution to be paid by the offender. If the court imposes restitution, the court may base the amount of restitution it orders on an amount recommended by the victim, the offender, a presentence investigation report, estimates or receipts indicating the cost of repairing or replacing property, and other information, provided that the amount the court orders as restitution shall not exceed the amount of economic loss suffered by the victim as a direct and proximate result of the commission of the offense. If the court imposes restitution for the cost of accounting or auditing done to determine the extent of economic loss, the court may order restitution for any amount of the victim's costs of accounting or auditing provided that the amount of restitution is reasonable and does not exceed the value of property or services stolen or damaged as a result of the offense. If the court decides to impose restitution, the court shall hold an evidentiary hearing on restitution if the offender, victim, or survivor disputes the amount of restitution. If the court holds an evidentiary hearing, at the hearing the victim or survivor has the burden to prove by a preponderance of the evidence the amount of restitution sought from the offender.~~]

THE COURT SHALL DETERMINE THE AMOUNT OF RESTITUTION TO BE PAID BY THE OFFENDER. THE VICTIM, VICTIM'S REPRESENTATIVE, VICTIM'S ATTORNEY, IF APPLICABLE, THE PROSECUTOR OR THE PROSECUTOR'S DESIGNEE, AND THE OFFENDER MAY PROVIDE INFORMATION RELEVANT TO THE DETERMINATION OF THE AMOUNT OF RESTITUTION. THE AMOUNT THE COURT ORDERS AS RESTITUTION SHALL NOT EXCEED THE AMOUNT OF THE ECONOMIC LOSS SUFFERED BY THE VICTIM AS A DIRECT AND PROXIMATE RESULT OF THE COMMISSION OF THE OFFENSE. IF THE COURT IMPOSES RESTITUTION FOR THE COST OF ACCOUNTING OR AUDITING DONE TO DETERMINE THE EXTENT OF ECONOMIC LOSS, THE COURT MAY ORDER RESTITUTION FOR ANY AMOUNT OF THE VICTIM'S COSTS OF ACCOUNTING OR AUDITING PROVIDED THAT THE AMOUNT OF RESTITUTION IS REASONABLE AND DOES NOT EXCEED THE VALUE OF PROPERTY OR SERVICES STOLEN OR DAMAGED AS A RESULT OF THE OFFENSE. IF THE COURT DECIDES TO OR IS REQUIRED TO IMPOSE RESTITUTION, THE COURT SHALL HOLD AN EVIDENTIARY HEARING ON RESTITUTION IF THE OFFENDER, VICTIM, VICTIM'S REPRESENTATIVE, VICTIM'S ATTORNEY, IF APPLICABLE, OR VICTIM'S ESTATE DISPUTES THE AMOUNT OF

RESTITUTION. THE COURT SHALL DETERMINE THE AMOUNT OF FULL RESTITUTION BY A PREPONDERANCE OF THE EVIDENCE.

C. All restitution payments shall be credited against any recovery of economic loss in a civil action brought by the victim or [~~any survivor of the victim~~] **THE VICTIM'S ESTATE** against the offender. No person may introduce evidence of an award of restitution under this section in a civil action for purposes of imposing liability against an insurer under Ohio R.C. 3937.18.

D. [~~If the court imposes restitution, t~~]**T**he court may order that the offender pay a surcharge, of not more than five percent **(5%)** of the amount of the restitution otherwise ordered, to the entity responsible for collecting and processing restitution payments.

E. The victim**,** [~~or survivor~~] **VICTIM'S ATTORNEY, IF APPLICABLE, OR THE ATTORNEY FOR THE VICTIM'S ESTATE** may request that the prosecutor in the case file a motion, or the offender may file a motion, for modification of the payment terms of any restitution ordered. If the court grants the motion, it may modify the payment terms as it determines appropriate **BUT SHALL NOT REDUCE THE AMOUNT OF RESTITUTION ORDERED, EXCEPT AS PROVIDED IN OHIO R.C. 2929.281(A)**. [~~(Ord. 16-22. Passed 2-14-22.)~~]

(2) Fines. A fine in the following amount:

A. For a misdemeanor of the first degree, not more than one thousand dollars ($1,000);

B. For a misdemeanor of the second degree, not more than seven hundred fifty dollars ($750.00);

C. For a misdemeanor of the third degree, not more than five hundred dollars ($500.00);

D. For a misdemeanor of the fourth degree, not more than two hundred fifty dollars ($250.00);

E. For a minor misdemeanor, not more than one hundred fifty dollars ($150.00).

(3) Reimbursement of costs of sanctions.

A. Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including, but not limited to, the following:

1. All or part of the costs of implementing any community control sanction, including a supervision fee under Ohio R.C. 2951.021 **AND THE COSTS OF GLOBAL POSITIONING SYSTEM DEVICE MONITORING**;

2. All or part of the costs of confinement in a jail or other residential facility, including, but not limited to, a per diem fee for room and board, the costs of medical and dental treatment, and the costs of repairing property damaged by the offender while confined.

B. The amount of reimbursement ordered under subsection (a)(3)A. of this section shall not exceed the total amount of reimbursement the offender is able to pay and shall not exceed the actual cost of the sanctions. The court may collect any amount of reimbursement the offender is required to pay under that subsection. If the court does not order reimbursement

under that subsection, confinement costs may be assessed pursuant to a repayment policy adopted under Ohio R.C. 2929.37. In addition, the offender may be required to pay the fees specified in Ohio R.C. 2929.38 in accordance with that section.
(ORC 2929.28)

[NO FURTHER CHANGES TO THIS SECTION.]

505.071 CRUELTY TO COMPANION ANIMALS.

(a) As used in this section:

(1) "ANIMAL RESCUE FOR DOGS", HAS THE SAME MEANING AS IN OHIO R.C. 956.01.

(2) "BOARDING KENNEL" HAS THE SAME MEANING AS IN OHIO R.C. 956.01.

[~~(1)~~] **(3)** "Companion animal" means any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in Ohio R.C. 956.01. [~~"Companion animal"~~] **THE TERM** does not include livestock or any wild animal.

[~~(2)~~] **(4)** "Cruelty", "torment" and "torture" have the same meaning[~~s~~] as in Ohio R.C. 1717.01.

[~~(3) "Residential dwelling" means a structure or shelter or the portion of a structure or shelter that is used by one or more humans for the purpose of a habitation.~~

~~(4) "Practice of veterinary medicine" has the same meaning as in Ohio R.C. 4741.01.~~

~~(5) "Wild animal" has the same meaning as in Ohio R.C. 1531.01.~~

~~(6) "Federal animal welfare act" means the "Laboratory Animal Act of 1966", Pub. L. No. 89-544, 80 Stat. 350 (1966), 7 U.S.C.A. 2131 et seq., as amended by the "Animal Welfare Act of 1970", Pub. L. No. 91-579, 84 Stat. 1560 (1970), the "Animal Welfare Act Amendments of 1976", Pub. L. No. 94-279, 90 Stat. 417 (1976), and the "Food Security Act of 1985", Pub. L. No. 99-198, 99 Stat. 1354 (1985), and as it may be subsequently amended.~~

~~(7) "Dog kennel" means an animal rescue for dogs that is registered under Ohio R.C. 956.06, a boarding kennel or a training kennel.~~]

(5) "DOG KENNEL" MEANS AN ANIMAL RESCUE FOR DOGS, A BOARDING KENNEL OR A TRAINING KENNEL.

(6) "FEDERAL ANIMAL WELFARE ACT" MEANS THE "LABORATORY ANIMAL ACT OF 1966", PUB. L. NO. 89-544, 80 STAT. 350 (1966), 7 U.S.C. §2131 ET SEQ., AS AMENDED BY THE "ANIMAL WELFARE ACT OF 1970", PUB. L. NO. 91-579, 84 STAT. 1560 (1970), THE "ANIMAL WELFARE ACT AMENDMENTS OF 1976", PUB. L. NO. 94-279, 90 STAT. 417 (1976) AND THE "FOOD SECURITY ACT OF 1985", PUB. L. NO. 99-198, 99 STAT. 1354 (1985), AND AS IT MAY BE SUBSEQUENTLY AMENDED.

(7) "PRACTICE OF VETERINARY MEDICINE" HAS THE SAME MEANING AS IN OHIO R.C. 4741.01.

(8) "RESIDENTIAL DWELLING" MEANS A STRUCTURE OR SHELTER OR THE PORTION OF A STRUCTURE OR SHELTER THAT IS USED BY ONE OR MORE HUMANS FOR THE PURPOSE OF A HABITATION.

(9) "WILD ANIMAL" HAS THE SAME MEANING AS IN OHIO R.C. 1531.01.

(b) No person shall knowingly torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against a companion animal.

(c) No person who confines or who is the custodian or caretaker of a companion animal shall negligently do any of the following:

(1) Torture, torment or commit an act or cruelty against the companion animal;

(2) Deprive the companion animal of necessary sustenance, or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water, if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation or confinement;

(3) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter.

(d) NO PERSON WHO CONFINES OR WHO IS THE CUSTODIAN OR CARETAKER OF A COMPANION ANIMAL SHALL RECKLESSLY DEPRIVE THE COMPANION ANIMAL OF NECESSARY SUSTENANCE OR CONFINE THE COMPANION ANIMAL WITHOUT SUPPLYING IT DURING THE CONFINEMENT WITH SUFFICIENT QUANTITIES OF GOOD, WHOLESOME FOOD AND WATER.

[~~(d)~~] **(e)** No owner, manager or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal shall negligently do any of the following:

(1) Torture, torment, or commit an act of cruelty against the companion animal;

(2) Deprive the companion animal of necessary sustenance, or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water, if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation or confinement;

(3) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter.

[~~(e)~~] **(f)** Subsections (b), (c)**,** [~~and~~] (d) **AND (e)** of this section do not apply to any of the following:

(1) A companion animal used in scientific research conducted by an institution in accordance with the federal animal welfare act and related regulations;

(2) The lawful practice of veterinary medicine by a person who has been issued a license, temporary permit, or registration certificate to do so under Ohio R.C. Chapter 4741;

(3) Dogs being used or intended for use for hunting or field trial purposes, provided that the dogs are being treated in accordance with usual and commonly accepted practices for the care of hunting dogs;

(4) The use of common training devices, if the companion animal is being treated in accordance with usual and commonly accepted practices for the training of animals;

(5) The administering of medicine to a companion animal that was properly prescribed by a person who has been issued a license, temporary permit, or registration certificate under Ohio R.C. Chapter 4741.

(Ord. 101-16. Passed 12-5-16.)

[~~(f)~~] **(g)** Notwithstanding any section of the Ohio Revised Code that otherwise provides for the distribution of fine moneys, the Clerk of Court shall forward all fines the Clerk collects that are so imposed for any violation of this section to the Treasurer of the municipality, whose county humane society or law enforcement agency is to be paid the fine money as determined under this section. The Treasurer shall pay the fine moneys to the county humane society or the county, township, municipal corporation, or state law enforcement agency in this state that primarily was responsible for or involved in the investigation and prosecution of the violation. If a county humane society receives any fine moneys under this section, the county humane society shall use the fine moneys either to provide the training that is required for humane society agents under Ohio R.C. 1717.061 or to provide additional training for humane society agents. (ORC 959.131[~~; Ord. 16-22. Passed 2-14-22.~~])

[~~(g)~~] **(h)** (1) Whoever violates subsection (b) **OR (d)** hereof is guilty of a misdemeanor of the first degree on a first offense. On each subsequent offense such person is guilty of a felony and shall be prosecuted under appropriate State law.

(2) Whoever violates subsection (c) hereof is guilty of a misdemeanor of the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense.

(3) Whoever violates subsection [~~(d)~~] **(e)** hereof is guilty of a misdemeanor of the first degree.

(4) A. A court may order a person who is convicted of or pleads guilty to a violation of this section to forfeit to an impounding agency, as defined in Ohio R.C. 959.132, any or all of the companion animals in that person's ownership or care. The court also may prohibit or place limitations on the person's ability to own or care for any companion animals for a specified or indefinite period of time.

B. A court may order a person who is convicted of or pleads guilty to a violation of this section to reimburse an impounding agency for the reasonably necessary costs incurred by the agency for the care of a companion animal that the agency impounded as a result of the investigation or prosecution of the violation, provided that the costs were not otherwise paid under Ohio R.C. 959.132.

(5) If a court has reason to believe that a person who is convicted of or pleads guilty to a violation of this section [~~suffers from~~] **HAS** a mental or emotional disorder that contributed to the violation, the court may impose as a community control sanction or as a condition of probation a requirement that the offender undergo psychological evaluation or counseling. The court shall order the offender to pay the costs of the evaluation or counseling.
(ORC 959.99[~~; Ord. 101-16. Passed 12-5-16.~~])

505.12 COLORING RABBITS OR BABY POULTRY; SALE OR DISPLAY OF POULTRY.

(a) No person shall dye or otherwise color any rabbit or baby poultry, including, but not limited to, chicks and ducklings. No person shall sell, offer for sale, expose for sale, raffle or give away any rabbit or baby poultry which has been dyed or otherwise colored. No poultry younger than four weeks of age may be sold, given away or otherwise distributed to any person in lots of less than [~~six~~] **THREE**. Stores, shops, vendors and others offering young poultry for sale or other distribution shall provide and operate brooders or other heating devices that may be necessary to maintain poultry in good health, and shall keep adequate food and water available to the poultry at all times.
(ORC 925.62)

(b) Whoever violates this section is guilty of a minor misdemeanor.

505.19 RIGHTS OF BLIND, DEAF OR HEARING IMPAIRED, OR MOBILITY IMPAIRED PERSON, OR TRAINER WITH ASSISTANCE DOG.

(a) WHEN EITHER A BLIND, DEAF OR HEARING IMPAIRED, OR MOBILITY IMPAIRED PERSON, OR A TRAINING OF AN ASSISTANCE DOG IS ACCOMPANIED BY AN ASSISTANCE DOG, THE PERSON OR TRAINER, AS APPLICABLE, IS ENTITLED TO THE FULL AND EQUAL ACCOMMODATIONS, ADVANTAGES, FACILITIES, AND PRIVILEGES OF ALL PUBLIC CONVEYANCES, HOTELS, AND LODGING PLACES, ALL PLACES OF PUBLIC ACCOMMODATION, AMUSEMENT, OR RESORT, AND OTHER PLACES TO WHICH THE GENERAL PUBLIC IS INVITED, AND MAY TAKE THE DOG INTO SUCH CONVEYANCES AND PLACES, SUBJECT ONLY TO THE CONDITIONS AND LIMITATIONS APPLICABLE TO ALL PERSONS NOT SO ACCOMPANIED, EXCEPT THAT:

(1) THE DOG SHALL NOT OCCUPY A SEAT IN ANY PUBLIC CONVEYANCE; AND

(2) THE DOG SHALL BE LEASHED WHILE USING THE FACILITIES OF A COMMON CARRIER.

(3) ANY DOG IN TRAINING TO BECOME AN ASSISTANCE DOG SHALL BE COVERED BY A LIABILITY INSURANCE POLICY PROVIDED BY THE NONPROFIT SPECIAL AGENCY ENGAGED IN SUCH WORK PROTECTING MEMBERS OF THE PUBLIC AGAINST PERSONAL INJURY OR PROPERTY DAMAGE CAUSED BY THE DOG.

(b) NO PERSON SHALL DEPRIVE A BLIND, DEAF OR HEARING IMPAIRED, OR MOBILITY IMPAIRED PERSON, OR A TRAINING OF AN ASSISTANCE DOG WHO IS ACCOMPANIED BY AN ASSISTANCE DOG, OF ANY OF THE ADVANTAGES, FACILITIES OR PRIVILEGES PROVIDED IN SUBSECTION (a) OF THIS SECTION, NOR CHARGE THE PERSON OR TRAINING A FEE OR CHARGE FOR THE DOG.
(ORC 955.43(A), (B))

(c) AS USED IN THIS SECTION:

(1) "ASSISTANCE DOG" MEANS A DOG THAT HAS BEEN TRAINED BY A NONPROFIT OR FOR-PROFIT SPECIAL AGENCY AND THAT IS ONE OF THE FOLLOWING:

A. A GUIDE DOG;

B. A HEARING DOG;

C. A SERVICE DOG.

(2) "BLIND" MEANS EITHER OF THE FOLLOWING:

A. VISION 20/20 OR LESS IN THE BETTER EYE WITH PROPER CORRECTION;

B. FIELD DEFECT IN THE BETTER EYE WITH PROPER CORRECTION THAT CONTRACTS THE PERIPHERAL FIELD SO THAT THE DIAMETER OF THE VISUAL FIELD SUBTENDS AN ANGLE NO GREATER THAN TWENTY DEGREES.

(3) "GUIDE DOG" MEANS A DOG THAT HAS BEEN TRAINED OR IS IN TRAINING TO ASSIST A BLIND PERSON.

(4) "HEARING DOG" MEANS A DOG THAT has been trained or is in training to assist a deaf or hearing-impaired person.

(5) "INSTITUTIONS OF EDUCATION" MEANS:

A. ANY STATE UNIVERSITY OR COLLEGE AS DEFINED IN OHIO R.C. 3345.32;

B. ANY PRIVATE COLLEGE OR UNIVERSITY THAT HOLDS A CERTIFICATE OF AUTHORIZATION ISSUED BY THE OHIO BOARD OF REGENTS PURSUANT TO OHIO R.C. CHAPTER 1713;

C. ANY ELEMENTARY OR SECONDARY SCHOOL OPERATED BY A BOARD OF EDUCATION;

D. ANY CHARTERED OR NONCHARTERED NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL; OR

E. ANY SCHOOL ISSUED A CERTIFICATE OF REGISTRATION BY THE STATE BOARD OF CAREER COLLEGES AND SCHOOLS.

(6) "PERSON WITH A MOBILITY IMPAIRMENT" MEANS ANY PERSON, REGARDLESS OF AGE, WHO IS SUBJECT TO A PHYSIOLOGICAL IMPAIRMENT REGARDLESS OF ITS CAUSE, NATURE OR EXTENT THAT RENDERS THE PERSON UNABLE TO MOVE ABOUT WITHOUT THE AID OF CRUTCHES, A WHEELCHAIR, OR ANY OTHER FORM OF SUPPORT, OR THAT LIMITS THE PERSON'S FUNCTIONAL ABILITY TO AMBULATE, CLIMB, DESCEND, SIT, RISE, OR PERFORM ANY RELATED FUNCTION. THE PHRASE INCLUDES A PERSON WITH A NEUROLOGICAL OR PSYCHOLOGICAL DISABILITY THAT LIMITS THE PERSON'S FUNCTIONAL ABILITY TO AMBULATE, CLIMB, DESCEND, SIT, RISE OR PERFORM ANY RELATED FUNCTION. THE PHRASE ALSO INCLUDES A PERSON WITH A SEIZURE DISORDER AND A PERSON WHO IS DIAGNOSED WITH AUTISM.

(7) "SERVICE DOG" MEANS A DOG THAT HAS BEEN TRAINED OR IS IN TRAINING TO ASSIST A PERSON WITH A MOBILITY IMPAIRMENT.
(ORC 955.011(B), 955.43(C))

(d) WHOEVER VIOLATES ANY PROVISION OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR OF THE FOURTH DEGREE. (ORC 955.99(D))

509.04 DISTURBING A LAWFUL MEETING.

(a) No person, with purpose to prevent or disrupt a lawful meeting, procession or gathering, shall do either of the following:

(1) Do any act which obstructs or interferes with the due conduct of such meeting, procession or gathering;

(2) Make any utterance, gesture or display which outrages the sensibilities of the group.

(b) Whoever violates this section is guilty of disturbing a lawful meeting.[~~, a misdemeanor of the fourth degree. (ORC 2917.12)~~] **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, DISTURBING A LAWFUL MEETING IS A MISDEMEANOR OF THE FOURTH DEGREE. DISTURBING A LAWFUL MEETING IS A MISDEMEANOR OF THE FIRST DEGREE IF EITHER OF THE FOLLOWING APPLIES:**

(1) THE VIOLATION IS COMMITTED WITH THE INTENT TO DISTURB OR DISQUIET ANY ASSEMBLAGE OF PEOPLE MET FOR RELIGIOUS WORSHIP AT A TAX-EXEMPT PLACE OF WORSHIP, REGARDLESS OF WHETHER THE CONDUCT IS WITHIN THE PLACE AT WHICH THE ASSEMBLAGE IS HELD OR IS ON THE PROPERTY ON WHICH THAT PLACE IS LOCATED AND DISTURBS THE ORDER AND SOLEMNITY OF THE ASSEMBLAGE.

(2) THE VIOLATION IS COMMITTED WITH THE INTENT TO PREVENT, DISRUPT, OR INTERFERE WITH A VIRTUAL MEETING OR GATHERING OF PEOPLE FOR RELIGIOUS WORSHIP, THROUGH USE OF A COMPUTER, COMPUTER SYSTEM, TELECOMMUNICATIONS DEVICE, OR OTHER ELECTRONIC DEVICE OR SYSTEM, OR IN ANY OTHER MANNER.

(c) AS USED IN THIS SECTION:

(1) "COMPUTER" HAS THE SAME MEANING AS IN OHIO R.C. 2913.01.

(2) "COMPUTER SYSTEM" HAS THE SAME MEANING AS IN OHIO R.C. 2913.01.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(3) "TELECOMMUNICATIONS DEVICE" HAS THE SAME MEANING AS IN OHIO R.C. 2913.01.

(4) "VIRTUAL MEETING OR GATHERING" MEANS A MEETING OR GATHERING BY INTERACTIVE VIDEO CONFERENCE OR TELECONFERENCE, OR BY A COMBINATION THEREOF.
(ORC 2917.12)

509.06 INDUCING PANIC.

[NO CHANGES TO THIS SECTION UNTIL PARAGRAPH (e).]

(e) As used in this section:

(1) "BIOLOGICAL AGENT" HAS THE SAME MEANING AS IN OHIO R.C. 2917.33.

[~~(1)~~] **(2)** "Economic harm" means any of the following:

A. All direct, incidental, and consequential pecuniary harm suffered by a victim as a result of criminal conduct. "Economic harm" as described in this division includes, but is not limited to, all of the following:

1. All wages, salaries, or other compensation lost as a result of the criminal conduct;
2. The cost of all wages, salaries, or other compensation paid to employees for time those employees are prevented from working as a result of the criminal conduct;
3. The overhead costs incurred for the time that a business is shut down as a result of the criminal conduct;
4. The loss of value to tangible or intangible property that was damaged as a result of the criminal conduct.

B. All costs incurred by the Municipality as a result of, or in making any response to, the criminal conduct that constituted the violation of this section or Section 509.07, including, but not limited to, all costs so incurred by any law enforcement officers, firefighters, rescue personnel, or emergency medical services personnel of the state or the political subdivision.

(3) "EMERGENCY MEDICAL SERVICES PERSONNEL" HAS THE SAME MEANING AS IN OHIO R.C. 2133.21.

(4) "INSTITUTION OF HIGHER EDUCATION" MEANS ANY OF THE FOLLOWING:

A. A STATE UNIVERSITY OR COLLEGE AS DEFINED IN OHIO R.C. 3345.12(A)(1), COMMUNITY COLLEGE, STATE COMMUNITY COLLEGE, UNIVERSITY BRANCH, OR TECHNICAL COLLEGE;

B. A PRIVATE, NONPROFIT COLLEGE, UNIVERSITY OR OTHER POST-SECONDARY INSTITUTION LOCATED IN THIS STATE THAT POSSESSES A CERTIFICATE OF AUTHORIZATION ISSUED BY THE CHANCELLOR OF HIGHER EDUCATION PURSUANT TO OHIO R.C. CHAPTER 1713.

C. A POST-SECONDARY INSTITUTION WITH A CERTIFICATE OF REGISTRATION ISSUED BY THE STATE BOARD OF CAREER COLLEGES AND SCHOOLS UNDER OHIO R.C. CHAPTER 3332. (ORC 2917.31)

(5) "SCHOOL" MEANS ANY SCHOOL OPERATED BY A BOARD OF EDUCATION OR ANY SCHOOL FOR WHICH THE DIRECTOR OF EDUCATION AND WORKFORCE PRESCRIBES MINIMUM STANDARDS UNDER OHIO R.C. 3301.07, WHETHER OR NOT ANY INSTRUCTION, EXTRACURRICULAR activities, or training provided by

the school is being conducted at the time a violation of this section is committed.

(6) "WEAPON OF MASS DESTRUCTION" MEANS ANY OF THE FOLLOWING:

A. ANY WEAPON THAT IS DESIGNED OR INTENDED TO CAUSE DEATH OR SERIOUS PHYSICAL HARM THROUGH THE RELEASE, DISSEMINATION, OR IMPACT OF TOXIC OR POISONOUS CHEMICALS, OR THEIR PRECURSORS;

B. ANY WEAPON INVOLVING A DISEASE ORGANISM OR BIOLOGICAL AGENT;

C. ANY WEAPON THAT IS DESIGNED TO RELEASE RADIATION OR RADIOACTIVITY AT A LEVEL DANGEROUS TO HUMAN LIFE;

D. ANY OF THE FOLLOWING, EXCEPT TO THE EXTENT THAT THE ITEM OR DEVICE IN QUESTION IS EXPRESSLY EXCEPTED FROM THE DEFINITION OF "DESTRUCTIVE DEVICE" PURSUANT TO 18 U.S.C. 921(a)(4) AND REGULATIONS ISSUED UNDER THAT SECTION:

1. ANY EXPLOSIVE, INCENDIARY, OR POISON GAS BOMB, GRENADE, ROCKET HAVING A PROPELLANT CHARGE OF MORE THAN FOUR OUNCES, MISSILE HAVING AN EXPLOSIVE OR INCENDIARY CHARGE OF MORE THAN ONE-QUARTER OUNCE, MINE, OR SIMILAR DEVICE;

2. ANY COMBINATION OF PARTS EITHER DESIGNED OR INTENDED FOR USE IN CONVERTING ANY ITEM OR DEVICE INTO ANY ITEM OR DEVICE DESCRIBED IN DIVISION (e)(3)D.1. OF THIS SECTION AND FROM WHICH AN ITEM OR DEVICE DESCRIBED IN THAT DIVISION MAY BE READILY ASSEMBLED.

[~~(2) "School" means any school operated by a board of education or any school for which the state board of education prescribes minimum standards under Ohio R.C. 3301.07, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a violation of this section is committed.~~

~~(3) "Weapon of mass destruction" means any of the following:~~

~~A. Any weapon that is designed or intended to cause death or serious physical harm through the release, dissemination, or impact of toxic or poisonous chemicals, or their precursors;~~

~~B. Any weapon involving a disease organism or biological agent;~~

~~C. Any weapon that is designed to release radiation or radioactivity at a level dangerous to human life;~~

~~D. Any of the following, except to the extent that the item or device in question is expressly excepted from the definition of "destructive device" pursuant to 18 U.S.C. 921(a)(4) and regulations issued under that section:~~

~~1. Any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device;~~

~~2. Any combination of parts either designed or intended for use in converting any item or device into any item or device described in division (e)(3)D.1. of this section and from which an item or device described in that division may be readily assembled.~~

~~(4) "Biological agent" has the same meaning as in Ohio R.C. 2917.33.~~

~~(5) "Emergency medical services personnel" has the same meaning as in Ohio R.C. 2133.21.~~

~~(6) "Institution of higher education" means any of the following:~~

~~A. A state university or college as defined in Ohio R.C. 3345.12(A)(1), community college, state community college, university branch, or technical college;~~

~~B. A private, nonprofit college, university or other post-secondary institution located in this State that possesses a certificate of authorization issued by the Ohio Board of Regents pursuant to Ohio R.C. Chapter 1713.~~

~~C. A post-secondary institution with a certificate of registration issued by the State Board of Career Colleges and Schools under Ohio R.C. Chapter 3332.~~

~~(Ord. 157-08. Passed 12-8-08.)~~]

509.10 IMPEDING PUBLIC PASSAGE OF AN EMERGENCY SERVICE RESPONDER.

(a) NO PERSON, WITHOUT PRIVILEGE TO DO SO, SHALL RECKLESSLY OBSTRUCT ANY HIGHWAY, STREET, SIDEWALK, OR ANY OTHER PUBLIC PASSAGE IN SUCH A MANNER AS TO RENDER THE HIGHWAY, STREET, SIDEWALK, OR PASSAGE IMPASSABLE WITHOUT UNREASONABLE INCONVENIENCE OR HAZARD IF BOTH OF THE FOLLOWING APPLY:

(1) THE OBSTRUCTION PREVENTS AN EMERGENCY VEHICLE FROM ACCESSING A HIGHWAY OR STREET, PREVENTS AN EMERGENCY SERVICE RESPONDER FROM RESPONDING TO AN EMERGENCY, OR PREVENTS AN EMERGENCY VEHICLE OR AN EMERGENCY SERVICE RESPONDER FROM HAVING ACCESS TO AN EXIT FROM AN EMERGENCY.

(2) UPON RECEIPT OF A REQUEST OR ORDER FROM AN EMERGENCY SERVICE RESPONDER TO REMOVE OR CEASE THE OBSTRUCTION, THE PERSON REFUSES TO REMOVE OR CEASE THE OBSTRUCTION.

(b) SUBSECTION (a) OF THIS SECTION DOES NOT LIMIT OR AFFECT THE APPLICATION OF OHIO R.C. 2921.31 OR ANY OTHER SECTION OF THE OHIO REVISED CODE. ANY CONDUCT THAT IS A VIOLATION OF SUBSECTION (a) OF THIS SECTION AND THAT ALSO IS A VIOLATION OF OHIO R.C. 2921.31 OR ANY OTHER SECTION OF THE OHIO REVISED CODE MAY BE PROSECUTED UNDER THIS SECTION, THE OTHER SECTION OF THE OHIO REVISED CODE OR BOTH SECTIONS.

(c) WHOEVER VIOLATES THIS SECTION IS GUILTY OF UNLAWFULLY IMPEDING PUBLIC PASSAGE OF AN EMERGENCY SERVICE RESPONDER, A MISDEMEANOR OF THE FIRST DEGREE.

(d) AS USED IN THIS SECTION, "EMERGENCY SERVICE RESPONDER" HAS THE SAME MEANING AS IN OHIO R.C. 2903.13. (ORC 2917.14)

513.01 DEFINITIONS.

[No change to this section until paragraph (u).]

[~~(u) "Drug dependent person." Has the same meaning as in Ohio R.C. 3719.011.~~]

[~~(v)~~] **(u)** "Drug of abuse." Has the same meaning as in Ohio R.C. 3719.011.

[~~(w)~~] **(v)**"Felony drug abuse offense." Any drug abuse offense that would constitute a felony under the laws of this state, any other state or the United States.

[~~(x)~~] **(w)**"Fentanyl-related compound." Any of the following:

(1) Fentanyl;

(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-Nphenylpropanamide);
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-Nphenylpropanamide);
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-Nphenylpropanamide);
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-–phenylpropanamide);
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;
(10) Alfentanil;
(11) Carfentanil;
(12) Remifentanil;
(13) Sufentanil;
(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-Nphenylacetamide); and
(15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:
A. A chemical scaffold consisting of both of the following:
1. A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;
2. An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.
B. A polar functional group attached to the chemical scaffold, including but not limited to a hydroxyl, ketone, amide, or ester;
C. An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and
D. The compound has not been approved for medical use by the United States food and drug administration.

[~~(y)~~] **(x)** "Harmful intoxicant." Does not include beer or intoxicating liquor, but means any of the following:

(1) Any compound, mixture, preparation or substance the gas, fumes or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation or other harmful physiological effects, and includes but is not limited to any of the following:

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

A. Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline or other preparation containing a volatile organic solvent.

B. Any aerosol propellant.

C. Any fluorocarbon refrigerant.

D. Any anesthetic gas.

(2) Gamma Butyrolactone;

(3) 1,4 Butanediol.

[~~(z)~~] **(y)** "Hashish".

(1) A resin or a preparation of a resin to which both of the following apply:

A. It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

B. It has a delta-9 tetrahydrocannabinol concentration of more than 0.3%.

(2) The term does not include a hemp byproduct in the possession of a licensed hemp processor under Ohio R.C. Chapter 928, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under Ohio R.C. 928.03.

[~~(aa)~~]**(z)** "Hypodermic." Has the same meaning as in Ohio R.C. 3719.01.

[~~(bb)~~] **(aa)** "Juvenile." A person under eighteen years of age.

[~~(cc)~~] **(bb)** "Licensed health professional authorized to prescribe drugs." Has the same meaning as in Ohio R.C. 4729.01.

[~~(dd)~~] **(cc)** "L.S.D." Lysergic acid diethylamide.

[~~(ee)~~] **(dd)** "Major drug offender." Has the same meaning as in Ohio R.C. 2929.01.

[~~(ff)~~] **(ee)** "Mandatory prison term." Has the same meaning as in Ohio R.C. 2929.01.

[~~(gg)~~] **(ff)** "Manufacture." To plant, cultivate, harvest, process, make, prepare or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis or compounding, or any combination of the same, and includes packaging, repackaging, labeling and other activities incident to production.

[~~(hh)~~] **(gg)** "Manufacturer." Has the same meaning as in Ohio R.C. 3719.01.

[~~(ii)~~] **(hh)** "Marihuana." Has the same meaning as in Ohio R.C. 3719.01, except that it does not include hashish.

[~~(jj)~~] **(ii)** "Methamphetamine." Methamphetamine, any salt, isomer or salt of an isomer of methamphetamine, or any compound, mixture, preparation or substance containing methamphetamine or any salt, isomer or salt of an isomer of methamphetamine.

[~~(kk)~~] **(jj)** "Minor drug possession offense." Either of the following:

(1) A violation of Ohio R.C. 2925.11, as it existed prior to July 1, 1996, or a substantially equivalent municipal ordinance.

(2) A violation of Ohio R.C. 2925.11, as it exists on and after July 1, 1996, or a substantially equivalent municipal ordinance, that is a misdemeanor or a felony of the fifth degree.

[~~(ll)~~] **(kk)** "Official written order." Has the same meaning as in Ohio R.C. 3719.01.

[~~(mm)~~] **(ll)** "Person." Has the same meaning as in Ohio R.C. 3719.01.

(mm) "PERSON WITH A DRUG DEPENDENCY" HAS THE SAME MEANING AS IN OHIO R.C. 3719.011.

[No further changes to this section until paragraph (uu).]

(uu) "Professionally licensed person." Any of the following:

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Ohio R.C. Chapter 4701 and who holds an Ohio permit issued under that chapter;

(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Ohio R.C. Chapter 4703;

(3) A person who is registered as a landscape architect under Ohio R.C. Chapter 4703 or who holds a permit as a landscape architect issued under that chapter;

(4) A person licensed under Ohio R.C. Chapter 4707;

(5) A person who has been issued a certificate of registration as a registered barber under Ohio R.C. Chapter 4709;

(6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Ohio R.C. Chapter 4710;

(7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Ohio R.C. Chapter 4713;

(8) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license or a dental hygienist's teacher's certificate under Ohio R.C. Chapter 4715;

(9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Ohio R.C. Chapter 4717;

(10) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Ohio R.C. Chapter 4723;

(11) A person who has been licensed to practice optometry or to engage in optical dispensing under Ohio R.C. Chapter 4725;

(12) A person licensed to act as a pawnbroker under Ohio R.C. Chapter 4727;

(13) A person licensed to act as a precious metals dealer under Ohio R.C. Chapter 4728;

(14) A person licensed under Ohio R.C. Chapter 4729 as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;

(15) A person licensed under Ohio R.C. Chapter 4729 as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;

(16) A person who is authorized to practice as a physician assistant under Ohio R.C. Chapter 4730;

(17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Ohio

R.C. Chapter 4731 or has been issued a certificate to practice a limited branch of medicine under that chapter;

(18) A person licensed as a psychologist**, INDEPENDENT SCHOOL PSYCHOLOGIST,** or school psychologist under Ohio R.C. Chapter 4732;

(19) A person registered to practice the profession of engineering or surveying under Ohio R.C. Chapter 4733;

(20) A person who has been issued a license to practice chiropractic under Ohio R.C. Chapter 4734;

(21) A person licensed to act as a real estate broker or real estate salesperson under Ohio R.C. Chapter 4735;

(22) A person registered as a registered environmental health specialist under Ohio R.C. Chapter [~~4736~~] **3776**;

(23) A person licensed to operate or maintain a junkyard under Ohio R.C. Chapter 4737;

(24) A person who has been issued a motor vehicle salvage dealer's license under Ohio R.C. Chapter 4738;

(25) A person who has been licensed to act as a steam engineer under Ohio R.C. Chapter 4739;

(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Ohio R.C. Chapter 4741;

(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Ohio R.C. Chapter 4747;

(28) A person who has been issued a class A, class B or class C license or who has been registered as an investigator or security guard employee under Ohio R.C. Chapter 4749;

(29) A person licensed to practice as a nursing home administrator under Ohio R.C. Chapter 4751;

(30) A person licensed to practice as a speech-language pathologist or audiologist under Ohio R.C. Chapter 4753;

(31) A person issued a license as an occupational therapist or physical therapist under Ohio R.C. Chapter 4755;

(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Ohio R.C. Chapter 4757;

(33) A person issued a license to practice dietetics under Ohio R.C. Chapter 4759;

(34) A person who has been issued a license or limited permit to practice respiratory therapy under Ohio R.C. Chapter 4761;

(35) A person who has been issued a real estate appraiser certificate under Ohio R.C. Chapter 4763;

(36) A person who has been issued a home inspector license under Ohio R.C. Chapter 4764;

(37) A person who has been admitted to the bar by order of the Ohio Supreme Court in compliance with its prescribed and published rules.

[No further changes to this section until paragraph (zz).]

(zz) "School." Any school operated by a board of education, any community school established under Ohio R.C. Chapter 3314, or any nonpublic school for which the [~~State Board of Education~~] **DIRECTOR OF EDUCATION AND WORKFORCE** prescribes minimum standards under Ohio R.C. 3301.07, whether or not any instruction, extracurricular activities or training provided by the school is being conducted at the time a criminal offense is committed.

[No further changes to this section until paragraph (bbb).]

(bbb) "School premises." Either of the following:

(1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed.

(2) Any other parcel of real property that is owned or leased by a board of education of a school, the governing authority of a community school established under Ohio R.C. Chapter 3314, or the governing body of a nonpublic school for which the [~~State Board of Education~~] **DIRECTOR OF EDUCATION AND WORKFORCE** prescribes minimum standards under Ohio R.C. 3301.07 and on which some of the instruction, extracurricular activities or training of the school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.

[No further changes to this section.]

513.03 DRUG ABUSE; CONTROLLED SUBSTANCE POSSESSION OR USE.

[No change to this section until paragraph (b).]

(b) (1) This section does not apply to the following:

A. Manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies and other persons whose conduct was in accordance with Ohio R.C. Chapters 3719, 4715, 4729, 4730, 4731 and 4741.

B. If the offense involves an anabolic steroid, any person who is conducting or participating in a research project involving the use of an anabolic steroid if the project has been approved by the United States Food and Drug Administration;

C. Any person who sells, offers for sale, prescribes, dispenses or administers for livestock or other nonhuman species an anabolic steroid that is expressly intended for administration through implants to livestock or other nonhuman species and approved for that purpose under the "Federal Food, Drug and Cosmetic Act", 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and is sold, offered for sale, prescribed, dispensed or administered for that purpose in accordance with that Act;
(Ord. 101-16. Passed 12-5-16.)

D. Any person who obtained the controlled substance pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs if the prescription was issued for a legitimate medical purpose and not altered, forged or obtained through deception or commission of a theft offense.

As used in subsection (b)(1)D. of this section, "deception" and "theft offense" have the same meanings as in Ohio R.C. 2913.01. (Ord. 123-19. Passed 12-9-19.)

(2) A. As used in subsection (b)(2) of this section:

1. "Community addiction services provider" has the same meaning as in Ohio R.C. 5119.01.
2. "Community control sanction" and "drug treatment program" have the same meanings as in Ohio R.C. 2929.01.
3. "Health care facility" has the same meaning as in Ohio R.C. 2919.16.
4. "Minor drug possession offense" means a violation of this section that is a misdemeanor or a felony of the fifth degree.
5. "Post-release control sanction" has the same meaning as in Ohio R.C. 2967.28.
6. "Peace officer" has the same meaning as in Ohio R.C. 2935.01.
7. "Public agency" has the same meaning as in Ohio R.C. 2930.01.
8. "Qualified individual" means a person who is [~~not on community control or post-release control and is a person~~] acting in good faith who seeks or obtains medical assistance for another person who is experiencing a drug overdose, a person who experiences a drug overdose and who seeks medical assistance for that overdose, or a person who is the subject of another person seeking or obtaining medical assistance for that overdose as described in subsection (b)(2)B. of this section.
9. "Seek or obtain medical assistance" includes, but is not limited to making a 9-1-1 call, contacting in person or by telephone call an on-duty peace officer, or transporting or presenting a person to a health care facility.

B. Subject to subsection (b)(2)[~~F.~~]**E.** of this section, a qualified individual shall not be arrested, charged, prosecuted, convicted or penalized pursuant to this chapter for a minor drug possession offense **OR A VIOLATION OF OHIO R.C. 2925.12, OHIO R.C. 2925.14(C)(1) OR OHIO R.C. 2925.141** if all of the following apply:

1. The evidence of the obtaining, possession or use of the controlled substance or controlled substance analog**, DRUG ABUSE INSTRUMENTS, OR DRUG PARAPHERNALIA** that would be the basis of the offense was obtained as a result of the qualified individual seeking the medical assistance or experiencing an overdose and needing medical assistance.
2. Subject to subsection (b)(2)[~~G.~~]**F.** of this section, within thirty days after seeking or obtaining the medical assistance, the qualified individual seeks and obtains a screening and receives a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional.
3. Subject to subsection (b)(2)[~~G.~~]**F.** of this section, the qualified individual who obtains a screening and receives a referral for

treatment under subsection (b)(2)B.[~~1.~~]**2.** of this section, upon the request of any prosecuting attorney, submits documentation to the prosecuting attorney that verifies that the qualified individual satisfied the requirements of that subsection. The documentation shall be limited to the date and time of the screening obtained and referral received.

[~~C. If a person is found to be in violation of any community control sanction and if the violation is a result of either of the following, the court shall first consider ordering the person's participation or continued participation in a drug treatment program or mitigating the penalty specified in Ohio R.C. 2929.13, 2929.15, or 2929.25, whichever is applicable, after which the court has the discretion either to order the person's participation or continued participation in a drug treatment program or to impose the penalty with the mitigating factor specified in any of those applicable sections:~~

~~1. Seeking or obtaining medical assistance in good faith for another person who is experiencing a drug overdose;~~

~~2. Experiencing a drug overdose and seeking medical assistance for that overdose or being the subject of another person seeking or obtaining medical assistance for that overdose as described in subsection (b)(2)B. of this section.~~

~~D. If a person is found to be in violation of any post-release control sanction and if the violation is a result of either of the following, the court or the parole board shall first consider ordering the person's participation or continued participation in a drug treatment program or mitigating the penalty specified in Ohio R.C. 2929.141 or 2967.28, whichever is applicable, after which the court or the parole board has the discretion either to order the person's participation or continued participation in a drug treatment program or to impose the penalty with the mitigating factor specified in either of those applicable sections:~~

~~1. Seeking or obtaining medical assistance in good faith for another person who is experiencing a drug overdose;~~

~~2. Experiencing a drug overdose and seeking medical assistance for that emergency or being the subject of another person seeking or obtaining medical assistance for that overdose as described in subsection (b)(2)B. of this section.~~]

C. IF A PERSON WHO IS SERVING A COMMUNITY CONTROL SANCTION OR IS UNDER A SANCTION ON POST-RELEASE CONTROL ACTS PURSUANT TO SUBSECTION (b)(2)B. OF THIS SECTION, THEN OHIO R.C. 2929.141(B), OHIO R.C. 2929.15(B)(2), OHIO R.C. 2929.25(D)(3) OR OHIO R.C. 2967.28(F)(3) APPLIES TO THE PERSON WITH RESPECT TO ANY VIOLATION OF THE SANCTION OR POST-RELEASE CONTROL SANCTION BASED ON A MINOR DRUG POSSESSION OFFENSE, AS DEFINED IN OHIO R.C. 2925.11, OR A VIOLATION OF OHIO R.C. 2925.12, OHIO R.C. 2925.14(C)(1), OR OHIO R.C. 2925.141.

[~~E.~~] **D.** Nothing in subsection (b)(2)B. of this section shall be construed to do any of the following:

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

1. Limit the admissibility of any evidence in connection with the investigation or prosecution of a crime with regards to a defendant who does not qualify for the protections of subsection (b)(2)B. of this section or with regards to any crime other than a minor drug possession offense **OR A VIOLATION OF OHIO R.C. 2925.12, OHIO R.C. 2925.14(C)(1) OR OHIO R.C. 2925.141** committed by a person who qualifies for protection pursuant to subsection (b)(2)B. of this section [~~for a minor drug possession offense~~];
2. Limit any seizure of evidence or contraband otherwise permitted by law;
3. Limit or abridge the authority of a peace officer to detain or take into custody a person in the course of an investigation or to effectuate an arrest for any offense except as provided in that division;
4. Limit, modify or remove any immunity from liability available pursuant to law in effect prior to [~~the effective date of this amendment to~~] **SEPTEMBER 13, 2016,** any public agency or to an employee of any public agency.

[~~F.~~] **E.** Subsection (b)(2)B. of this section does not apply to any person who twice previously has been granted an immunity under subsection (b)(2)B. of this section. No person shall be granted an immunity under subsection (b)(2)B. of this section more than two times.

[~~G.~~] **F.** Nothing in this section shall compel any qualified individual to disclose protected health information in a way that conflicts with the requirements of the "Health Insurance Portability and Accountability Act of 1996", 104 Pub. L. No. 191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended, and regulations promulgated by the United States Department of Health and Human Services to implement the act or the requirements of 42 C.F.R. Part 2.

[No further changes to this section.]

513.04 POSSESSING DRUG ABUSE INSTRUMENTS.

[No changes to this section until paragraph (b).]

(b) (1) This section does not apply to manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies and other persons whose conduct was in accordance with Ohio R.C. Chapters 3719, 4715, 4729, 4730, 4731 and 4741.

(2) DIVISION (B)(2) OF OHIO R.C. 2925.11 APPLIES WITH RESPECT TO A VIOLATION OF THIS SECTION WHEN A PERSON SEEKS OR OBTAINS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OVERDOSE, A PERSON EXPERIENCES A DRUG OVERDOSE AND SEEKS MEDICAL ASSISTANCE FOR THAT OVERDOSE, OR A PERSON IS THE SUBJECT OF ANOTHER PERSON SEEKING OR OBTAINING MEDICAL ASSISTANCE FOR THAT OVERDOSE.

[No further changes to this section.]

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

513.12 DRUG PARAPHERNALIA.

(a) As used in this section, "drug paraphernalia" means any equipment, product or material of any kind that is used by the offender, intended by the offender for use or designed for use, in propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled substance in violation of this chapter or Ohio R.C. Chapter 2925. "Drug paraphernalia" includes, but is not limited to, any of the following equipment, products or materials that are used by the offender, intended by the offender for use or designated by the offender for use, in any of the following manners:

(1) A kit for propagating, cultivating, growing or harvesting any species of a plant that is a controlled substance or from which a controlled substance can be derived;

(2) A kit for manufacturing, compounding, converting, producing, processing or preparing a controlled substance;

(3) Any object, instrument, or device for manufacturing, compounding, converting, producing, processing, or preparing methamphetamine;

(4) An isomerization device for increasing the potency of any species of a plant that is a controlled substance;

(5) Testing equipment for identifying, or analyzing the strength, effectiveness or purity of, a controlled substance**, EXCEPT FOR THOSE EXEMPTED IN SUBSECTION (d)(4) OF THIS SECTION**;

(6) A scale or balance for weighing or measuring a controlled substance;

(7) A diluent or adulterant, such as quinine hydrochloride, mannitol, mannite, dextrose or lactose, for cutting a controlled substance;

(8) A separation gin or sifter for removing twigs and seeds from, or otherwise cleaning or refining, marihuana;

(9) A blender, bowl, container, spoon or mixing device for compounding a controlled substance;

(10) A capsule, balloon, envelope or container for packaging small quantities of a controlled substance;

(11) A container or device for storing or concealing a controlled substance;

(12) A hypodermic syringe, needle or instrument for parenterally injecting a controlled substance into the human body;

(13) An object, instrument or device for ingesting, inhaling or otherwise introducing into the human body, marihuana, cocaine, hashish or hashish oil, such as a metal, wooden, acrylic, glass, stone, plastic or ceramic pipe, with or without a screen, permanent screen, hashish head or punctured metal bowl; water pipe; carburetion tube or device; smoking or carburetion mask; roach clip or similar object used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoon, or cocaine vial; chamber pipe; carburetor pipe; electric pipe; air driver pipe; chillum; bong; or ice pipe or chiller.

[No further changes until paragraph (c).]

(c) (1) Subject to subsection (d)(2)**, (d)(3) AND (d)(4)** of this section, no person shall knowingly use, or possess with purpose to use, drug paraphernalia.

(2) No person shall knowingly sell, or possess or manufacture with purpose to sell, drug paraphernalia, if the person knows or reasonably should know that the equipment, product or material will be used as drug paraphernalia.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(3) No person shall place an advertisement in any newspaper, magazine, handbill or other publication that is published and printed and circulates primarily within this State, if the person knows that the purpose of the advertisement is to promote the illegal sale in the State of the equipment, product or material that the offender intended or designed for use as drug paraphernalia.

(d) (1) This section does not apply to manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies and other persons whose conduct is in accordance with Ohio R.C. Chapters 3719, 4715, 4729, 4730, 4731, and 4741. This section shall not be construed to prohibit the possession or use of a hypodermic as authorized by Section 513.10.

(2) Subsection (c)(1) of this section does not apply to a person's use, or possession with purpose to use, any drug paraphernalia that is equipment, a product, or material of any kind that is used by the person, intended by the person for use, or designed for use in storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body marihuana.

(Ord. 103-12. Passed 11-26-12.)

(3) DIVISION (B)(2) OF OHIO R.C. 2925.11 APPLIES WITH RESPECT TO A VIOLATION OF SUBSECTION (c)(1) OF THIS SECTION WHEN A PERSON SEEKS OR OBTAINS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OVERDOSE, A PERSON EXPERIENCES A DRUG OVERDOSE AND SEEKS MEDICAL ASSISTANCE FOR THAT OVERDOSE, OR A PERSON IS THE SUBJECT OF ANOTHER PERSON SEEKING OR OBTAINING MEDICAL ASSISTANCE FOR THAT OVERDOSE.

(4) SUBSECTION (c)(1) OF THIS SECTION DOES NOT APPLY TO A PERSON'S USE, OR POSSESSION WITH PURPOSE TO USE, ANY DRUG TESTING STRIPS TO DETERMINE THE PRESENCE OF FENTANYL OR A FENTANYL-RELATED COMPOUND.

[No further changes to this section.]

513.121 MARIHUANA DRUG PARAPHERNALIA.

[No change to this section until paragraph (e).]

(e) **(1)** Subsection (e) of Section 513.12 applies with respect to any drug paraphernalia that was used or possessed in violation of this section.

(2) DIVISION (B)(2) OF OHIO R.C. 2925.11 APPLIES WITH RESPECT TO A VIOLATION OF THIS SUBSECTION WHEN A PERSON SEEKS OR OBTAINS MEDICAL ASSISTANCE FOR ANOTHER PERSON WHO IS EXPERIENCING A DRUG OVERDOSE, A PERSON EXPERIENCES A DRUG OVERDOSE AND SEEKS MEDICAL ASSISTANCE FOR THAT OVERDOSE, OR A PERSON IS THE SUBJECT OF ANOTHER PERSON SEEKING OR OBTAINING MEDICAL ASSISTANCE FOR THAT OVERDOSE.

(f) **(1)** Whoever violates subsection (c) of this section is guilty of illegal use or possession of marihuana drug paraphernalia, a minor misdemeanor.

(2) ARREST OR CONVICTION FOR A VIOLATION OF SUBSECTION (c) OF THIS SECTION DOES NOT CONSTITUTE A CRIMINAL RECORD AND NEED NOT BE REPORTED BY THE PERSON SO ARRESTED OR CONVICTED IN RESPONSE TO ANY INQUIRIES ABOUT THE PERSON'S CRIMINAL RECORD, INCLUDING ANY INQUIRIES CONTAINED IN ANY APPLICATION FOR EMPLOYMENT, LICENSE, OR OTHER RIGHT OR PRIVILEGE, OR MADE IN CONNECTION WITH THE PERSON'S APPEARANCE AS A WITNESS.

(g) **(1)** In addition to any other sanction imposed upon an offender for a violation of this section, the court **SHALL DO THE FOLLOWING IF APPLICABLE:**

A. [~~may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if~~] **IF** the offender pleaded guilty to or was convicted of a violation of Ohio R.C. 4511.19 or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years.

B. If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with Ohio R.C. 2925.38.

(ORC 2925.141[~~; Ord. 101-16. Passed 12-5-16.~~])

517.08 RAFFLES.

(a) (1) Subject to subsection (a)(2) of this section, a person or entity [~~that is~~] **MAY CONDUCT A RAFFLE TO RAISE MONEY FOR THE PERSON OR ENTITY AND DOES NOT NEED A LICENSE TO CONDUCT BINGO IIN ORDER TO CONDUCT A RAFFLE DRAWING THAT IS NOT FOR PROFIT IF THE PERSON OR ENTITY IS ANY OF THE FOLLOWNG:**

A. [~~e~~]**E**xempt from federal income taxation under IRC **§**501(a) and [~~is~~] described in IRC **§**501(c)(3**);**

B. A SCHOOL DISTRICT, COMMUNITY SCHOOL ESTABLISHED UNDER OHIO R.C. CHAPTER 3314, STEM SCHOOL ESTABLISHED UNDER OHIO R.C. CHAPTER 3326, COLLEGE-PREPARATORY BOARDING SCHOOL ESTABLISHED UNDER OHIO R.C. CHAPTER 3328, OR CHARTERED NON PUBLIC SCHOOL;

C. EXEMPT FROM FEDERAL INCOME TAXATION UNDER IRC §501(a) AND DESCRIBED IN IRC §501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) [~~may conduct a raffle to raise money for the person or entity and does not need a license to conduct bingo in order to conduct a raffle drawing that is not for profit~~].

(2) If a person or entity that is described in subsection (a)(1)**C.** of this section[~~, but that is not also described in IRC 501(c)(3),~~] conducts a raffle, the person or entity shall distribute at least fifty percent (50%) of the net profit from the raffle to a charitable purpose described in Section 517.01(j) or to a department or agency of the federal government, the state, or any political subdivision.

[No further changes to this section.]

521.10 NONSMOKING AREAS IN PLACES OF PUBLIC ASSEMBLY.

(a) As used in this section, "place of public assembly" means:

(1) Enclosed theaters, except the lobby; opera houses; auditoriums; classrooms; elevators; rooms in which persons are confined as a matter of health care, including but not limited to a hospital room and a room in a rest home serving as the residence of a person living in such rest home;

(2) All buildings and other enclosed structures owned by the State, its agencies or political subdivisions, including but not limited to hospitals and State institutions

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

for [~~the mentally ill~~] **PERSONS WITH MENTAL ILLNESS** and persons with intellectual disabilities; university and college buildings, except rooms within those buildings used primarily as the residences of students or other persons affiliated with the university or college; office buildings; libraries; museums; and vehicles used in public transportation. That portion of a building or other enclosed structure that is owned by the State, a State agency or a political subdivision and that is used primarily as a food service establishment is not a place of public assembly. [~~(Ord. 119-17. Passed 11-13-17.)~~]

(3) Each portion of a building or enclosed structure that is not included in subsection (a)(1) or (2) hereof is a place of public assembly if it has a seating capacity of fifty or more persons and is available to the public. Restaurants, food service establishments, dining rooms, cafes, cafeterias or other rooms used primarily for the service of food, as well as bowling alleys and places licensed by the Department of Liquor Control to sell intoxicating beverages for consumption on the premises, are not places of public assembly.

[No further changes to this section.]

521.19 SPREADING CONTAGION.

(a) NO PERSON, KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT THE PERSON HAS A DANGEROUS, CONTAGIOUS DISEASE, SHALL KNOWINGLY FAIL TO TAKE REASONABLE MEASURES TO PREVENT EXPOSING SELF TO OTHER PERSONS, EXCEPT WHEN SEEKING MEDICAL AID.

(b) NO PERSON, HAVING CHARGE OR CARE OF A PERSON WHOM THE PERSON HAVING CHARGE OR CARE KNOWS OR HAS REASONABLE CAUSE TO BELIEVE HAS A DANGEROUS, CONTAGIOUS DISEASE, SHALL RECKLESSLY FAIL TO TAKE REASONABLE MEASURES TO PROTECT OTHERS FROM EXPOSURE TO THE CONTAGION, AND TO INFORM HEALTH AUTHORITIES OF THE EXISTENCE OF THE CONTAGION.

(c) NO PERSON, HAVING CHARGE OF A PUBLIC CONVEYANCE OR PLACE OF PUBLIC ACCOMMODATION, AMUSEMENT, RESORT OR TRADE, AND KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT PERSONS USING SUCH CONVEYANCE OR PLACE HAVE BEEN OR ARE BEING EXPOSED TO A DANGEROUS, CONTAGIOUS DISEASE, SHALL NEGLIGENTLY FAIL TO TAKE REASONABLE MEASURES TO PROTECT THE PUBLIC FROM EXPOSURE TO THE CONTAGION, AND TO INFORM HEALTH AUTHORITIES OF THE EXISTENCE OF THE CONTAGION.

(ORC 3701.81)

(d) WHOEVER VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR OF THE SECOND DEGREE.

(ORC 3701.99(C))

525.05 FAILURE TO REPORT A CRIME, INJURY OR KNOWLEDGE OF DEATH.

[No changes to this section until paragraph (g).]

(g) Subsections (a) and (d) of this section do not require disclosure of information, when any of the following applies:

(1) The information is privileged by reason of the relationship between attorney and client; physician and patient; advanced practice registered nurse and patient; licensed psychologist or licensed school psychologist and client; licensed professional clinical counselor, licensed professional counselor, independent social worker, social worker, independent marriage and family therapist, or marriage and family therapist and client; member of the clergy, rabbi, minister,

or priest and any person communicating information confidentially to the member of the clergy, rabbi, minister, or priest for a religious counseling purpose of a professional character; husband and wife; or a communications assistant and those who are a party to a telecommunications relay service call.

(2) The information would tend to incriminate a member of the actor's immediate family.

(3) Disclosure of the information would amount to revealing a news source, privileged under Ohio R.C. 2739.04 or 2739.12.

(4) Disclosure of the information would amount to disclosure by a member of the ordained clergy of an organized religious body of a confidential communication made to that member of the clergy in that member's capacity as a member of the clergy by a person seeking the aid or counsel of that member of the clergy.

(5) Disclosure would amount to revealing information acquired by the actor in the course of the actor's duties in connection with a bona fide program of treatment or services for **PERSONS WITH** drug [~~dependent persons~~] **DEPENDENCIES** or persons in danger of drug dependence, which program is maintained or conducted by a hospital, clinic, person, agency, or community addiction services provider whose alcohol and drug addiction services are certified pursuant to Ohio R.C. 5119.36.

(6) Disclosure would amount to revealing information acquired by the actor in the course of the actor's duties in connection with a bona fide program for providing counseling services to victims of crimes that are violations of Ohio R.C. 2907.02 or 2907.05 or to victims of felonious sexual penetration in violation of former Ohio R.C. 2907.12. As used in this subsection, "counseling services" include services provided in an informal setting by a person who, by education or experience, is competent to provide those services.

[No further changes to this section.]

525.15 ASSAULTING POLICE DOG OR HORSE OR AN ASSISTANCE DOG.

[No change to this section until paragraph (b).]

(b) No person shall recklessly do any of the following:

(1) Taunt, torment, or strike a police dog or horse;

(2) Throw an object or substance at a police dog or horse;

(3) Interfere with or obstruct a police dog or horse, or interfere with or obstruct a law enforcement officer who is being assisted by a police dog or horse, in a manner that does any of the following:

A. Inhibits or restricts the law enforcement officer’s control of the police dog or horse;

B. Deprives the law enforcement officer of control of the police dog or horse;

C. Releases the police dog or horse from its area of control;

D. Enters the area of control of the police dog or horse without the consent of the law enforcement officer, including placing food or any other object or substance into that area;

E. Inhibits or restricts the ability of the police dog or horse to assist a law enforcement officer.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(4) Engage in any conduct that is likely to cause serious physical injury or death to a police dog or horse.

(5) If the person is the owner, keeper, or harborer of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger a police dog or horse that at the time of the conduct**, THE POLICE DOG OR HORSE** is assisting a law enforcement officer in the performance of the officer's duties or that the person knows is a police dog or horse.

(c) No person shall knowingly cause, or attempt to cause, physical harm to an assistance dog in either of the following circumstances:

(1) The dog**, AT THE TIME THE PHYSICAL HARM IS CAUSED OR ATTEMPTED,** is assisting or serving a **PERSON WHO IS** blind, deaf or hearing impaired or **A PERSON WITH A** mobility [~~impaired~~] **IMPAIRMENT** [~~person at the time the physical harm is caused or attempted~~].

(2) The dog**, AT THE TIME THE PHYSICAL HARM IS CAUSED OR ATTEMPTED,** is not assisting or serving a **PERSON WHO IS** blind, deaf or hearing impaired or A **PERSON WITH A** mobility [~~impaired~~] **IMPAIRMENT,** [~~person at the time the physical harm is caused or attempted,~~] but the offender has actual knowledge that the dog is an assistance dog.

(d) No person shall recklessly do any of the following:

(1) Taunt, torment, or strike an assistance dog;

(2) Throw an object or substance at an assistance dog;

(3) Interfere with or obstruct an assistance dog, or interfere with or obstruct a **PERSON WHO IS** blind, deaf or hearing impaired or **A PERSON WITH A** mobility [~~impaired person~~] **IMPAIRMENT** who is being assisted or served by an assistance dog, in a manner that does any of the following:

A. Inhibits or restricts the assisted or served person's control of the dog;

B. Deprives the assisted or served person of control of the dog;

C. Releases the dog from its area of control;

D. Enters the area of control of the dog without the consent of the assisted or served person, including placing food or any other object or substance into that area;

E. Inhibits or restricts the ability of the dog to assist the assisted or served person.

(4) Engage in any conduct that is likely to cause serious physical injury or death to an assistance dog;

(5) If the person is the owner, keeper or harborer of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger an assistance dog that at the time of the conduct is assisting or serving a **PERSON WHO IS** blind, deaf or hearing impaired, or **A PERSON WITH A** mobility [~~impaired person~~] **IMPAIRMENT** or that the person knows is an assistance dog.

(e) (1) Whoever violates subsection (a) hereof is guilty of assaulting a police dog or horse. If the violation results in physical harm to the police dog or horse, assaulting a police dog or horse is a misdemeanor of the first degree. If the violation does not result in death, serious physical harm, or physical harm to the police dog or horse, assaulting a police dog or horse is a misdemeanor of the

second degree. If the violation results in death or serious physical harm to the police dog or horse, such violation is a felony and shall be prosecuted under appropriate State law.

(2) Whoever violates subsection (b) hereof is guilty of harassing a police dog or horse. Except as otherwise provided in this subsection, harassing a police dog or horse is a misdemeanor of the second degree. If the violation results in the death of the police dog or horse or if the violation results in serious physical harm to the police dog or horse but does not result in its death, harassing a police dog or horse is a felony and shall be prosecuted under appropriate State law. If the violation results in physical harm to the police dog or horse but does not result in its death or in serious physical harm to it, harassing a police dog or horse is a misdemeanor of the first degree.

(3) Whoever violates subsection (c) hereof is guilty of assaulting an assistance dog. If the violation results in physical harm to the dog other than death or serious physical harm, assaulting an assistance dog is a misdemeanor of the first degree. If the violation does not result in death, serious physical harm, or physical harm to the dog, assaulting an assistance dog is a misdemeanor of the second degree. If the violation results in death or serious physical harm to the dog, such violation is a felony and shall be prosecuted under appropriate State law.

(4) Whoever violates subsection (d) of this section is guilty of harassing an assistance dog. Except as otherwise provided in this subsection, harassing an assistance dog is a misdemeanor of the second degree. If the violation results in the death of or serious physical harm to the assistance dog but does not result in its death, harassing an assistance dog is a felony and shall be prosecuted under appropriate State law. If the violation results in physical harm to the assistance dog but does not result in its death or in serious physical harm to it, harassing an assistance dog is a misdemeanor of the first degree.

(5) In addition to any other sanction or penalty imposed for the offense under this section, whoever violates subsection (a), (b), (c) or (d) of this section is responsible for the payment of all of the following:

A. Any veterinary bill or bill for medication incurred as a result of the violation by the Police Department regarding a violation of subsection (a) or (b) of this section or by the **PERSON WHO IS** blind, deaf or hearing impaired, or **THE PERSON WITH A** mobility [~~impaired person~~] **IMPAIRMENT** assisted or served by the assistance dog regarding a violation of subsection (c) or (d) of this section;

B. The cost of any damaged equipment that results from the violation;

C. If the violation did not result in the death of the police dog or horse or the assistance dog that was the subject of the violation and if, as a result of that dog or horse being the subject of the violation, the dog or horse needs further training or retraining to be able to continue in the capacity of a police dog or horse or an assistance dog, the cost of any further training or retraining of that dog or horse by a law enforcement officer or by the **PERSON WHO IS** blind, deaf or hearing impaired, or **THE PERSON WITH A** mobility [~~impaired person~~] **IMPAIRMENT** assisted or served by the assistance dog;

[~~(Ord. 133-06. Passed 10-23-06.)~~]

D. If the violation resulted in the death of the assistance dog that was the subject of the violation or resulted in serious physical harm to the police dog or horse or the assistance dog or horse that was the subject of the violation to the extent that the dog or horse needs to be replaced on either a temporary or a permanent basis, the cost of replacing that dog or horse and of any further training of a new police dog or horse or a new assistance dog by a law enforcement officer or by the **PERSON WHO IS** blind, deaf or hearing impaired, or **THE PERSON WITH A** mobility [~~impaired person~~] **IMPAIRMENT** assisted or served by the assistance dog, which replacement or training is required because of the death of or the serious physical harm to the dog or horse that was the subject of the violation.

[~~(Ord. 101-16. Passed 12-5-16.)~~]

(f) This section does not apply to a licensed veterinarian whose conduct is in accordance with Ohio R.C. Chapter 4741.

(g) This section only applies to an offender who knows or should know at the time of the violation that the police dog or horse or assistance dog that is the subject of a violation under this section is a police dog or horse or assistance dog.

(h) As used in this section:

[~~(1) "Physical harm" means any injury, illness, or other physiological impairment, regardless of its gravity or duration.~~

~~(2) "Police dog or horse" means a dog or horse that has been trained, and may be used, to assist law enforcement officers in the performance of their official duties.~~

~~(3) "Serious physical harm" means any of the following:~~

~~A. Any physical harm that carries a substantial risk of death;~~

~~B. Any physical harm that causes permanent maiming or that involves some temporary, substantial maiming;~~

~~C. Any physical harm that causes acute pain of a duration that results in substantial suffering.~~

~~(4) "Assistance dog", "blind", and "mobility impaired person" have the same meanings as in Ohio R.C. 955.011.~~

~~(Ord. 133-06. Passed 10-23-06.)~~]

(1) "ASSISTANCE DOG", "BLIND", AND "PERSON WITH A MOBILITY IMPAIRMENT" HAVE THE SAME MEANINGS AS IN OHIO R.C. 955.011.

(2) "PHYSICAL HARM" MEANS ANY INJURY, ILLNESS, OR OTHER PHYSIOLOGICAL IMPAIRMENT, REGARDLESS OF ITS GRAVITY OR DURATION.

(3) "POLICE DOG OR HORSE" MEANS A DOG OR HORSE THAT HAS BEEN TRAINED, AND MAY BE USED, TO ASSIST LAW ENFORCEMENT OFFICERS IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

(4) "SERIOUS PHYSICAL HARM" MEANS ANY OF THE FOLLOWING:

A. ANY PHYSICAL HARM THAT CARRIES A SUBSTANTIAL RISK OF DEATH;

B. ANY PHYSICAL HARM THAT CAUSES PERMANENT MAIMING OR THAT INVOLVES SOME TEMPORARY, SUBSTANTIAL MAIMING;

C. ANY PHYSICAL HARM THAT CAUSES ACUTE PAIN OF A DURATION THAT RESULTS IN SUBSTANTIAL SUFFERING.

(ORC 2921.321)

529.02 SALES TO AND USE BY UNDERAGE PERSONS; SECURING PUBLIC ACCOMMODATIONS.

[No changes to this section until paragraph (i).]

(i) **(1)** Whoever violates [~~this section is guilty of a misdemeanor of the first degree. In addition, whoever violates~~] subsection (a) hereof **IS GUILTY OF A MISDEMEANOR AND** shall be fined not less than five hundred dollars ($500.00) **AND NOT MORE THAN ONE THOUSAND DOLLARS ($1,000), AND, IN ADDITION TO THE FINE, MAY BE IMPRISONED FOR A DEFINITE TERM OF NOT MORE THAN SIX MONTHS.** [~~(Ord. 133-06. Passed 10-23-06.)~~] **(ORC 4301.99(I))**

(2) WHOEVER VIOLATES SUBSECTIONS (b), (c), (d) OR (f) HEREOF IS GUILTY OF A MISDEMEANOR OF THE FIRST DEGREE. (ORC 4301.99 (C))

(3) WHOEVER VIOLATES SUBSECTION (e) HEREOF IS GUILTY OF A MISDEMEANOR OF THE THIRD DEGREE. (ORC 4301.99 (D))

529.07 OPEN CONTAINER PROHIBITED.

[No changes to this section until paragraph (c).]

(c) (1) A person may have in the person's possession an opened container of any of the following:

A. Beer or intoxicating liquor that has been lawfully purchased for consumption on the premises where bought from the holder of an A-1-A, A-2, A-2(f), A-3a, D-1, D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, D-7, D8, **D9,** E, F, F-2, F-5, F-7 or F-8 permit; [~~(Ord. 101-16. Passed 12-5-16.)~~]

B. Beer, wine, or mixed beverages served for consumption on the premises by the holder of an F-3 permit, wine served as a tasting sample by an A-2, **A-2f,** S-1, or S-2 permit holder for consumption on the premises of a farmers market for which an F-10 permit has been issued, or wine served for consumption on the premises by the holder of an F-4 or F-6 permit; [~~(Ord. 102-23. Passed 6-29-23.)~~]

C. Beer or intoxicating liquor consumed on the premises of a convention facility as provided in Ohio R.C. 4303.201;

D. Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the Liquor Control Commission.

E. Spirituous liquor to be consumed for purposes of a tasting sample, as defined in Ohio R.C. 4301.171.

F. BEER OR INTOXICATING LIQUOR TO BE CONSUMED IN AN OUTDOOR AREA DESCRIBED IN OHIO R.C. 4303.188(B)(1).

[No further changes to this section.]

533.01 DEFINITIONS.

[No changes to this section until paragraph (q).]

(q) "PLACE WHERE A PERSON HAS A REASONABLE EXPECTATION OF PRIVACY" MEANS A PLACE WHERE A REASONABLE PERSON WOULD BELIEVE THAT THE PERSON COULD FULLY DISROBE IN PRIVATE.

(r) "PRIVATE AREA" MEANS THE GENITALS, PUBIC AREA, BUTTOCKS, OR FEMALE BREAST BELOW THE TOP OF THE AREOLA, WHERE NUDE OR COVERED BY AN UNDER-GARMENT. (ORC 2907.01)

533.06 VOYEURISM.

(a) No person, for the purpose of sexually arousing or gratifying the person's self, shall commit trespass or otherwise surreptitiously invade the privacy of another, to spy or eavesdrop upon another.

(b) No person[~~, for the purpose of sexually arousing or gratifying the person's self,~~] shall **KNOWINGLY** commit trespass or otherwise **SECRETLY OR** surreptitiously [~~invade the privacy of another to~~] videotape, film, photograph, **BROADCAST, STREAM,** or otherwise record [~~the other~~] **ANOTHER** person in a [~~state of nudity~~] **PLACE WHERE A PERSON HAS A REASONABLE EXPECTATION OF PRIVACY, FOR THE PURPOSE OF VIEWING THE PRIVATE AREAS OF THAT PERSON.**
[~~(Ord. 133-06. Passed 10-23-06.)~~]

(c) No person shall secretly or surreptitiously videotape, film, photograph, or otherwise record another person **ABOVE,** under or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person.

(d) [~~(1)~~] Whoever violates this section is guilty of voyeurism.

[~~(2)~~] **(1)** A violation of subsection (a) hereof is a misdemeanor of the third degree.

[~~(3)~~] **(2)** A violation of subsection (b) hereof is a misdemeanor of the second degree.

[~~(4)~~] **(3)** A violation of subsection (c) hereof is a misdemeanor of the first degree. [~~(Ord. 145-09. Passed 12-14-09.)~~] **(ORC 2907.08)**

533.08 PROCURING; ENGAGEMENT IN SEXUAL ACTIVITY FOR HIRE.

(a) **PROCURING.** No person, knowingly and for gain, shall do either of the following:

(1) **A.** Entice or solicit another to patronize a prostitute or brothel;

[~~(2)~~] **B.** Procure a prostitute for another to patronize, or take or direct another at his or her request to any place for the purpose of patronizing a prostitute.

[~~(b)~~] **(2)** No person, having authority or responsibility over the use of premises, shall knowingly permit such premises to be used for the purpose of engaging in sexual activity for hire.

[~~(c)~~] **(3)** Whoever violates subsection (a)**(1)A.** or [~~(b)~~]**B.** of this section is guilty of procuring. Except as otherwise provided in this subsection (c), procuring is a misdemeanor of the first degree. If the prostitute who is procured, patronized or otherwise involved in a violation of subsection [~~(a)(2)~~] **(a)(1)B.** of this section is under eighteen years of age at the time of the violation, regardless of whether the offender who violates subsection [~~(a)(2)~~] **(a)(1)B.** of this section knows the prostitute's age, or if a prostitute who engages in sexual activity for hire in premises used in violation of subsection [~~(b)~~] **(a)(2)** of this section is under eighteen years of age at the time of the violation, regardless of whether the offender who violates subsection [~~(b)~~] **(a)(2)** of this section knows the prostitute's age, procuring is a felony and shall be prosecuted under appropriate state law.

(b) ENGAGEMENT IS SEXUAL ACTIVITY FOR HIRE.

(1) AS USED IN THIS SUBSECTION (b) OF THIS SECTION:

A. "PERSON WITH A DEVELOPMENTAL DISABILITY" HAS THE SAME MEANING AS IN OHIO R.C. 2905.32.

[~~(d) No person shall recklessly induce, entice, or procure another to engage in sexual activity for hire in exchange for the person giving anything of value to the other person.~~]

[~~(e)~~] **B.** [~~As used in subsection (d) of this section,~~] "Sexual Activity for Hire" means an implicit or explicit agreement to provide sexual activity in exchange

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

for anything of value paid to the person engaging in such sexual activity, to any person trafficking that person, or to any person associated with either such person.

(2) NO PERSON SHALL RECKLESSLY INDUCE, ENTICE, OR PROCURE ANOTHER TO ENGAGE IN SEXUAL ACTIVITY FOR HIRE IN EXCHANGE FOR THE PERSON GIVING ANYTHING OF VALUE TO THE OTHER PERSON.

(3) NO PERSON SHALL RECKLESSLY INDUCE, ENTICE, OR PROCURE ANOTHER TO ENGAGE IN SEXUAL ACTIVITY FOR HIRE IN EXCHANGE FOR THE PERSON GIVING ANYTHING OF VALUE TO THE OTHER PERSON IF THE OTHER PERSON IS A PERSON WITH A DEVELOPMENTAL DISABILITY AND THE OFFENDER KNOWS OR HAS REASONABLE CAUSE TO BELIEVE THAT THE OTHER PERSON IS A PERSON WITH A DEVELOPMENTAL DISABILITY.

[~~(f)~~] (4) Whoever violates subsection [~~(d)~~] **(b)(2)** of this section is guilty of engaging in prostitution, a misdemeanor of the first degree. **WHOEVER VIOLATES SUBSECTION (b)(3) OF THIS SECTION IS GUILTY OF ENGAGING IN PROSTITUTION WITH A PERSON WITH A DEVELOPMENTAL DISABILITY, A FELONY TO BE PROSECUTED UNDER APPROPRIATE STATE LAW.** In sentencing [~~the~~] **AN** offender under this subsection **FOR A VIOLATION OF SUBSECTION (b)(2) OF THIS SECTION**, the court shall require the offender to attend an education or treatment program aimed at preventing persons from inducing, enticing, or procuring another to engage in sexual activity for hire in exchange for the person giving anything of value to the other person. [~~and,~~] [~~n~~]**N**otwithstanding the fine specified in Ohio R.C. 2929.28(A)(2)(a) for a misdemeanor of the first degree**, IN SENTENCING AN OFFENDER UNDER THIS SUBSECTION FOR A VIOLATION OF SUBSECTION (b)(2) OF THIS SECTION,** the court may impose upon the offender a fine of not more than one thousand five hundred dollars ($1,500).
(ORC 2907.231[~~; Ord. 16-22. Passed 2-14-22.~~])

537.03 ASSAULT.

[No changes to this section until paragraph (c).]

(c) (1) Whoever violates this section is guilty of assault, a misdemeanor of the first degree, and the court shall sentence the offender as provided in subsection (c) hereof. If the assault was committed under the circumstances provided in subsection (c)(2), (3), (4), (5), (6), (7), (8) or (9) hereof, assault is a felony and shall be prosecuted under appropriate State law.

(2) Except as otherwise provided in this subsection, if the offense is committed by a caretaker against a functionally impaired person under the caretaker's care**, THE ASSAULT IS A FELONY AND SHALL BE PROSECUTED UNDER APPROPRIATE STATE LAW**.

[No further changes to this section until paragraph (c)(11)].

(11) A PROSECUTION FOR A VIOLATION OF SUBSECTIONS (a) OR (b) OF THIS SECTION DOES NOT PRECLUDE A PROSECUTION FOR A VIOLATION OF ANY OTHER SECTION OF THE OHIO REVISED CODE. ONE OR MORE ACTS, A SERIES OF ACTS, OR A COURSE OF BEHAVIOR THAT CAN BE PROSECUTED UNDER SUBSECTIONS (a) OR (b) OF THIS SECTION OR ANY OTHER SECTION OF THE OHIO REVISED CODE MAY BE PROSECUTED UNDER SUBSECTIONS (a) OR (b) OF THIS SECTION, THE OTHER SECTIONS OF THE OHIO REVISED CODE, OR BOTH SECTIONS.

HOWEVER, IF AN OFFENDER IS CONVICTED OF OR PLEADS GUILTY TO A VIOLATION OF SUBSECTIONS (a) OR (b) OF THIS SECTION AND ALSO IS CONVICTED OF OR PLEADS GUILTY TO A VIOLATION OF OHIO R.C. 2903.22, OR ANY SUBSTANTIALLY EQUIVALENT MUNICIPAL ORDINANCE, BASED ON THE SAME CONDUCT INVOLVING THE SAME VICTIM THAT WAS THE BASIS OF THE VIOLATION OF SUBSECTIONS (a) OR (b) OF THIS SECTION, THE OFFENSES ARE ALLIED OFFENSES OF SIMILAR IMPORT UNDER OHIO R.C. 2941.25.

(d) As used in this section:

(1) "Peace officer" has the same meaning as in Ohio R.C. 2935.01.

(2) "Firefighter" has the same meaning as in Ohio R.C. 3937.41.

(3) "Emergency medical service" has the same meaning as in Ohio R.C. 4765.01.

(4) "Local correctional facility" means a county, multicounty, municipal, municipal-county or multicounty-municipal jail or workhouse. A minimum security jail established under Ohio R.C. 341.23 or 753.21, or another county, multicounty, municipal, municipal-county, or multicounty- municipal facility used for the custody of persons arrested for any crime or delinquent act, persons charged with or convicted of any crime, or persons alleged to be or adjudicated a delinquent child.

(5) "Employee of a local correctional facility" means a person who is an employee of the political subdivision or of one or more of the affiliated political subdivisions that operates the local correctional facility and who operates or assists in the operation of the facility.
(Ord. 139-07. Passed 11-19-07.)

(6) "School teacher or administrator" means either of the following:

A. A person who is employed in the public schools of the State under a contract described in Ohio R.C. 3311.77 or 3319.08 in a position in which the person is required to have a certificate issued pursuant to Ohio R.C. 3319.22 to 3319.311.
(Ord. 1-14. Passed 1-13-14.)

B. A person who is employed by a nonpublic school for which the [~~State Board of Education~~] **DIRECTOR OF EDUCATION AND WORKFORCE** prescribes minimum standards under Ohio R.C. 3301.07 and who is certified in accordance with Ohio R.C. 3301.071.

(7) "Community control sanction" has the same meaning as in Ohio R.C. 2929.01.

(8) "Escorted visit" means an escorted visit granted under Ohio R.C. 2967.27.

(9) "Post-release control" and "transitional control" have the same meanings as in Ohio R.C. 2967.01.

(10) "Investigator of the Bureau of Criminal Identification and Investigation" has the same meaning as in Ohio R.C. 2903.11.
(Ord. 139-07. Passed 11-19-07.)

(11) "Health care professional" and "health care worker" have the same meanings as in Ohio R.C. 2305.234.

(12) "Assault or homicide offense committed against hospital personnel" means a violation of this section or Ohio R.C. 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13 or 2903.14 committed in circumstances in which all of the following apply:

A. The victim of the offense was a health care professional of a hospital, a health care worker of a hospital or a security officer of a hospital.

B. The offender knew or had reasonable cause to know that the victim was a health care professional of a hospital, a health care worker of a hospital, or a security officer of a hospital;

C. The victim was engaged in the performance of the victim's duties.

D. The hospital offered de-escalation or crisis intervention training for such professionals, workers or officers.

(13) "De-escalation or crisis intervention training" means de-escalation or crisis intervention training for health care professionals of a hospital, health care workers of a hospital, and security officers of a hospital to facilitate interaction with patients, members of a patient's family, and visitors, including those with mental impairments.

(14) "Assault or homicide offense committed against justice system personnel" **MEANS A VIOLATION OF THIS SECTION OR OF OHIO R.C. 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13 OR 2903.14 COMMITTED IN CIRCUMSTANCES IN WHICH THE VICTIM OF THE OFFENSE WAS A JUDGE, MAGISTRATE, PROSECUTOR, OR COURT OFFICIAL OR EMPLOYEE WHOM THE OFFENDER KNEW OR HAD REASONABLE CAUSE TO KNOW WAS A JUDGE, MAGISTRATE, PROSECUTOR, OR COURT OFFICIAL OR EMPLOYEE, AND THE VICTIM WAS ENGAGED IN THE PERFORMANCE OF THE VICTIM'S DUTIES.**

(15) "Court official or employee" means any official or employee of a court created under the constitution or statutes of this State or of a United States court located in this State.

(16) "Judge" means a judge of a court created under the constitution or statutes of this State or of a United States court located in this State.

(17) "Magistrate" means an individual who is appointed by a court of record of this State and who has the powers and may perform the functions specified in Civil Rule 53, Criminal Rule 19, or Juvenile Rule 40, or an individual who is appointed by a United States court located in this State who has similar powers and functions.

(18) "Prosecutor" has the same meaning as in Ohio R.C. 2935.01.

(19) A. "Hospital" means, subject to subsection (d)(19)B. of this section, an institution classified as a hospital under Ohio R.C. 3701.01 in which are provided to patients diagnostic, medical, surgical, obstetrical, psychiatric, or rehabilitation care or a hospital operated by a health maintenance organization.

B. "Hospital" does not include any of the following:

1. A facility licensed under Ohio R.C. Chapter 3721, a health care facility operated by the Department of Mental Health or the Department of Developmental Disabilities, a health maintenance organization that does not operate a hospital, or the office of any private, licensed health care professional, whether organized for individual or group practice;

2. An institution for the sick that is operated exclusively for patients who use spiritual means for healing and for whom the acceptance of medical care is inconsistent with their religious

beliefs, accredited by a national accrediting organization, exempt from federal income taxation under Section 501 of the "Internal Revenue Code of 1986", 100 Stat. 2085, 26 U.S.C. 1, as amended, and providing twenty-four-hour nursing care pursuant to the exemption in division (E) of Ohio R.C. 4723.32 from the licensing requirements of Ohio R.C. Chapter 4723.

(20) "Health maintenance organization" has the same meaning as in Ohio R.C. 3727.01. (Ord. 1-14. Passed 1-13-14.)

(21) "EMERGENCY SERVICE RESPONDER" MEANS ANY LAW ENFORCEMENT OFFICER, FIRST RESPONDER, EMERGENCY MEDICAL TECHNICIAN-BASIC, EMERGENCY MEDICAL TECHNICIAN-INTERMEDIATE, EMERGENCY MEDICAL TECHNICIAN-PARAMEDIC, FIREFIGHTER, OR VOLUNTEER FIREFIGHTER.

(22) "FAMILY OR HOUSEHOLD MEMBER" MEANS ANY OF THE FOLLOWING:

A. ANY OF THE FOLLOWING WHO IS RESIDING OR HAS RESIDED WITH A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER:

1. A SPOUSE, A PERSON LIVING AS A SPOUSE, OR A FORMER SPOUSE OF A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER;

2. A PARENT, A FOSTER PARENT, OR A CHILD OF A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER, OR ANOTHER PERSON RELATED BY CONSANGUINITY OR AFFINITY TO A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER;

3. A PARENT OR A CHILD OF A SPOUSE, PERSON LIVING AS A SPOUSE, OR FORMER SPOUSE OF A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER, OR ANOTHER PERSON RELATED BY CONSANGUINITY OR AFFINITY TO A SPOUSE, PERSON LIVING AS A SPOUSE, OR FORMER SPOUSE OF A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER.

B. THE NATURAL PARENT OF ANY CHILD OF WHOM A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER IS THE OTHER NATURAL PARENT OR IS THE PUTATIVE OTHER NATURAL PARENT.

(23) "FIRST RESPONDER", "EMERGENCY MEDICAL TECHNICIAN-BASIC", "EMERGENCY MEDICAL TECHNICIAN-INTERMEDIATE" AND "EMERGENCY MEDICAL TECHNICIAN-PARAMEDIC" HAVE THE SAME MEANINGS AS IN OHIO R.C. 4765.01.

(24) "VOLUNTEER FIREFIGHTER" HAS THE SAME MEANING AS IN OHIO R.C. 146.01.

(25) "PERSON LIVING AS A SPOUSE" MEANS A PERSON WHO IS LIVING OR HAS LIVED WITH A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER IN A COMMON LAW MARITAL RELATIONSHIP, WHO OTHERWISE IS COHABITING WITH A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER, OR WHO OTHERWISE HAS COHABITED WITH A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER WITHIN FIVE YEARS PRIOR TO THE DATE OF THE ALLEGED COMMISSION OF THE ACT IN QUESTION.

(26) "CO-WORKER" MEANS A PERSON WHO IS EMPLOYED BY THE ORGANIZATION OR ENTITY THAT IS SERVED BY A PERSON WHO IS EMPLOYED AS AN EMERGENCY SERVICE RESPONDER. (ORC 2903.13)

537.06 MENACING.

(a) **(1)** No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family. In addition to any other basis for the other person's belief that the offender will cause physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediately family, the other person's belief may be based on words or conduct of the offender that are directed at or identify a corporation, association or other organization that employs the other person or to which the other person belongs.

(2) NO PERSON SHALL KNOWINGLY PLACE OR ATTEMPT TO PLACE ANOTHER IN REASONABLE FEAR OF PHYSICAL HARM OR DEATH BY DISPLAYING A DEADLY WEAPON, REGARDLESS OF WHETHER THE DEADLY WEAPON DISPLAYED IS OPERABLE OR INOPERABLE, IF EITHER OF THE FOLLOWING APPLIES:

A. THE OTHER PERSON IS AN EMERGENCY SERVICE RESPONDER, THE PERSON KNOWS OR REASONABLY SHOULD KNOW THAT THE OTHER PERSON IS AN EMERGENCY SERVICE RESPONDER, AND IT IS THE PERSON'S SPECIFIC PURPOSE TO ENGAGE IN THE SPECIFIED CONDUCT AGAINST AN EMERGENCY SERVICE RESPONDER.

B. THE OTHER PERSON IS A FAMILY OR HOUSEHOLD MEMBER OR CO-WORKER OF AN EMERGENCY SERVICE RESPONDER, THE PERSON KNOWS OR REASONABLY SHOULD KNOW THAT THE OTHER PERSON IS A FAMILY OR HOUSEHOLD MEMBER OR CO-WORKER OF AN EMERGENCY SERVICE RESPONDER, AND IT IS THE PERSON'S SPECIFIC PURPOSE TO ENGAGE IN THE SPECIFIED CONDUCT AGAINST A FAMILY OR HOUSEHOLD MEMBER OR CO-WORKER OF AN EMERGENCY SERVICE RESPONDER.

(b) Whoever violates this section is guilty of menacing. Except as otherwise provided in this [~~subsection (b)~~] **DIVISION**, menacing is a misdemeanor of the fourth degree. If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, or **IF THE VICTIM OF THE OFFENSE IS AN EMERGENCY SERVICE RESPONDER IN THE PERFORMANCE OF THE RESPONDER'S OFFICIAL DUTIES, MENACING IS ONE OF THE FOLLOWING:**

(1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (a)(2)B. OF THIS SECTION, A MISDEMEANOR OF THE FIRST DEGREE;

(2) [~~i~~]**I**f the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency **OR AN EMERGENCY SERVICE RESPONDER**, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties **OR TO THE RESPONDER'S PERFORMANCE OF THE RESPONDER'S OFFICIAL DUTIES,** [~~menacing is~~] a felony [~~and shall~~] **TO** be prosecuted under appropriate [~~S~~]**s**tate law.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

[~~(c) As used in this section, "organization" includes an entity that is a governmental employer. (Ord. 104-14. Passed 11-24-14.)~~]

(c) A PROSECUTION FOR A VIOLATION OF SUBSECTION (a) OF THIS SECTION DOES NOT PRECLUDE A PROSECUTION OF A VIOLATION OF ANY OTHER SECTION OF THE OHIO REVISED CODE. ONE OR MORE ACTS, A SERIES OF ACTS, OR A COURSE OF BEHAVIOR THAT CAN BE PROSECUTED UNDER SUBSECTION (a) OF THIS SECTION OR ANY OTHER SECTION OF THE OHIO REVISED CODE MAY BE PROSECUTED UNDER SUBSECTION (a) OF THIS SECTION, THE OTHER SECTION OF THE OHIO REVISED CODE, OR BOTH SECTIONS. HOWEVER, IF AN OFFENDER IS CONVICTED OF OR PLEADS GUILTY TO A VIOLATION OF SUBSECTION (a) OF THIS SECTION AND ALSO IS CONVICTED OF OR PLEADS GUILTY TO A VIOLATION OF OHIO R.C. 2903.13, OR ANY SUBSTANTIALLY SIMILAR MUNICIPAL ORDINANCE, BASED ON THE SAME CONDUCT INVOLVING THE SAME VICTIM THAT WAS THE BASIS OF THE VIOLATION OF SUBSECTION (a) OF THIS SECTION, THE OFFENSES ARE ALLIED OFFENSES OF SIMILAR IMPORT UNDER OHIO R.C. 2941.25.

(d) AS USED IN THIS SECTION:

(1) "CO-WORKER" HAS THE SAME MEANING AS IN OHIO R.C. 2903.13.

(2) "EMERGENCY SERVICE RESPONDER" HAS THE SAME MEANING AS IN OHIO R.C. 2903.13.

(3) "FAMILY OR HOUSEHOLD MEMBER" HAVE THE SAME MEANINGS AS IN OHIO R.C. 2903.13.

(4) "ORGANIZATION" INCLUDES AN ENTITY THAT IS A GOVERNMENTAL EMPLOYER. (ORC 2903.22)

537.07 ENDANGERING CHILDREN.

(a) No person, who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child under eighteen years of age or a [~~mentally or physically handicapped~~] **CHILD WITH A MENTAL OR PHYSICAL DISABILITY** under twenty-one years of age, shall create a substantial risk to the health or safety of the child, by violating a duty of care, protection or support. It is not a violation of a duty of care, protection or support under this subsection when the parent, guardian, custodian or person having custody or control of a child treats the physical or mental illness or [~~defect~~] **DISABILITY** of the child by spiritual means through prayer alone, in accordance with the tenets of a recognized religious body.

(b) No person shall abuse a child under eighteen years of age or a **CHILD WITH A MENTAL OR PHYSICAL DISABILITY** [~~mentally or physically handicapped child~~] under twenty-one years of age.

[No further changes to this section.]

537.12 MISUSE OF 9-1-1 SYSTEM.

(a) "9-1-1 system" means a system through which individuals can request emergency service using the [~~telephone~~] **ACCESS** number 9-1-1. (ORC 128.01**(A)**)

[No further changes to this section.]

537.15 TEMPORARY PROTECTION ORDER.

[No changes to this section until paragraph (b).]

(b) (1) Whoever violates this section is guilty of violating a protection order.

(2) Except as otherwise provided in subsection (b)(3) of this section, violating a protection order is a misdemeanor of the first degree.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(3) Violating a protection order is a felony and shall be prosecuted under State law if the offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for any of the following:

A. A violation of a protection order issued or consent agreement approved pursuant to Ohio R.C. 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31;

B. Two or more violations of Ohio R.C. 2903.21, 2903.211, 2903.22, or 2911.211 or any combination of those offenses that involved the same person who is the subject of the protection order or consent agreement;

C. One or more violations of this section.

(4) If the offender violates a protection order or consent agreement while committing a felony offense, violating a protection order is a felony and shall be prosecuted under appropriate state law.

(5) If the protection order violated by the offender was an order issued pursuant to Ohio R.C. 2151.34 or 2903.214 that required electronic monitoring of the offender pursuant to that section, the court may require in addition to any other sentence imposed upon the offender that the offender be electronically monitored for a period not exceeding five years by a law enforcement agency designated by the court. If the court requires under this subsection that the offender be electronically monitored, unless the court determines that the offender is indigent, the court shall order that the offender pay the costs of the installation of the electronic monitoring device and the cost of monitoring the electronic monitoring device. [~~If the court determines that the offender is indigent and subject to the maximum amount allowable and the rules promulgated by the Attorney General under Ohio R.C. 2903.214, the costs of the installation of the electronic monitoring device and the cost of monitoring the electronic monitoring device may be paid out of funds from the reparations fund created pursuant to Ohio R.C. 2743.191. The total amount paid from the reparations fund created pursuant to Ohio R.C. 2743.191 for electronic monitoring under this section and Ohio R.C. 2151.34 and 2903.214 shall not exceed three hundred thousand dollars per year.~~]

[No further changes to this section.]

537.16 ILLEGAL DISTRIBUTION OF CIGARETTES, OTHER TOBACCO PRODUCTS, OR ALTERNATE NICOTINE PRODUCTS; TRANSACTION SCANS.

(a) Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products.

(1) As used in this section:

A. "Age verification." A service provided by an independent third party (other than a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes) that compares information available from a commercially available database, or aggregate of databases, that regularly are used by government and businesses for the purpose of age and identity verification to personal information provided during an internet sale or other remote method of sale to establish that the purchaser is twenty-one years of age or older.

B. "Alternative nicotine product."

1. Subject to subsection (a)(1)B.2. of this section, an electronic smoking device, vapor product, or any other product or device that consists of or contains nicotine that can be ingested into the body by any means, including, but not limited to, chewing, smoking, absorbing, dissolving, or inhaling.
2. The phrase does not include any of the following:
   a. Any cigarette or other tobacco product;
   b. Any product that is a "drug" as that term is defined in 21 U.S.C. 321(g)(1);
   c. Any product that is a "device" as that term is defined in 21 U.S.C. 321(h);
   d. Any product that is a "combination product" as described in 21 U.S.C. 353(g).

C. "Cigarette." Includes clove cigarettes and hand-rolled cigarettes.

D. "Distribute." Means to furnish, give, or provide cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to the ultimate consumer of the cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes.

E. "Electronic smoking device." Means any device that can be used to deliver aerosolized or vaporized nicotine or any other substance to the person inhaling from the device including an electronic cigarette, electronic cigar, electronic hookah, vaping pen, or electronic pipe. The phrase includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g).

F. "Proof of age." Means a driver's license, a commercial driver's license, a military identification card, a passport, or an identification card issued under Ohio R.C. 4507.50 to 4507.52 that shows that a person is [~~eighteen~~] **TWENTY-ONE** years of age or older.

G. "Tobacco product." Means any product that is made or derived from tobacco or that contains any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, an electronic smoking device, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. The phrase also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, blunt or hemp wraps, and liquids used in electronic smoking devices, whether or not they contain nicotine. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g).

H. "Vapor product." Means a product, other than a cigarette or other tobacco product as defined in Ohio R.C. Chapter 5743, that contains or is made or derived from nicotine and that is intended and marketed for human consumption, including by smoking, inhaling, snorting, or sniffing.

The phrase includes any component, part, or additive that is intended for use in an electronic smoking device, a mechanical heating element, battery, or electronic circuit and is used to deliver the product. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g). The phrase includes any product containing nicotine, regardless of concentration.

I. "Vending machine." Has the same meaning as "coin machine" in Ohio R.C. 2913.01.

(2) No manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, no agent, employee, or representative of a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, and no other person shall do any of the following:

A. Give, sell, or otherwise distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes**:**

1. [t]**T**o any person under twenty-one years of age; **OR**

2. WITHOUT FIRST VERIFYING PROOF OF AGE.

B. Give away, sell, or distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes in any place that does not have posted in a conspicuous place a legibly printed sign in letters at least one-half inch high stating that giving, selling, or otherwise distributing cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a person under twenty-one years of age is prohibited by law;

C. Knowingly furnish any false information regarding the name, age, or other identification of any person under twenty-one years of age with purpose to obtain cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes for that person;

D. Manufacture, sell, or distribute in this state any pack or other container of cigarettes containing fewer than twenty cigarettes or any package of roll-your-own tobacco containing less than six-tenths of one ounce of tobacco;

E. Sell cigarettes or alternative nicotine products in a smaller quantity than that placed in the pack or other container by the manufacturer;

F. Give, sell, or otherwise distribute alternative nicotine products, papers used to roll cigarettes, or tobacco products other than cigarettes over the internet or through another remote method without age verification.

G. ALLOW AN EMPLOYEE UNDER EIGHTEEN YEARS OF AGE TO SELL ANY TOBACCO PRODUCT;

H. GIVE AWAY OR OTHERWISE DISTRIBUTE FREE SAMPLES OF CIGARETTES, OTHER TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR COUPONS REDEEMABLE FOR CIGARETTES, OTHER TOBACCO PRODUCTS OR ALTERNATIVE TOBACCO PRODUCTS.

(3) No person shall sell or offer to sell cigarettes, other tobacco products, or alternative nicotine products by or from a vending machine, except in the following locations:

A. An area within a factory, business, office, or other place not open to the general public;

B. An area to which persons under twenty-one years of age are not generally permitted access;

C. Any other place not identified in subsection (a)(3)A. or B. of this section, upon all of the following conditions:

1. The vending machine is located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person, so that all cigarettes, other tobacco product, and alternative nicotine product purchases from the vending machine will be readily observed by the person who owns or operates the place or an employee of that person. For the purpose of this section, a vending machine located in any unmonitored area, including an unmonitored coatroom, restroom, hallway, or outer waiting area, shall not be considered located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person.

2. The vending machine is inaccessible to the public when the place is closed.

3. A clearly visible notice is posted in the area where the vending machine is located that states the following in letters that are legibly printed and at least one-half inch high: "It is illegal for any person under the age of twenty-one to purchase tobacco or alternative nicotine products."

(4) The following are affirmative defenses to a charge under subsection (a)(2)A. of this section:

A. The person under twenty-one years of age was accompanied by a parent, spouse who is twenty-one years of age or older, or legal guardian of the person under twenty-one years of age.

B. The person who gave, sold, or distributed cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a person under twenty-one years of age under subsection (a)(2)A. of this section is a parent, spouse who is twenty-one years of age or older, or legal guardian of the person under twenty-one years of age.

(5) **A.** It is not a violation of subsection (a)(2)A. or B. of this section for a person to give or otherwise distribute to a person under twenty-one years of age cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes while the person under twenty-one years of age is participating in a research protocol if all of the following apply:

[~~A.~~] **1.** The parent, guardian, or legal custodian of the person under twenty-one years of age has consented in writing to the person under twenty-one years of age participating in the research protocol.

[B.] **2.** An institutional human subjects protection review board, or an equivalent entity, has approved the research protocol.

[C.] **3.** The person under twenty-one years of age is participating in the research protocol at the facility or location specified in the research protocol.

B. IT IS NOT A VIOLATION OF SUBSECTION (a)(2)A. OR B. OF THIS SECTION FOR AN EMPLOYER TO PERMIT AN EMPLOYEE EIGHTEEN, NINETEEN OR TWENTY YEARS OF AGE TO SELL A TOBACCO PRODUCT.

(6) A. NO DELIVERY SERVICE SHALL ACCEPT FROM, TRANSPORT OR DELIVER TO, OR ALLOW PICK-UP BY, A PERSON UNDER TWENTY-ONE YEARS OF AGE WITH RESPECT TO ANY OF THE FOLLOWING:

1. ALTERNATIVE NICOTINE PRODUCTS;

2. PAPERS USED TO ROLL CIGARETTES;

3. TOBACCO PRODUCTS OTHER THAN CIGARETTES.

B. A DELIVERY SERVICE SHALL REQUIRE PROOF OF AGE AS A CONDITION OF ACCEPTING, TRANSPORTING, DELIVERING, OR ALLOWING PICKUP OF THE ITEMS DESCRIBED IN SUBSECTIONS (a)(6)A1. TO 3. OF THIS SECTION.

[~~(6)~~] **(7)** [~~A.~~] Whoever violates subsection (a)(2)A., B., D., E., [~~or~~] F., G., H., (3) OR (6) [~~or (a)(3)~~] of this section is guilty of illegal distribution of cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of OR PLEADED GUILTY TO [~~a violation of subsection (a)(2)A., B., D., E., or F. or (a)(3) of this section or a substantially equivalent state law or municipal ordinance,~~] illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

(8) [~~B.~~] Whoever violates subsection (a)(2)C. of this section is guilty of permitting a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, permitting a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of a violation of subsection (a)(2)C. of this section or a substantially equivalent state law or municipal ordinance, permitting a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

[~~(7)~~] **(9)** Any cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes that are given, sold, or otherwise distributed to a person under twenty-one years of age in violation of this section and that are used, possessed, purchased, or received by a person under twenty-one years of age in violation of Ohio R.C. 2151.87 are subject to seizure and forfeiture as contraband under Ohio R.C. Chapter 2981.

(ORC 2927.02)

[No further changes until paragraph (d).]

(d) Shipment of Tobacco Products.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(1) As used in this subsection (d):

A. "Authorized recipient of tobacco products" means a person who is:

1. IN THE CASE OF CIGARETTES, A PERSON WHO IS:

[~~1.~~] **a.** Licensed as a cigarette wholesale dealer under Ohio R.C. 5743.15;

[~~2.~~] **b.** Licensed as a retail dealer as long as the person purchases cigarettes with the appropriate tax stamp affixed;

[~~3.~~] **c.** An export warehouse proprietor as defined in [~~Section 5702 of the~~] Internal Revenue Code **SECTION 5702**;

[~~4.~~] **d.** An operator of a customs bonded warehouse under 19 U.S.C. **SECTION** 1311 or 19 U.S.C. **SECTION** 1555;

[~~5.~~] **e.** An officer, employee, or agent of the federal government or of this state acting in the person's official capacity;

[~~6.~~] **f.** A department, agency, instrumentality, or political subdivision of the federal government or of this state;

[~~7.~~] **g.** A person having a consent for consumer shipment issued by the **OHIO** Tax Commissioner under Ohio R.C. 5743.71.

2. IN THE CASE OF ELECTRONIC SMOKING DEVICES OR VAPOR PRODUCTS, A PERSON WHO IS:

a. LICENSED AS A DISTRIBUTOR OF TOBACCO OR VAPOR PRODUCTS UNDER OHIO R.C. 5743.61;

b. A RETAIL DEALER OF VAPOR PRODUCTS, AS DEFINED IN OHIO R.C. 5741.01(C)(3), THAT IS NOT LICENSED AS A VAPOR DISTRIBUTOR, AS LONG AS THE TAX LEVIED BY OHIO R.C. 5743.51, 5743.62, OR 5743.63, AS APPLICABLE, HAS BEEN PAID;

c. AN OPERATOR OF A CUSTOMS BONDED WAREHOUSE UNDER 19 U.S.C. SECTION 1311 OR 19 U.S.C. SECTION 1555;

d. AN OFFICER, EMPLOYEE, OR AGENT OF THE FEDERAL GOVERNMENT OR OF THIS STATE ACTING IN THE PERSON'S OFFICIAL CAPACITY;

e. A DEPARTMENT, AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION OF THE FEDERAL GOVERNMENT OR OF THIS STATE.

B. "Motor carrier." Has the same meaning as in Ohio R.C. 4923.01.

(2) The purpose of this [~~division (d)~~] **SECTION** is to prevent the sale of cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** to minors and to ensure compliance with the Master Settlement Agreement, as defined in Ohio R.C. 1346.01.

(3) A. No person shall cause to be shipped any cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** to any person in this municipality other than an authorized recipient of tobacco products.

B. No motor carrier or other person shall knowingly transport cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** to any person in this municipality that the carrier or other person reasonably believes is

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

not an authorized recipient of tobacco products. If cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** are transported to a home or residence, it shall be presumed that the motor carrier or other person knew that the person to whom the cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** were delivered was not an authorized recipient of tobacco products.

(4) No person engaged in the business of selling cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** who ships or causes to be shipped cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** to any person in this municipality in any container or wrapping other than the original container or wrapping [~~of the cigarettes~~] shall fail to plainly and visibly mark the exterior of the container or wrapping in which the cigarettes**, ELECTRONIC SMOKING DEVICES, AND VAPOR PRODUCTS** are shipped with the words "cigarettes"**, "ELECTRONIC SMOKING DEVICES", OR "VAPOR PRODUCTS", AS APPLICABLE.**

(5) A court shall impose a fine of up to one thousand dollars ($1,000) for each violation of subsection (d)(3)A., (d)(3)B. or (d)(4) of this section.
(ORC 2927.023)

[No further changes to this section.]

545.05 [~~PETTY~~] MISDEMEANOR THEFT.

[No change to this section until paragraph (b).]

(b) Whoever violates this section is guilty of [~~petty~~] **MISDEMEANOR** theft, a misdemeanor of the first degree. **IF ANY OF THE FOLLOWING CRITERIA ARE MET, THEN A VIOLATION OF THIS SECTION** [~~Petty theft~~] is a felony [~~and shall~~] **TO** be prosecuted under appropriate [~~S~~]**s**tate law [~~if~~]:

(1) The value of the property or services stolen is one thousand dollars ($1,000) or more; or
[~~(Ord. 102-11. Passed 10-11-11.)~~]

(2) IF THE PROPERTY STOLEN IS ANY OF THE PROPERTY LISTED IN OHIO R.C. 2913.71;

[~~(2)~~] **(3)** The victim of the offense is an elderly person, disabled adult, active duty service member, or spouse of an active duty service member, or

[~~(3)~~] **(4)** The property stolen is a firearm or dangerous ordnance, or

[~~(4)~~] **(5)** The property stolen is a motor vehicle, or

[~~(5)~~] **(6)** The property stolen is any dangerous drug, or

[~~(6)~~] **(7)** The property stolen is a police dog or horse or an assistance dog and the offender knows or should know that the property stolen is a police dog or horse or an assistance dog, or

[~~(7)~~] **(8)** The property stolen is anhydrous ammonia, or

[~~(8)~~] **(9)** The property stolen is a special purpose article as defined in Ohio R.C. 4737.04 or a bulk merchandise container as defined in Ohio R.C. 4737.012. [~~(Ord. 104-14. Passed 11-24-14.)~~]

[No further changes to this section.]

549.02 CARRYING CONCEALED WEAPONS.

[No changes to this section until paragraph (e).]

(e) (1) No person who is charged with a violation of this section shall be required to obtain a concealed handgun license as a condition for the dismissal of the charge.

Attachment: EXHIBIT A CODIFIED ORDINANCE (4025 : Update of the Traffic and General Offenses Codes of the City of Fairfield Codified

(2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (b)(1) of this section as it existed prior to June 13, 2022, the person may file an application under Ohio R.C. 2953.3[~~7~~]**5** requesting the expungement of the record of conviction.

[No further changes to this section.]

549.04 IMPROPERLY HANDLING FIREARMS IN A MOTOR VEHICLE.

[No changes to this section until paragraph (e).]

(e) (1) The affirmative defenses authorized in Section 549.02(d)(1) and (2) are affirmative defenses to a charge under subsection (a) that involves a firearm other than a handgun.

(Ord. 102-11. Passed 10-11-11; Ord. 1-14. Passed 1-13-14.)

(2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (b) of this section as it existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of subsection (b) of this section on or after September 30, 2011 or if a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (a) of this section as the subsection existed prior to June 13, 2022, the person may file an application under Ohio R.C. 2953.3[~~7~~]**5** requesting the expungement of the record of conviction.

[No further changes to this section.]

549.12 POSSESSING REPLICA FIREARM IN SCHOOL.

[No changes to this section until paragraph (d).]

(d) (1) In addition to any other penalty imposed upon a person who is convicted of or pleads guilty to a violation of this section and subject to subsection (d)(2) of this section, if the offender has not attained nineteen years of age, regardless of whether the offender is attending or is enrolled in a school operated by a board of education or for which the [~~State Board~~] **DIRECTOR** of Education **AND WORKFORCE** prescribes minimum standards under Ohio R.C. 3301.07, the court shall impose upon the offender a class four suspension of the offender's probationary driver's license, restricted license, driver's license, commercial driver's license, temporary instruction permit, or probationary commercial driver's license that then is in effect from the range specified in [~~division (A)(4) of~~] Ohio R.C. 4510.02**(A)(4)** and shall deny the offender the issuance of any permit or license of that type during the period of the suspension. If the offender is not a resident of this State, the court shall impose a class four suspension of the nonresident operating privilege of the offender from the range specified in Ohio R.C. 4510.02(A)(4).

(2) If the offender shows good cause why the court should not suspend one of the types of licenses, permits, or privileges specified in subsection (d)(1) of this section or deny the issuance of one of the temporary instruction permits specified in subsection (d)(1) of this section, the court in its discretion may choose not to impose the suspension, revocation, or denial required in subsection (d)(1) of this section, but the court, in its discretion, instead may require the offender to perform community service for a number of hours determined by the court.

[No further changes to this section.]

549.14 CONCEALED HANDGUN LICENSES; POSSESSION OF REVOKED OR SUSPENDED LICENSE; ADDITIONAL RESTRICTIONS; POSTING SIGNS PROHIBITING POSSESSION.

[No changes to this section until paragraph (b).]

(b) Additional Restrictions. Pursuant to Ohio R.C. 2923.126:

(1) A concealed handgun license that is issued under Ohio R.C. 2923.125 shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in subsection (b)(2) and (b)(3) of this section, a licensee who has been issued a concealed handgun license under Ohio R.C. 2923.125 or 2923.1213 may carry a concealed handgun anywhere in this state if the license is valid when the licensee is in actual possession of a concealed handgun. The licensee shall give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change.

(2) A valid concealed handgun license does not authorize the licensee to carry a concealed handgun in any manner prohibited under Ohio R.C. 2923.12(B) or in any manner prohibited under Ohio R.C. 2923.16. A valid license does not authorize the licensee to carry a concealed handgun into any of the following places:

A. A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation; a state correctional institution, jail, workhouse, or other detention facility; any area of an airport passenger terminal that is beyond a passenger or property screening checkpoint or to which access is restricted through security measures by the airport authority or a public agency; or an institution that is maintained, operated, managed, and governed pursuant to Ohio R.C. 5119.14(A) or Ohio R.C. 5123.03(A)(1);

B. A school safety zone if the licensee's carrying the concealed handgun is in violation of Ohio R.C. 2923.122;

C. A courthouse or another building or structure in which a courtroom is located if the licensee's carrying the concealed handgun is in violation of Ohio R.C. 2923.123;

D. Any premises or open air arena for which a d permit has been issued under Ohio R.C. Chapter 4303 if the licensee's carrying the concealed handgun is in violation of Ohio R.C. 2923.121;

E. Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle or unless the licensee is carrying the concealed handgun pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun on the premises;

F. Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;

G. Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to subsection (b)(2)C. of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building;

H. A place in which federal law prohibits the carrying of handguns.

(3) A. Nothing in this subsection (b) shall negate or restrict a rule, policy, or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer. Nothing in this subsection (b) shall require a private employer of that nature to adopt a rule, policy, or practice concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer.

B. 1. A private employer shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private employer, unless the private employer acted with malicious purpose. A private employer is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the private employer's decision to permit a licensee to bring, or prohibit a licensee from bringing, a handgun onto the premises or property of the private employer.

2. A political subdivision shall be immune from liability in a civil action, to the extent and in the manner provided in Ohio R.C. Chapter 2744, for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto any premises or property owned, leased, or otherwise under the control of the political subdivision. As used in this division, "political subdivision" has the same meaning as in Ohio R.C. 2744.01.

3. An institution of higher education shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises of the institution, including motor vehicles owned by the institution, unless the institution acted with malicious purpose. An institution of higher education is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the institution's decision to permit a licensee or class of licensees to bring a handgun onto the premises of the institution.

C. 1. a. Except as provided in subsection (b)(3)C.2. of this section and Ohio R.C. 2923.1214, the owner or person in control of private land or premises, and a private person or entity leasing land or premises owned by the state, the united states, or a political subdivision of the state or the united states, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying firearms or concealed firearms on or onto that land or those premises. Except as otherwise provided in this division, a person who knowingly violates a posted prohibition of that nature is guilty of criminal trespass in violation of Ohio R.C. 2911.21(A)(4) and is guilty of a misdemeanor of the fourth degree. If a person knowingly violates a posted prohibition of that nature and the posted land or premises primarily was a parking lot or other parking facility, the person is not guilty of criminal trespass under Ohio R.C. 2911.21 or under any other criminal law of this state or criminal law, ordinance, or resolution of a political subdivision of this state, and instead is subject only to a civil cause of action for trespass based on the violation.

b. If a person knowingly violates a posted prohibition of the nature described in this [~~division~~] **SUBSECTION** and the posted land or premises is a child [~~day~~]care center, type [~~a~~] **A** family [~~day~~] **CHILD** care home, or type [~~b~~] **B** family [~~day~~] **CHILD** care home, unless the person is a licensee who resides in a type [~~a~~] **A** family [~~day~~] **CHILD** care home or type [~~b~~] **B** family [~~day~~] **CHILD** care home, the person is guilty of aggravated trespass in violation of [~~Oiio~~] **OHIO** R.C. 2911.211. Except as otherwise provided in this [~~division~~] **SUBSECTION**, the offender is guilty of a misdemeanor of the first degree. If the person previously has been convicted of a violation of this [~~division~~] **SUBSECTION** or any substantially equivalent state law or municipal ordinance, or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, the offender is guilty of a felony to be prosecuted under appropriate state law.

[No further changes to this section.]

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: John Clemmons,
Submitting Department: Legal

Subject:
Amendment of General Offense Code Chapter 739 of the City of Fairfield Codified Ordinances to enact
Legislation Title:
Ordinance to amend Chapter 739 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio relative to Medical Marijuana and Adult Use Cannabis Control and declaring an emergency.

Recommendation:
It is recommended that City Council adopt an ordinance to amend Chapter 739 of the General Offenses Code to enact Medical Marijuana and Adult Use Cannabis Control. Suspension of the rules is requested so that the amendments can be effective prior to September 10, 2024 to extend the prohibition of Medical Marijuana and Adult Use Cannabis Operators until the effective date of Amendments to the City of Fairfield Zoning Code.

Background/Synopsis:
At the general election on November 7, 2023 voters approved legislation to permit cultivation, processing and controlled and regulated sales and use of cannabis subject to the limitations therein. Section 3796.29 and Section 3780.25 of the Ohio Revised Code as adopted permit the legislative authority of a municipal corporation to adopt an ordinance to limit the number of medical marijuana and adult use cannabis operators within the municipal corporation. The amendment to the General Offenses Code will incorporate definitions included in state law pertaining to Medical Marijuana and Adult Use Cannabis and limit to one, the number of Dispensaries and Adult Use Cannabis Dispensaries within the corporate limits of the City of Fairfield.

Financial Impact:
None.

Emergency Provision Explanation:
Emergency language is requested in order for the ordinance to be effective prior to September 10, 2024 to extend the prohibition of Medical Marijuana and Adult Use Cannabis Operators until the effective date of amendments to the City of Fairfield Zoning Code.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:

1. AMEND CHAPTER 739-Ord
2. EXHIBIT A CHAPTER 739

ORDINANCE NO. _____

ORDINANCE TO AMEND CHAPTER 739 OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO RELATIVE TO MEDICAL MARIJUANA AND ADULT USE CANNABIS CONTROL AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Chapter 739 of the General Offenses Codes of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio is hereby amended to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the ordinance be effective prior to September 10, 2024 to extend the prohibition of Adult Use Cannabis Operators until the effective date of amendments of the City of Fairfield Zoning Code; wherefore, this ordinance shall take effect immediately upon its passage.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____ Emergency _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

Active Clients\City of Fairfield\Ordinances\2024\AMEND CHAPTER 739-Ord

EXHIBIT "A"

CHAPTER 739
Medical Marijuana & ADULT USE CANNABIS CONTROL

739.01 Definitions.
739.02 [~~Prohibition.~~] CULTIVATORS, PROCESSORS, TESTING LABORATORIES AND DISPENSARIES.
739.99 Penalty.

CROSS REFERENCES
Drug abuse control - see GEN. OFF. Ch. 513

739.01 DEFINITIONS.

(a) [~~"Marijuana", "medical marijuana", "cultivators", "processors" and "retail dispensaries" as used in this chapter shall have the same meanings as defined or described in Chapter 3796 of the Ohio Revised Code~~.]

ADULT USE CANNABIS, CANNABIS, MARIJUANA, MEDICAL MARIJUANA, LEVEL I CULTIVATOR, LEVEL II CULTIVATOR, PROCESSOR, DISPENSARY, ADULT USE CANNABIS OPERATOR, ADULT USE CULTIVATOR, LEVEL I ADULT USE CULTIVATOR, LEVEL II ADULT USE CULTIVATOR, LEVEL III ADULT USE CULTIVATOR, ADULT USE PROCESSOR, ADULT USE TESTING LABORATORY (ALSO INCLUDING LABORATORY TESTING OF MEDICAL MARIJUANA) AND ADULT USE DISPENSARY AS USED IN THIS CHAPTER SHALL HAVE THE SAME MEANINGS AS DEFINED OR DESCRIBED IN SECTION 3780.01 OF THE OHIO REVISED CODE.

[~~(b) Adult use cannabis operator, adult use dispensary, level I adult use cultivator, level II adult use cultivator, level III adult use cultivator and adult use processor as used in this chapter shall have the same meanings as defined or described in Section 3780.01 of the ORC.~~]

(Ord. 33-17. Passed 4-24-17.)

739.02 [~~PROHIBITION.~~] CULTIVATORS, PROCESSORS, TESTING LABORATORIES AND DISPENSARIES.

(a) [~~Cultivators, processors and retail dispensaries of medical marijuana, including all cultivation, processing and retail dispensing of medical marijuana, whether licensed under Chapter 3796 of the Ohio Revised Code or not, are prohibited within the corporate limits of the City of Fairfield, Ohio.~~] **LEVEL I CULTIVATORS, LEVEL II CULTIVATORS, PROCESSORS AND TESTING LABORATORIES OF MARIJUANA, INCLUDING ALL CULTIVATION, PROCESSING AND TESTING OF MEDICAL MARIJUANA, WHETHER LICENSED UNDER CHAPTER 3796 OF THE OHIO REVISED CODE OR NOT AND LEVEL I ADULT USE CULTIVATORS, LEVEL II ADULT USE CULTIVATORS, LEVEL III ADULT USE CULTIVATORS, ADULT USE PROCESSORS AND ADULT USE TESTING LABORATORIES, INCLUDING ALL CULTIVATION, PROCESSING AND TESTING OF ADULT USE CANNABIS, WHETHER LICENSED UNDER CHAPTER 3780 OF THE OHIO REVISED CODE OR NOT, ARE PERMITTED ONLY IN AREAS WHERE PERMITTED UNDER CHAPTER 1131.10 OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRFIELD.**

(b) [~~Adult use cannabis operators, including adult use dispensaries, level I adult use cultivators, level II adult use cultivators, level III adult use cultivators and adult use processors whether licensed under Chapter 3780 of the Ohio Revised Code or not are prohibited within the corporate limits of the City of Fairfield, Ohio until September 10, 2024 unless this subsection (b) is further amended by City Council prior to such date.~~] **DISPENSARIES, WHETHER LICENSED UNDER CHAPTER 3796 OF THE OHIO REVISED CODE OR NOT, AND ADULT USE DISPENSARIES, WHETHER LICENSED UNDER CHAPTER 3780 OF THE OHIO REVISED CODE OR NOT, ARE PERMITTED ONLY IN AREAS WHERE PERMITTED UNDER**

Attachment: EXHIBIT A CHAPTER 739 (4026 : Amendment of General Offense Code Chapter 739 of the City of Fairfield Codified Ordinances to

CHAPTER 1131.10 OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRFIELD AND IN ACCORDANCE WITH ORC 3796.29 AND 3780.25, THE NUMBER OF DISPENSARIES AND ADULT USE DISPENSARIES PERMITTED WITHIN THE CITY OF FAIRFIELD IS LIMITED TO ONE (1).

(c) [~~Except as specifically permitted by Section 3780.29 of the Ohio Revised Code, the cultivation, processing, retail dispensing, and sale and transfer without remuneration of marijuana are prohibited within the corporate limits of the City of Fairfield, Ohio until September 10, 2024 unless this subsection (c) is further amended by city council prior to such date.~~] **NOTWITHSTANDING THE FOREGOING, EXCEPT AS SPECIFICALLY PERMITTED BY SECTION 3780.29 OF THE OHIO REVISED CODE, THE CULTIVATION, PROCESSING, TESTING, RETAIL DISPENSING, AND SALE AND TRANSFER WITHOUT REMUNERATION OF MARIJUANA ARE PROHIBITED WITHIN THE CORPORATE LIMITS OF THE CITY OF FAIRFIELD, OHIO UNTIL OCTOBER 9, 2024.**

(Ord. 33-17. Passed 4-24-17.)

739.99 PENALTY.

Any person, firm or corporation who violates any provision of this chapter shall be guilty of a misdemeanor of the third degree. Each day such violation continues shall constitute a separate offense. (Ord. 33-17. Passed 4-24-17.)

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Contract with Building Crafts Inc. for Water Plant Chemical System Improvements

Legislation Title:
Ordinance to authorize the City Manager to enter into a contract with Building Crafts, Inc. for completion of the Sodium Hypochlorite and Fluoride System Improvements Project at the City's Water Treatment Plant, and declaring an emergency.

Recommendation:
It is recommended that City Council authorize the City Manager to enter into a contract with Building Crafts, Inc. and appropriate $2,300,000 for completion of the Sodium Hypochorite and Fluoride System Improvements Project at the City's Water Treatment Plant.

Background/Synopsis:

The project will result in significant improvements to chemical feed systems at the City's Water Treatment Plant. More specifically, the project will allow for the replacement of the existing chlorine gas feed system with a new bulk liquid sodium hypochlorite disinfection system, as well as the replacement of the existing drum-fed fluoride dosing system with an updated bulk fluoride storage and feed system.

The existing chlorine gas equipment – including the chlorine 'scrubber' unit – and the fluoride feed equipment are nearing the end of useful life and must be replaced. The City wishes to replace the chlorine gas system with a bulk liquid sodium hypochlorite system in order to eliminate the severe human health and safety risks associated with storage and use of 1-ton pressurized chlorine gas cylinders. The City wishes to replace the "drum-fed" fluoride dosing system with a more efficient and safer bulk fluoride storage and feed system. The chemical treatment systems are needed so that the City can comply with regulatory requirements for disinfection and fluoridation. The upgrades, which will include electrical improvements and control and instrumentation upgrades, will also allow for simplified treatment process automation as well as improved operational redundancy.

Project plans were prepared by GRW Engineering for formal competitive bidding, with 1 bid received on June 3, 2024. Staff recommends that the bid be awarded to Building Crafts, Inc. of Wilder, KY, as supplier of the only and best bid. While the bid amount exceeded the initial engineer's estimate, staff is still recommending contract award for several reasons, including but not limited to:

- Advancement of this project is an emergency – and necessary to eliminate the existing

human health and safety risks associated with chlorine gas;

- Due to the specialized nature of water plant work, and specifically chemical storage and feed systems, the number of qualified bidders is low;
- Reducing the scope of the project would be challenging, and could jeopardize the City's ability to comply with state environmental and health requirements; and
- Due to overall market volatility and the large number of "major" infrastructure projects in the works – supported by recent federal grant programs including ARPA and IRA – rebidding this project in the future is unlikely to result in a lower bid.

Bid details are summarized on the attached sheet. A bid review letter, revised opinion of probable cost, and original opinion of probable cost – all by GRW, as design engineer – are also attached for review. The bid from Building Crafts – without contingency – totaled $2,100,000. The revised engineer's estimate for this project was $2,000,000. The original estimate was $1,510,000.

To allow for the advancement of this critical project, a contractual appropriation with contingency is requested in the amount of $2,300,000.

Financial Impact:

Funding for this project is included in the approved 2024-2028 Capital Improvement Program (CIP), under 4WT05 – 'Replace Major Process Equipment'. Note – the total requested appropriation amount will exceed the amount included in the CIP for this project. As approved in the CIP, $1,500,000 of the project will be debt-financed, possibly through the Ohio Water Development Authority's (OWDA) 'market rate program'. Additional project funding as needed will be redirected from the Water Surplus Fund (605).

A contractual appropriation with contingency is requested in the amount of $2,300,000.

Emergency Provision:

Emergency provision is requested to expedite the project, for the urgent benefit of the City and its inhabitants. Specifically, advancement of this project will allow for the elimination of existing human health and safety concerns associated with chlorine gas storage and use.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:

1. Bid Tab_06032024_Fairfield WTP NaOCl & Fluoride Systems Modifications
2. Bid Review Letter - Draft
3. Fairfield WTP - Revised Opinion of Probable Cost
4. 4920 Fairfield Opinion of Probable Construction Cost- Original
5. BUILDING CRAFTS-ORD

City of Fairfield Bid Tabulation
Fairfield WTP NaOCl & Fluoride Systems Modifications
Bid Opening: June 3, 2024
Engineer's Estimate: $1,490,000.00

	BIDDER
	Building Crafts Inc 2 Rosewood Dr. Wilder, KY 41076 859-781-9500
ITEM	**PRICE**
CONSIDERATION FOR MATERIALS	$ 1,400,000.00
CONSIDERATION FOR LABOR	$ 700,000.00
TOTAL BID: MATERIALS AND LABOR	**$ 2,100,000.00**

These bids will be reviewed by the Public Utilities Department, and a recommer
There is no guarantee that the contract will be awarded to the lowest bidder. C
bidder deemed to be the best and the lowest.

Attachment: Bid Tab_06032024_Fairfield WTP NaOCl & Fluoride Systems Modifications (4017 : Contract

GRW | engineering | architecture | geospatial
10350 Ormsby Park Place, Suite 101 | Louisville, KY 40223
502.489.8484 | www.grwinc.com

June 27, 2024,

Mr. Adam Sackenheim
Fairfield WTP
5350 Pleasant Avenue
Fairfield, OH 45014

Re: Fairfield WTP NaOCl and Fluoride System Modifications Project – Bid Review

Dear Adam,

As you are aware, the Fairfield WTP NaOCl and Fluoride System Modifications Project received only one bidder on June 3, 2024. That bidder was **Building Crafts, Inc.** (BCI). BCI's bid was $2,100,000, which exceeded the engineer's estimate of $1,510,000.

Since the bid opening, GRW has had conversations with Fairfield, the two contractors that were most active during the bidding phase and one of the major subcontractors to discuss the bid results. GRW spoke with BCI, Drilling Solutions LLC, and Downing Construction Company to discuss the project and any items that they noticed, either project specific items or general market trends, that could have affected the bid results. These discussions revealed a few items that may have resulted in the discrepancy between the Bid and our preliminary estimate.

Due to continued supply chain issues, vendors aren't holding prices putting the Contractors at risk, which is in turn reflected in the bid price. Electrical and instrumentation lead times continue to be significant resulting in higher labor and equipment costs. Another item they identified was the relatively small size and uniqueness of this project resulted in difficulties getting subcontractors to provide pricing or receiving higher pricing than anticipated. For example, BCI couldn't find a HVAC subcontractor willing to provide a price, so BCI had to budget the cost for themselves, and their electrical/instrumentation sub was much higher than expected. Downing's also had difficulty in obtaining subcontractor pricing and due to these delays resulted in them not being comfortable enough to submit a bid by the deadline.

Based on the information gathered, GRW has revisited the engineer's estimate prepared in December 2023 for the regulatory review submittal. GRW believes that there are areas within our 2023 estimate that can be adjusted which would better reflect the changes in bidding climate for the June 2024 Bid. Below are a few areas identified along with our suggested adjustments for our estimate.

1. Equipment Installation - This was increased from 25% to 50%.
2. Electrical & Instrumentation - This was increased from 38% to 42%.
3. Plumbing - The plumbing costs were originally part of the mechanical percentage but have been broken out as a separate cost at 6%.
4. Market Volatility - This was increased from 10% to 16% based on Construction Cost Trends between December 2023 and June 2024.
5. Miscellaneous Items - Spill containment coating system, coiling doors, and chemical feed utility enclosures.

While the bid amount did exceed the allowable amount for awarding based on the initial engineers estimate, after reviewing our 2023 estimate and making the market updates listed above, GRW believes that the bid received closely reflects the current bidding climate for a project of this size and complexity. Therefore, based upon the above information, amended engineers estimate, GRW's past experience with BCI, and with the approval of the

Attachment: Bid Review Letter - Draft (4017 : Contract with Building Crafts Inc. for Water Plant Chemical System Improvements)

Fairfield's Council and legal advisors, we see no reason that this project should not be awarded to the low bidder, **Building Crafts, Inc.** for $2,100,000.

Please call me if you have any questions about the review of the Bid.

Sincerely,

Nicholas Gunselman
Vice President

Attachment: Revised Engineers Estimate

engineering | architecture | geospatial

Project:	Fairfield WTP NaOCl & Fluoride System Modifications		
Owner:	City of Fairfield		
Project No.	4920		
Opinion of Probable Construction Cost Estimate	Date: 6/27/2024	Dwg. No.	All
	Estimator: NWG	Type:	100% Design

Description	Number of Units	Units of Measure	Unit Cost	Total Cost
NaOCl System Modifications				
3,000 Gallon Vertical Storage Tanks	2	EA	$22,500.00	$45,000.00
200 Gallon Vertical Day Tank	1	EA	$5,500.00	$5,500.00
Electronic Scale - Day Tank	1	LS	$8,500.00	$8,500.00
Chemical Transfer (Magnetic Drive) Pumps	3	EA	$3,750.00	$11,250.00
Chemical Feed (Peristaltic) Wall Mounted Pump Skid	1	LS	$32,500.00	$32,500.00
2" PVC Piping (Interior)	100	LF	$30.00	$3,000.00
1" PVC Piping (Interior)	10	LF	$25.00	$250.00
2" PVC Conduit	60	LF	$30.00	$1,800.00
1/2" Flexible PVC Chemical Feed Tubing	75	LF	$10.00	$750.00
2" PVC Vented Ball Valves	13	EA	$300.00	$3,900.00
1" PVC Vented Ball Valves	3	EA	$250.00	$750.00
6" PVC Vent Piping	20	LF	$50.00	$1,000.00
2" PVC Vent Piping	25	LF	$30.00	$750.00
3" PVC Overflow Piping	30	LF	$35.00	$1,050.00
2" PVC Overflow Piping	10	LF	$30.00	$300.00
Misc. Pipe Supports	1	LS	$4,000.00	$4,000.00
Misc. Appurtenances (Cam-Locks, Air Release Valves, etc.)	1	LS	$5,000.00	$5,000.00
Bulk Fill Station	1	LS	$8,000.00	$8,000.00
Emergency Shower/Eyewash	1	EA	$10,000.00	$10,000.00
Equipment Installation (50%)	1	LS	$71,650.00	$71,650.00
Paint - Containment Area Floor and Walls	1	LS	$25,000.00	$25,000.00
Wall Coring(s)	1	LS	$10,000.00	$10,000.00
FRP Personal Door	1	EA	$5,000.00	$5,000.00
FRP Stairs	1	LS	$2,000.00	$2,000.00
Demolition	1	LS	$25,000.00	$25,000.00
Concrete Spill Containment Walls	2	CY	$900.00	$1,800.00
Concrete Equipment Pad	4	CY	$700.00	$2,800.00
Concrete Slab	13	CY	$700.00	$9,100.00
Core Drilling for Piles	12	EA	$400.00	$4,800.00
Dowel Bars	510	LBS	$3.00	$1,530.00
Epoxy Anchors	151	EA	$80.00	$12,080.00
Micro Piles (20 Tones Each)	1	LS	$111,650.00	$111,650.00
Coiling Door 8'x12' - Stainless steel, Manual operator	1	EA	$20,000.00	$20,000.00
			Subtotal	**$445,710.00**
Fluoride System Modifications				
1,500 Gallon Vertical Storage Tank	1	EA	$18,500.00	$18,500.00
40 Gallon Vertical Day Tank	1	EA	$4,500.00	$4,500.00
Electronic Scale - Day Tank	1	LS	$8,500.00	$8,500.00
Chemical Transfer (Magnetic Drive) Pumps	3	EA	$3,750.00	$11,250.00
Chemical Feed (Peristaltic) Wall Mounted Pump Skid	1	LS	$32,500.00	$32,500.00
2" PVC Piping (Interior)	80	LF	$30.00	$2,400.00
1" PVC Piping (Interior)	20	LF	$25.00	$500.00
2" PVC Conduit	10	LF	$30.00	$300.00
1/2" Flexible PVC Chemical Feed Tubing	10	LF	$10.00	$100.00
2" PVC Ball Valves	6	EA	$200.00	$1,200.00
1" PVC Ball Valves	3	EA	$125.00	$375.00
6" PVC Vent Piping	15	LF	$50.00	$750.00
2" PVC Vent Piping	30	LF	$30.00	$900.00
3" PVC Overflow Piping	20	LF	$35.00	$700.00
2" PVC Overflow Piping	10	LF	$30.00	$300.00
Misc. Pipe Supports	1	LS	$2,000.00	$2,000.00
Misc. Appurtenances (Cam-Locks, Air Release Valves, etc.)	1	LS	$5,000.00	$5,000.00
Bulk Fill Station	1	LS	$8,000.00	$8,000.00
Emergency Shower/Eyewash	1	EA	$7,500.00	$7,500.00
Equipment Installation (50%)	1	LS	$52,640.00	$52,640.00
Paint - Containment Area Floor and Walls	1	LS	$25,000.00	$25,000.00
Wall Coring(s)	1	LS	$5,000.00	$5,000.00
Demolition	1	LS	$25,000.00	$25,000.00
Concrete Equipment Pad	2	CY	$700.00	$1,400.00
Coiling Door 8'x10' - Stainless steel, Manual operator, Exterior mounted	1	EA	$16,000.00	$16,000.00
			Subtotal	**$230,315.00**

Attachment: Fairfield WTP - Revised Opinion of Probable Cost (4017 : Contract with Building Crafts Inc. for Water Plant Chemical System

Ex. Filter Building Modifications				
2" PVC Conduit	180	LF	$30.00	$5,400.00
1/2" Flexible PVC Chemical Feed Tubing	200	LF	$10.00	$2,000.00
1/2" PVC Vented Ball Valves	5	EA	$200.00	$1,000.00
1/2" PVC Ball Valves	4	EA	$100.00	$400.00
Equipment Installation (50%)	1	LS	$4,400.00	$4,400.00
Wall Coring(s)	1	LS	$2,500.00	$2,500.00
Chemical Feed Utility Enclosure	2	EA	$12,000.00	$24,000.00
			Subtotal	**$39,700.00**
Yard Piping				
2" Buried PVC Conduit	500	LF	$50.00	$25,000.00
1/2" Flexible PVC Chemical Feed Tubing	270	LF	$10.00	$2,700.00
4' Dia. Precast Manhole	3	EA	$7,500.00	$22,500.00
			Subtotal	**$50,200.00**
			Construction Cost Subtotal	**$765,925.00**
Electrical & Instrumentation (42%)	1	LS	$321,690.00	$321,690.00
Mechanical (9%)	1	LS	$68,940.00	$68,940.00
Plumbing (6%)	1	LS	$45,960.00	$45,960.00
			Subtotal	**$1,202,515.00**
Contractor's General Conditions (10%)	1	LS	$120,252.00	$120,252.00
Contractor's Insurance & Bonds (2%)	1	LS	$24,051.00	$24,051.00
Contractor's Overhead & Profit (15%)	1	LS	$180,378.00	$180,378.00
			Subtotal - Construction Cost Est.	**$1,527,196.00**
Construction Contingencies (15%)	1	LS	$229,080.00	$229,080.00
Market Volatility (10%)	1	LS	$152,720.00	$152,720.00
Market Volatility (6% since 12/2023)	1	LS	$91,632.00	$91,632.00
			Opinion of Total Probable Construction Cost	**$2,000,628.00**

engineering | architecture | geospatial

Project:	Fairfield WTP NaOCl & Fluoride System Modifications		
Owner:	City of Fairfield		
Project No.	4920		
Opinion of Probable Construction Cost Estimate	Date: 12/19/2023	Dwg. No.	All
	Estimator: NWG	Type:	100% Design

Description	Number of Units	Units of Measure	Unit Cost	Total Cost
NaOCl System Modifications				
3,000 Gallon Vertical Storage Tanks	2	EA	$22,500.00	$45,000.00
200 Gallon Vertical Day Tank	1	EA	$5,500.00	$5,500.00
Electronic Scale - Day Tank	1	LS	$8,500.00	$8,500.00
Chemical Transfer (Magnetic Drive) Pumps	3	EA	$3,750.00	$11,250.00
Chemical Feed (Peristaltic) Wall Mounted Pump Skid	1	LS	$32,500.00	$32,500.00
2" PVC Piping (Interior)	100	LF	$30.00	$3,000.00
1" PVC Piping (Interior)	10	LF	$25.00	$250.00
2" PVC Conduit	60	LF	$30.00	$1,800.00
1/2" Flexible PVC Chemical Feed Tubing	75	LF	$10.00	$750.00
2" PVC Vented Ball Valves	13	EA	$300.00	$3,900.00
1" PVC Vented Ball Valves	3	EA	$250.00	$750.00
6" PVC Vent Piping	20	LF	$50.00	$1,000.00
2" PVC Vent Piping	25	LF	$30.00	$750.00
3" PVC Overflow Piping	30	LF	$35.00	$1,050.00
2" PVC Overflow Piping	10	LF	$30.00	$300.00
Misc. Pipe Supports	1	LS	$4,000.00	$4,000.00
Misc. Appurtenances (Cam-Locks, Air Release Valves, etc.)	1	LS	$5,000.00	$5,000.00
Bulk Fill Station	1	LS	$8,000.00	$8,000.00
Emergency Shower/Eyewash	1	EA	$10,000.00	$10,000.00
Equipment Installation (25%)	1	LS	$35,830.00	$35,830.00
Paint - Containment Area Floor and Walls	1	LS	$15,000.00	$15,000.00
Wall Coring(s)	1	LS	$10,000.00	$10,000.00
FRP Personal Door	1	EA	$5,000.00	$5,000.00
FRP Stairs	1	LS	$2,000.00	$2,000.00
Demolition	1	LS	$25,000.00	$25,000.00
Concrete Spill Containment Walls	2	CY	$900.00	$1,800.00
Concrete Equipment Pad	4	CY	$700.00	$2,800.00
Concrete Slab	13	CY	$700.00	$9,100.00
Core Driling for Piles	12	EA	$400.00	$4,800.00
Dowel Bars	510	LBS	$3.00	$1,530.00
Epoxy Achors	151	EA	$80.00	$12,080.00
Mirco Piles (20 Tones Each)	1	LS	$111,650.00	$111,650.00
Coiling Door 8'x12' - Stainless steel, Manual operator	1	EA	$10,000.00	$10,000.00
			Subtotal	**$389,890.00**
Fluoride System Modifications				
1,500 Gallon Vertical Storage Tank	1	EA	$18,500.00	$18,500.00
40 Gallon Vertical Day Tank	1	EA	$4,500.00	$4,500.00
Electronic Scale - Day Tank	1	LS	$8,500.00	$8,500.00
Chemical Transfer (Magnetic Drive) Pumps	3	EA	$3,750.00	$11,250.00
Chemical Feed (Peristaltic) Wall Mounted Pump Skid	1	LS	$32,500.00	$32,500.00
2" PVC Piping (Interior)	80	LF	$30.00	$2,400.00
1" PVC Piping (Interior)	20	LF	$25.00	$500.00
2" PVC Conduit	10	LF	$30.00	$300.00
1/2" Flexible PVC Chemical Feed Tubing	10	LF	$10.00	$100.00
2" PVC Ball Valves	6	EA	$200.00	$1,200.00
1" PVC Ball Valves	3	EA	$125.00	$375.00
6" PVC Vent Piping	15	LF	$50.00	$750.00
2" PVC Vent Piping	30	LF	$30.00	$900.00
3" PVC Overflow Piping	20	LF	$35.00	$700.00
2" PVC Overflow Piping	10	LF	$30.00	$300.00
Misc. Pipe Supports	1	LS	$2,000.00	$2,000.00
Misc. Appurtenances (Cam-Locks, Air Release Valves, etc.)	1	LS	$5,000.00	$5,000.00
Bulk Fill Station	1	LS	$8,000.00	$8,000.00
Emergency Shower/Eyewash	1	EA	$7,500.00	$7,500.00
Equipment Installation (25%)	1	LS	$26,320.00	$26,320.00
Paint - Containment Area Floor and Walls	1	LS	$10,000.00	$10,000.00
Wall Coring(s)	1	LS	$5,000.00	$5,000.00
Demolition	1	LS	$25,000.00	$25,000.00
Concrete Equipment Pad	2	CY	$700.00	$1,400.00
Coiling Door 8'x10' - Stainless steel, Manual operator, Exterior mounted	1	EA	$8,000.00	$8,000.00
			Subtotal	**$180,995.00**

Attachment: 4920 Fairfield Opinion of Probable Construction Cost- Original (4017 : Contract with Building Crafts Inc. for Water Plant Chemical

Ex. Filter Building Modifications				
2" PVC Conduit	180	LF	$30.00	$5,400.00
1/2" Flexible PVC Chemical Feed Tubing	200	LF	$10.00	$2,000.00
1/2" PVC Vented Ball Valves	5	EA	$200.00	$1,000.00
1/2" PVC Ball Valves	4	EA	$100.00	$400.00
Equipment Installation (25%)	1	LS	$2,200.00	$2,200.00
Wall Coring(s)	1	LS	$2,500.00	$2,500.00
Chemical Feed Utility Enclosure	2	EA	$6,000.00	$12,000.00
			Subtotal	**$25,500.00**
Yard Piping				
2" Buried PVC Conduit	500	LF	$50.00	$25,000.00
1/2" Flexible PVC Chemical Feed Tubing	270	LF	$10.00	$2,700.00
4' Dia. Precast Manhole	3	EA	$7,500.00	$22,500.00
			Subtotal	**$50,200.00**
			Construction Cost Subtotal	**$646,585.00**
Electrical & Instrumentation (38%)	1	LS	$245,710.00	$245,710.00
Mechanical (9%)	1	LS	$58,200.00	$58,200.00
			Subtotal	**$950,495.00**
Contractor's General Conditions (10%)	1	LS	$95,050.00	$95,050.00
Contractor's Insurance & Bonds (2%)	1	LS	$19,010.00	$19,010.00
Contractor's Overhead & Profit (15%)	1	LS	$142,575.00	$142,575.00
			Subtotal - Construction Cost Est.	**$1,207,130.00**
Construction Contingencies (15%)	1	LS	$181,070.00	$181,070.00
Market Volatility (10%)	1	LS	$120,713.00	$120,713.00
			Opinion of Total Probable Construction Cost	**$1,508,913.00**

Attachment: 4920 Fairfield Opinion of Probable Construction Cost- Original (4017 : Contract with Building Crafts Inc. for Water Plant Chemical

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BUILDING CRAFTS, INC. FOR COMPLETION OF THE SODIUM HYPOCHLORITE AND FLUORIDE SYSTEM IMPROVEMENTS PROJECT AT THE CITY'S WATER TREATMENT PLANT AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a contract with Building Crafts, Inc. for completion of the Sodium Hypochlorite and Fluoride System Improvements Project at the City's Water Treatment Plant in accordance with the bid on file in the office of the City Manager. This contract is authorized as an emergency without rebidding in order to eliminate existing safety risks associated with chlorine gas.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that this project be completed in timely manner to eliminate existing safety risks of the current equipment associated with chlorine gas; wherefore, this ordinance shall take effect immediately upon its passage.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____ Emergency _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\BUILDING CRAFTS-ORD

Attachment: BUILDING CRAFTS-ORD (4017 : Contract with Building Crafts Inc. for Water Plant Chemical System Improvements)

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
Approval of contract for purchase of road salt from Morton Salt, Inc.

Legislation Title:
Ordinance to authorize the City Manager to execute a contract for purchase of road salt from Morton Salt, Inc.

Recommendation:
It is recommended that City Council authorize and direct the preparation of legislation authorizing the City Manager to enter into a contract with Morton Salt, Incorporated for the purchase of road salt.

Background/Synopsis:

The purchase of road salt would be made under the new contract in conjunction with the Butler County Engineer's Office. The purchases would be for stocking the salt building located at the Public Works Facility on North Gilmore Road. Restocking of road salt for the 2024/2025 season would be purchased from the 2024 and 2025 operating budget. The City currently is fully stocked in salt and purchases of additional salt will take place when needed.

The Public Works Department, in order to obtain better pricing and service, has participated in bidding submitted in conjunction with the Butler County Engineer's Office for the City's salt purchases for many years. The county contract for 2024 includes Butler County Engineer's Office, Butler County Water and Sewer, as well as participating Cities, Villages, and Townships within Butler County.

The Butler County contract was awarded to Morton Salt, Incorporated at the price of $92.12 per ton for road salt dumped at our Public Works facility. This cost was an increase of approximately 2% from the $90.31 per ton price in 2023.

The price was $85.92 per ton in 2022 and $76.29 per ton in 2021. The price was $74.71 per ton in 2020, $73.21 per ton in 2019, $62.98 per ton in 2018, $58.73 per ton in 2017, $68.42 per ton in 2016, $74.19 per ton in 2015, $66.71 per ton in 2014, and $64.22 per ton in 2013.

Cargill, Inc. had been the low bidder from 2013 to 2020. Morton was the low bidder in 2021, 2022, and 2023.

Financial Impact:

Funding for routine purchases of road salt during the snow season is included in the operating budget for the Public Works Department.

Emergency Provision Explanation:

Not applicable.

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. CONTRACT
2. Memo
3. MORTON SALT-ORD

CONTRACT NO. 2024-1M

THIS CONTRACT, made and entered into this 1st day of July in the year Two Thousand Twenty Four by and between the Board of County Commissioners of Butler County, Ohio ("COUNTY"), and Morton Salt, Inc. ("CONTRACTOR").

WITNESSETH: That the CONTRACTOR has agreed, and by these presents does agree with the COUNTY for the consideration herein below mentioned, to provide at CONTRACTOR'S own proper cost and expense all necessary materials and labor of every description, and to carry out complete in good, firm, and substantial manner the Furnishing of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for Butler County, Cities, Villages and Townships. Exhibit A (Specifications), Exhibit B (Schedule for Billing and Delivery), the Legal Ad, the Description of Bid, the Schedule of Prices, the requirements of the Invitation to Bid (also including necessary forms), the Contract Bond, and any addenda or clarifications issued prior to bid selection are hereby incorporated into this contract.

The quantity of 8,875 tons (more or less, as provided in the Specifications) of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for County use shall be provided at a unit price of $92.12 per ton for dump. The quantity of 6,560 tons (more or less, as provided in the Specifications) of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for City and Village use shall be provided at a unit price of $92.12 per ton for dump. The quantity of 11,840 tons (more or less, as provided in the Specifications) of ODOT Spec. 712.03 Bulk-Treated Sodium Chloride for Township use shall be provided at a unit price of $92.12 per ton for dump. The quantities for County, City, Village and Township use are to be billed and shipped directly to the County, City, Village or Township, as indicated on the "Schedule for Billing and Delivery" and as arranged directly between each jurisdiction and the CONTRACTOR, at the foregoing unit prices without further cost to any jurisdiction for delivery.

CONTRACTOR hereby agrees to release, indemnify, defend, and hold harmless Butler County and its agencies, offices, officials, and all employees thereof from and against any and all liability, actions, claims, suits, demands, costs, expenses, penalties, fines, or judgments on account of any loss or damage to any person or property or any failure to comply with governmental laws and regulations which result from or arise out of any act or omission of the Contractor or its subcontractors or the agents, officers, employees, or material men of either, jointly or severally, while engaged in the work to be performed under this contract.

CONTRACTOR shall be responsible for the Contractor's work under this contract, and for the work of other parties undertaking any portion of the Contractor's responsibility or obligation, including compliance with all applicable local, State, and Federal laws and regulations concerning workplace safety.

IN WITNESS WHEREOF, the said COUNTY of Butler, Ohio, has caused its name to be affixed by the Board of County Commissioners, and CONTRACTOR has set its hand on the day and year aforesaid.

Excused Absence

Board of County Commissioners

Authorized Representative of Contractor

Anthony T. Patton
Printed Name

Director Bulk Deicing US Government Sales
Title

Approved as to form only:

Mary Anne Nardiello

Assistant Prosecuting Attorney

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

EXHIBIT "A"

DESCRIPTION OF BID

CONTRACT 2024-1M

Bidders will be bidding on ODOT Specification 712.03 bulk treated sodium chloride for Butler County, Cities, Village and Townships listed in the proposal.

BID OPENING - Salt Contract

BID OPENING: Bulk Treated Sodium Chloride for Butler County, Cities, Village and Townships
Tue, Apr 16, 2024 10:30 AM - 11:30 AM (EDT)

Please join my meeting from your computer, tablet or smartphone.

https://meet.goto.com/477188933

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (872) 240-3412
- One-touch: tel:+18722403412,,477188933#

Access Code: 477-188-933

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

LEGAL AD AND NOTICE TO BIDDERS
CONTRACT NO. 2024-1M

SEALED BIDS will be received at the office of the Butler County Engineers, 1921 Fairgrove Avenue, Hamilton, Ohio 45011, until 10:30 a.m. local time on Tuesday, April 16, 2024. All timely received SEALED BIDS will be publicly opened at approximately 10:45 a.m. virtually on that date, for ODOT SPEC. 712.03 BULK-TREATED SODIUM CHLORIDE FOR BUTLER COUNTY, CITIES, VILLAGES AND TOWNSHIPS as per the specifications on file at the office of the Butler County Engineer. Bids shall be made on forms available at the Office of the County Engineer. All bids will be available for public inspection within a reasonable time after being opened by the Butler County Engineer.

In accordance with Section 307.88 of the Ohio Revised Code, each bid must be accompanied by a certified check on a solvent bank or savings and loan association, cashier's check, irrevocable letter of credit or an acceptable bid bond in an amount equal to five percent (5%) of the bid, made payable to the Butler County Commissioners.
The Legal Ad is posted in its entirety on the following websites:
www.bceo.org/contracts, http://classifieds.journalnews.com/legals/

Bidders must file the following forms with the Butler County Engineer's Office on or before the date the bids are opened: (1) Statement of Bidder's Qualifications (ability, reputation for first-class work, expeditious completion of previous contracts, and financial status); (2) Delinquent Personal Property Tax Affidavit; (3) Non-Collusion Affidavit; (4) Certificate of Good Standing; (5) Civil Rights Compliance (6) W-9 Form;

The Butler County Commissioners reserve the right to reject any or all bids.

BIDS ARE TO BE SEALED AND ENDORSED: "CONTRACT NO. 2024-1M, ODOT SPEC. 712.03 BULK-TREATED SODIUM CHLORIDE FOR BUTLER COUNTY, CITIES, VILLAGES AND TOWNSHIPS"

BY ORDER OF THE BUTLER COUNTY COMMISSIONERS

Cindy Carpenter, President

ATTEST:

Donald Dixon, Vice President

Flora R. Butler, Clerk

T. C. Rogers, Member

GREGORY J. WILKENS, P.E., P.S., BUTLER COUNTY ENGINEER

Publish 1 time: April 2, 2024
(Hamilton Journal)

Websites: April 2, 2024 through April 15, 2024

TYPE SPECIFICATIONS: 6 POINT, SET SOLID

Please send 2 copies of Proof of Publication and Bill to: Butler County Engineer's Office
1921 Fairgrove Avenue
Hamilton, Ohio 45011

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

CONTRACT NO. 2024-1M

EXHIBIT "A"

SPECIFICATIONS

1 QUANTITY - Is approximate and is on a "more or less" basis. Supplier shall meet all needs through May 31, 2025. Actual orders may be more or less than estimated. Estimates indicated will be used solely for the purposes of making a tabulation of bids. The Contractor shall bid on the contract as a whole. Partial bids will not be separated or accepted.

2. PRICE - To be guaranteed through May 31, 2025.

3. DELIVERY - Shall be made by the supplier within seventy-two (72) hours of notification.

4. STRAIGHT DUMP - Price quotes required for straight dump (price per ton of materials).

5. ANTI-CAKING AGENT - To be contained in salt.

6. LOAD LIMITS - Vehicles hauling goods and/or materials for the Butler County Engineer's Office shall conform to the Ohio State Laws governing load weight limits of roads and bridges. The County Engineer will not be responsible for any goods and/or materials delivered by a vehicle not in compliance with such laws. Weight slips from vehicles indicating noncompliance may be turned over to the proper law enforcement agency for appropriate action. Vehicles shall be tarped and/or enclosed to prevent spillage of material.

7. TESTING - Material supplied shall be in conformance with the State of Ohio Department of Transportation "Construction and Material Specifications" Manual dated January 1, 2023. A notarized Certificate of Conformance from the Ohio Department of Transportation or a certified independent testing laboratory stating that the material as bid is in conformance with 712.03 shall be submitted along with the bid.

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

BUTLER COUNTY ENGINEER'S OFFICE
CONTRACT NO. 2024-1M
EXHIBIT "B"
SCHEDULE FOR BILLING AND DELIVERY

TONS	COUNTY	BILLING ADDRESS	DELIVERY LOCATION
8500	*Butler Co. Engineer's Office (BCEO)*	BCEO 1921 Fairgrove Ave. Hamilton OH 45011	BCEO 1921 Fairgrove Ave. Hamilton OH 45011
75	*Butler Co. Water & Sewer*	BCEO 1921 Fairgrove Ave. Hamilton OH 45011	BCEO 1921 Fairgrove Ave. Hamilton OH 45011
300	*Butler Co. MetroParks*	BCEO 1921 Fairgrove Ave. Hamilton OH 45013	BCEO 1921 Fairgrove Ave. Hamilton OH 45011

TONS	CITY	BILLING ADDRESS	DELIVERY LOCATION
4500	*City of Fairfield*	8870 N. Gilmore Rd. Fairfield OH 45014	8870 North Gilmore Rd. Fairfield OH 45014
2000	*City of Oxford*	101 E. High St. Oxford OH 45056	945 South Main St. Oxford OH 45056

TON	VILLAGE	BILLING ADDRESS	DELIVERY LOCATION
60	*New Miami*	268 Whitaker Ave. Hamilton, OH 45011	301 Augspurger Ave Hamilton, OH 45011

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

CONTRACT NO.
SCHEDULE FOR BILLING AND DELIVERY
(Page 2)

TONS	TOWNSHIP	BILLING ADDRESS	DELIVERY LOCATION
1300	*Fairfield Township*	BCEO 1921 Fairgrove Ave. Hamilton OH 45011	BCEO 1921 Fairgrove Ave. Hamilton OH 45011
700	*Hanover Township*	2595 Old Oxford Road Hamilton OH 45013	1775 Morman Rd. Hamilton OH 45013
3200	*Liberty Township*	7162 Liberty Centre Dr.Ste A Liberty Twp OH 45069	5170 Princeton Glendale Rd Liberty Township, OH 4501 AND 6959 Yankee Road Middletown OH 45044
20	*Madison Township*	5610 W. Alexandria Rd. Middletown OH 45042	5610 W. Alexandria Rd. Middletown OH 45042
150	*Milford Township*	P. O. Box 68 Collinsville OH 45004	5211 Hamilton Eaton Rd Collinsville OH 45004
500	*Morgan Township*	3141 Chapel Rd., Box #1 Okeana OH 45053	3141 Chapel Rd. Okeana OH 45053
450	*Oxford Township*	925 Collins Run Rd Oxford OH 45056	945 Collins Run Rd. Oxford OH 45056
400	*Reily Township*	6093 Reily Millville Rd Oxford OH 45056	6061 Reily Millville Rd. Oxford OH 45056
600	*St. Clair Township*	2449 Jackson Rd. Hamilton OH 45011	2449 Jackson Rd. Hamilton OH 45011
20	*Wayne Township*	5967 Jacksonburg Rd. Trenton OH 45067	4570 Oxford Middletown R Trenton, OH 45067
4500	*West Chester Township*	9113 Cincinnati Dayton Rd West Chester OH 45069	9577 Beckett Rd. West Chester OH 45069

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

CONTRACT 2024-1M
BULK-TREATED SODIUM CHLORIDE FOR BUTLER COUNTY, CITIES, VILLAGE AND TOWNSHIPS

Schedule of Prices Signature Page

The bidder's signature below indicates that the bidder attests to and agrees to be bound by all statements made in its bid and that the bidder has read, understands, and agrees to be bound by all of Butler County's terms, conditions, specifications, addenda, and requirements relating to this project.

Project Number: 2024-1M

Name of company submitting bid: Morton Salt, Inc.

Address: 444 West Lake Street, Suite 2900, Chicago, IL 60606

Phone: 855-665-4540

Date: 4-11-2024

Authorized signature of bidder: Anthony T. Patton

Title of person signing above: Director Bulk Deicing US Government Sales

Type or print name shown above: Anthony T. Patton

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

Contract ODOT SPEC. 712.03 BULK-TREATED SODIUM CHLORIDE FOR BUTLER COUNTY, CITIES, VILLAGES AND TOWNSHIPS - Schedule of Prices

Report Date: 3/5/2024

Line	Number	Description	Unit	Quantity	Bid Unit Price	Bid Total
Straight Dump						
4	800E00001	BULK-TREATED SODIUM CHLORIDE - COUNTY Straight Dump - Prices shall be F.O.B.	TON	8,875	$92.12	$817,565.00
5	800E00002	BULK-TREATED SODIUM CHLORIDE - CITY, VILLAGES Straight Dump - Prices shall be F.O.B.	TON	6,560	$92.12	$604,307.20
6	800E00003	BULK-TREATED SODIUM CHLORIDE - TOWNSHIP Straight Dump - Prices shall be F.O.B.	TON	11,840	$92.12	$1,090,700.80
					TOTAL: STRAIGHT DUMP	
		Destination, as per attached schedule				
		Salt is to be billed and shipped directly to the County, City, Village, or Township as indicated on the attached Schedule. They will contact the successful bidder directly to make arrangements for delivery, payment, etc.				

Attachment: CONTRACT (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

BUTLER COUNTY ENGINEER'S OFFICE

BCEO

GREGORY J WILKENS, P.E P.S. BUTLER COUNTY ENGINEER

To Clint Emmons / Mandi Brock – City of Fairfield

From Paula Burton

Date 7/2/24

RE Salt Contract 2024-1M CUSTOMER NUMBER

Clint & Mandi,

Morton Salt has been awarded the salt contract for 2024 at a price of $92 12 per ton for dump

Morton Salt offers an online portal called myMorton where you can place your orders online (anytime day or night) at your convenience That link is Introducing the MyMorton Portal - Morton Salt

You may also call
Customer Supply Chain Team
Bulk Deicing
Morton Salt, Inc
855-665-4540

Your Customer Number is 3739426

If you have any questions, please let me know

Thanks

Paula Burton
Administrative Secretary
513-785-4141
burtonp@bceo org

Attachment: Memo (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT FOR PURCHASE OF ROAD SALT FROM MORTON SALT, INC.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to execute a contract for purchase of road salt from Morton Salt, Inc. in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\MORTON SALT-ORD

Attachment: MORTON SALT-ORD (4012 : Approval of contract for purchase of road salt from Morton Salt, Inc.)

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Laurie Murphy,
Submitting Department: City Manager's Office

Subject:
Ordinance to reaffirm the CIty Manager's authority to execute agreements for health benefits

Legislation Title:
Ordinance to reaffirm the City Manager's authority to execute renewal agreements for medical/pharmacy and dental plans, stop loss and run out claims processing for the period beginning August 1, 2024 through July 31, 2025 and declaring an emergency.

Recommendation:
It is recommended that an ordinance be adopted to reaffirm the City Manger's authority to execute renewal agreements for medical/pharmacy and dental plans, stop loss and run out claims processing for the period beginning August 1, 2024 through July 31, 2025.

Background/Synopsis:
The City's self-insured health plan and dental program covering the FOP and IUOE renewed on August 1, 2024. The City's broker HUB/Horan is providing various agreements that need to be executed covering claims administration, the dental and medical/pharmacy programs, stop loss and claims run out processing. The agreements cover the period of August 1, 2024, through July 31, 2025. The City Manager is already granted authority to execute agreements relating to health and dental benefits selected by the Employee/Management Health and Dental Benefits Plan Committee by virtue of City Council's legislative approval of collective bargaining agreements with the Fraternal order of Police, Lodge 166 (FOP) and International Union of Operating Engineers, Local 20 (IUOE). An ordinance re-affirming the City Manager's authority to execute the renewal documents is recommended to track the associated agreements and document the completion of the renewal process.

Financial Impact:
The final pricing for the renewal of the August 1, 2024, through July 31, 2025, health benefits programs covering the FOP and IUOE came in at a 1.7% reduction of rates for the medical/pharmacy plan and a flat renewal for the dental plan.

Emergency Provision Explanation:
Rules suspension and the emergency clause are requested so the execution of the agreements can be timely processed in conjunction with the start of the new plan year.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. ORDINANCE- reaffirming City Manager's authority to sign agreements for renewal of FOP and IUOE health benefits

ORDINANCE NO. _____

ORDINANCE REAFFIRMING THE CITY MANAGER'S AUTHORITY TO ENTER INTO AGREEMENTS RELATING TO THE RENEWAL OF FOP AND IUOE HEALTH BENEFITS FOR THE PERIOD OF AUGUST 1, 2024, THROUGH JULY 31, 2025, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is granted authority to execute agreements relating to health and dental benefits selected by the Employee/Management Health and Dental Benefits Plan Committee by virtue of City Council's legislative approval of collective bargaining agreements with the Fraternal order of Police, Lodge 166 (FOP) and International Union of Operating Engineers, Local 20 (IUOE).

Section 2. It is reaffirmed that the City Manager is hereby authorized to execute renewal agreements for medical/pharmacy and dental plans, stop loss and run out claims processing for the renewal period beginning August 1, 2024, through July 31, 2025.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants because the agreements with the previous Third-Party Administrator and carriers expired July 31, 2024; WHEREFORE, this ordinance shall take effect immediately upon its passage.

Passed_____ _____
Mayor's Approval

Posted_____

First Reading_____ Rules Suspended_____

Second Reading_____ Emergency_____

Third Reading_____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Chris Hacker,
Submitting Department: Finance

Subject:
Reduce and Recertify Special Assessments Levied for the Purpose of Constructing Certain Improvements
Legislation Title:
An ordinance determining to reduce and recertify special assessments levied for the purpose of constructing certain improvements and declaring an emergency.

Recommendation:
It is necessary for the City Council to pass an ordinance to reduce special assessments levied for the purposes of constructing certain improvements at the Cincinnati Mills Mall.

It is recommended that Council authorize and direct the preparation of legislation to reduce the special assessments levied for the purpose of constructing certain improvements at the parking garage located at the Cincinnati Mills Mall. In order to meet the special assessment deadline of Butler
County, a suspension of the rules and emergency are requested.

Background/Synopsis:
The cooperative agreement entered into by the City and the Port Authority of Greater Cincinnati dated February 1, 2004 requires the reduction and recertification of special assessments levied for the purpose of certain improvements at the Cincinnati Mills Parking Garage based on funds made available during 2024 and 2025. The City has received the report of the Administrator of the Cooperative Agreement detailing the amount of the debt service payments in lieu of taxes and other funds being made available and it has been determined that the amount of assessments needed to be certified to cover the debt service payment per Exhibit B.

Financial Impact:
The reduction in the assessment will be certified by the Butler County Auditor for collection in order to pay debt services on bonds issued for the construction of improvements that occurred at the Cincinnati Mall parking garage. The City is the pass-through entity for the special assessments and the amounts are already appropriated in the 2024 Operating Budget.

Emergency Provision Explanation:
In order to meet deadlines established by the Butler County Auditor’s Office.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. City of Fairfield Mills SA reduction 2024(44594493.1)

CITY OF FAIRFIELD, OHIO

ORDINANCE NO. _____

AN ORDINANCE DETERMINING TO REDUCE AND RECERTIFY SPECIAL ASSESSMENTS LEVIED FOR THE PURPOSE OF CONSTRUCTING CERTAIN IMPROVEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to a petition filed by the owners of benefited properties dated December 30, 2003, (the "Petition") this City Council ("Council") of the City of Fairfield, Butler County, Ohio (herein the "City") by Resolution No. 2-04 adopted January 12, 2004, has declared the necessity of acquiring and constructing the improvements described in such Resolution and has adopted the assessments with respect to such improvements prepared and filed with the Clerk of Council and by Ordinance No. 5-04 adopted on January 12, 2004, determined to proceed with said improvements; and

WHEREAS, in accordance with the Petition, the improvements identified in such Resolution and Ordinance (hereinafter called the "Improvements") were acquired and constructed on behalf of the City and the City of Forest Park, Hamilton County, Ohio (herein, "Forest Park"), acting jointly and in cooperation with the Port of Greater Cincinnati Development Authority (the "Port Authority"); and

WHEREAS, this Council by Ordinance No. 6-04 adopted January 12, 2004 levied special assessments for the Improvements against benefited properties in the City and certified said assessments to the Butler County Auditor for collection; and

WHEREAS, pursuant to the Petition, the assessments to be certified for collection in each year are to be adjusted in accordance with the Tax Increment Service and Cooperative Agreement (the "Cooperative Agreement") entered into by and among the City, Forest Park, the property owner and the Port Authority, dated February 1, 2004, the Trust Indenture (the "Trust Indenture") by and between the Port Authority and U.S. Bank Trust Company, National Association (as successor to U.S. Bank National Association), dated February 1, 2004 and an annual report to be prepared and provided to the City and others by the Administrator, as defined in the Cooperative Agreement; and

WHEREAS, the Cooperative Agreement and Trust Indenture require the Administrator to determine and include in its annual report: (A) the Fairfield City Gross Annual Assessments and Forest Park Gross Annual Assessments for the following collection year, (B) the Aggregate Annual Required Assessments for the applicable year, as reduced by (i) the amount of service payments in lieu of taxes collected and estimated to be collected pursuant to section 5709.42 of the Ohio Revised Code and the Cooperative Agreement and (ii) other available amounts, as set forth in the Trust Indenture, and (C) the net amounts of the special assessments to be certified for collection that year by the City (the "Fairfield City Net Annual Assessments" referred to therein) and by Forest Park (the "Forest Park Net Annual Assessments" referred to therein); and

Attachment: City of Fairfield Mills SA reduction 2024(44594493.1) [Revision 1] (3987 : Reduce and Recertify Special Assessments Levied for the

WHEREAS, original tax parcel A0700017000078 (including both Part 1 and Part 2) has been subdivided and new tax parcel A0700017000103 has been created with a portion of the acreage originally included in the original tax parcel A0700017000078, and the Petition and the Cooperative Agreement provide that the Special Assessments shall be apportioned and charged on a proportionate basis (based on a formula included in the Petition) to any new tax parcels and the remaining parcels as determined by the Administrator; and

WHEREAS, the City has previously received and accepted the report of the Administrator on the reapportionment of the Special Assessment to and between tax parcels A0700017000078 and A0700017000103; and

WHEREAS, the City has received the 2024 annual report of the Administrator, detailing calculations of the amounts identified in the several preceding recitals to this ordinance, including the allocations of the special assessments among affected tax parcels, estimates of the amount of service payments in lieu of taxes and other funds to be available during 2024 and 2025 for the purpose of making debt service and related payments, and indicating the reduction percentages and amounts to be applied in order to reduce the Fairfield City Gross Annual Assessments to the Fairfield City Net Annual Assessments to be collected for the 2025 collection year (with the related Forest Park determinations made on the same basis); and

WHEREAS, this Council determines that the assessments previously levied and certified to the County Auditor shall be reduced for collection year 2025, shall be allocated pursuant to and in accordance with the Administrator's report and shall be reduced and re-certified in accordance herewith;

NOW, THEREFORE, the Council of the City of Fairfield, County of Butler, Ohio hereby ordains:

SECTION 1. That the assessments of the cost and expense of the Improvements plus Administrative Expenses, which were previously certified by this Council to the Butler County Auditor's Office for parcel numbers and in the amounts as set forth in Exhibit A attached hereto, and which were thereafter reapportioned to and between tax parcels A0700017000078 and A0700017000103 in the amounts identified in Exhibit B attached hereto and certified to the County Auditor, shall, pursuant to and in accordance with the Administrator's report, be reduced for collection year 2025 and shall be allocated and re-certified for collection year 2025 in the amounts set forth on Exhibit B attached hereto.

SECTION 2. That the Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within twenty (20) days after its adoption.

SECTION 3. That it is found and determined 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 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 of the Ohio Revised Code.

Attachment: City of Fairfield Mills SA reduction 2024(44594493.1) [Revision 1] (3987 : Reduce and Recertify Special Assessments Levied for the

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of this City, and for the further reason that the immediate adoption of said Ordinance is necessary for the orderly certification of the assessments; therefore, this Ordinance shall be in full force and effect from and immediately after its adoption.

ADOPTED August __, 2024.

_____
Presiding Officer

Attest:

_____
Clerk of Council

Attachment: City of Fairfield Mills SA reduction 2024(44594493.1) [Revision 1] (3987 : Reduce and Recertify Special Assessments Levied for the

Attachment: City of Fairfield Mills SA reduction 2024(44594493.1) [Revision 1] (3987 : Reduce and Recertify Special Assessments Levied for the

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of an Ordinance adopted on the ___ day of August, 2024, and that on the ___ day of August, 2024, a date within twenty (20) days of the adoption of the foregoing Ordinance, a true and correct copy of such Ordinance was filed with the County Auditor.

_____
Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of the foregoing Ordinance.

_____
County Auditor

Dated: _____

EXHIBIT A

Cincinnati Mills
Allocation of Assessments to Parcels

Tax Parcel Butler County		Acreage	Property Use	Assessable Acreage	Assessable SF	Principal Portion of Special Assessment	Total Special Assessment
A0700017000078	(Part 1)	14.872	Kohls, mall, parking and garage	14.872	283,144	$3,483,923	$7,905,748
A0700017000078	(Part 2)	0.415	Residual parcel	0.415		$14,802	$33,590
A0700017000097	Exempt	5.711	Garage				$0
A0700017000098	Exempt	0.729	Ring road				$0
A0700017000087	Exempt	1.054	Detention pond				$0
		22.781	Total	15.287	283,144	$3,498,725	$7,939,338

Attachment: City of Fairfield Mills SA reduction 2024(44594493.1) [Revision 1] (3987 : Reduce and Recertify Special Assessments Levied for the

EXHIBIT B

Port of Greater Cincinnati Development Authority
Cooperative Public Parking and Infrastructure Project

Special Assessments
for collection year 2025

Parcel Number	Principal Portion of the Special Assessment	Total Special Assessment	Gross Annual Assessments	2024 Reduction Amount	Net Annual Assessments to be Collected in 2024
Butler County					
A0700017000078	$1,977,344.79	$4,487,008.04	$168,518.11	$10,898.04	$157,620.07
A0700017000103	1,521,380.52	3,452,329.95	129,658.81	8,385.02	121,273.79
Subtotal:	$3,498,725.31	$7,939,337.99	$298,176.92	$19,283.06	$278,893.86

Attachment: City of Fairfield Mills SA reduction 2024(44594493.1) [Revision 1] (3987 : Reduce and Recertify Special Assessments Levied for the

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Contractual Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 166-23 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024."

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

Background/Synopsis: Please refer to specific Council Communications for full description of these items.

$2,300,000 for system improvements at Water Treatment Plant;
$600,000 for South Trace cart path resurfacing project;
$140,000 for additional funding 2024 Asphalt resurfacing project (existing contract).

Financial Impact: $3,040,000.00 from noted funding source.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. ContractualAppropriations.081224
2. CONTRACTUAL 8-12-ORD

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
Street Resurfacing contract for the 2024 Asphalt Resurfacing Project – Additional Funding

Legislation Title:
Street Resurfacing contract for the 2024 Asphalt Resurfacing Project – Additional Funding

Recommendation:
It is recommended that City Council authorize and direct the preparation of legislation for the appropriation of funding in the amounts shown in the financial impact section for this project.

Background/Synopsis:

This project is programmed in the 2024-2028 Capital Improvement Program under 4PW06 and will resurface approximately 21.1 lane miles of roadway which along with other capital projects bring the 2024 paving total to 23.7 lane miles and meets Council's annual goal for the paving program.

City Council has historically approved funding for an annual street paving program for work done in conjunction with the Concrete Curb Replacement Program. The Public Works Department has developed a program for budgeting and scheduling needed overlays of streets in relation to several factors including deterioration, age, ride-ability, etc.

The areas scheduled for repaving this year are listed on the City's website.

Public Works advertised this project and bids were opened on February 12, 2024 for the 2024 Asphalt Resurfacing Project. Three (3) bids were received. The complete bid results are attached.

The lowest and best bidder was the John R. Jurgensen Company (Cincinnati, Ohio).

This request is for the remaining funding budgeted in the 2024-2028 CIP under the 4PW06 Annual Street Paving Program. Based on field measurements, there may be a need to increase tonnage of asphalt on Augusta Boulevard from what was bid. Staff will endeavor to keep within the original budget but may need additional funding to account for the need for more asphalt.

Financial Impact:

$140,000.00 from the Street Improvement Fund.

Emergency Provision Explanation:

Attachment: ContractualAppropriations.081224 (4028 : Contractual Appropriations)

Not applicable.

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachment: ContractualAppropriations.081224 (4028 : Contractual Appropriations)

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 166-23 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 166-23, the 2024 Appropriation Ordinance, is hereby amended in the following respects:

From:	**Unappropriated Butler County ARPA Fund**	**$10,000**
To:	26816025-252000 Improvements other than Building *(Crescentville to Woodridge Sidewalks [$10,000])*	$10,000
From:	**Unappropriated Street Improvement Fund**	**$140,000**
To:	40116025-252000 Improvements other than Building *(Annual Street Paving Program 4 PW06)*	$140,000
From:	**Unappropriated Recreation Facilities Fund**	**$600,000**
To:	64052025-252000 Improvements other than Building *(South Trace Cart Path Paving 4RC03)*	$600,000
From:	**Unappropriated Water Surplus Fund**	**$2,300,000**
To:	60516025-252000 Improvements other than Building *(Replace Major Processing Equipment 4WT05)*	$2,300,000

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

Attachment: CONTRACTUAL 8-12-ORD (4028 : Contractual Appropriations)

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\CONTRACTUAL 8-12-ORD

Attachment: CONTRACTUAL 8-12-ORD (4028 : Contractual Appropriations)

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Non-Contractual Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 166-23 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024."

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

Background/Synopsis: Please refer to specific Council Communications for full description of these item:

$14,900 for Winton/Mack water tower cleaning;
$40,000 for automatic meter reading supplies;
$51,250 for engineering for solar field project;
$25,000 for video and sewer cleaning equipment supplies;
$5,000 for Water Division level sensors;
$28,954 for additional video wall panels.

Financial Impact: $165,104.00 from noted funding source.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. NonContractualAppropriations.081224
2. NONCONTRACTUAL 8-12-ORD

City Council Information Item
Regular Meeting - August 12, 2024

Submitted by: Jason Hunold,
Submitting Department: Public Utilities

Subject:
Water Tower Cleaning - Winton/Mack

Legislation Title:
Water Tower Cleaning - Winton/Mack

Background/Synopsis:

The City of Fairfield owns and operates five (6) elevated water storage tanks, with a total combined storage capacity of 8.25 million gallons (MG). The City's Winton Road 1.5 MG Fluted Column Water Tank and Mack Road 0.5 MG Sphere Water Tower have accumulated some algae and mold on their exterior surfaces and are in need of cleaning. A contractor needs to be secured to power wash the entire exterior of the tanks. A proposal has been attached for review.

Financial Impact:

An appropriation in the amount of $14,900.00 is being requested to power wash the exterior of the Water Tanks and apply a fungicide cleaner in order to kill mildew spores and remove carbons. Funding for this project was included in the approved 2024-2028 Capital Improvement Program (CIP) under project number 4WT12, Water Tank/Tower Maintenance. The funding source is the Water Replacement and Improvement Fund (604).

Attachments:
1. Est_2637_from_H2O_TOWERS_LLC_16788

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

H2O TOWERS LLC

PO Box 398
Saline, MI 48176

Estimate

Date	Estimate #
7/10/2024	2637

Name / Address
City of Fairfield 5021 Groh Lane Fairfield, OH 45014 Jason Hunold 513-858-8348 JHunold@fairfield-city.org

Project

Description	Qty	Cost	Total
H2O Towers will supply all labor and materials necessary, in order to: Clean the exterior of multiple tanks for the City of Fairfield.			
Apply fungicide (from high water level to the ground) using United Weather-Zyme 727 cleaner in order to kill mildew spores and remove atmospheric carbons. (1 part United Weather-Zyme 727, 3 part chlorine and 1 part water).			
The Tanks will be pressure washed cleaned (high water level to the ground).			
The Tanks will be rinsed with water.			
500,000 gallon, 120' high Sphere Water Tower located at 3299 Mack Road.		5,400.00	5,400.00
1.5 MG, 123" high Fluted Column located at 5330 Winton Road.		9,500.00	9,500.00
Our 15 story man-lift will be used to clean the water tower.			
Owner to supply water.			
		Total	$14,900.00

Customer Signature _____

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - August 12, 2024

Submitted by: Matt Young,
Submitting Department: Public Utilities

Subject:
Supplies to support Automatic Meter Reading

Legislation Title:
Supplies to support Automatic Meter Reading

Background/Synopsis: In 2022-2023, the City invested in a City-wide smart water metering system – including 14,000 new meters and all of the infrastructure (base stations; radio repeaters; software; etc.) required to communicate with the meters. This appropriation request will enable City staff to purchase supplies from various City-approved vendors to support and enhance this smart metering system, also known as an Automatic Meter Reading system.

Financial Impact:

An appropriation in the amount of $40,000.00 is being requested to purchase supplies from multiple vendors, as needed, to support the City's smart water metering system.

Funding for this project is included in the approved 2024-2028 Capital Improvement Program. Project 4WW14 ($25,000) and Project 4WT17 ($15,000) will be used for this appropriation request. The funding sources are Sewer Surplus Fund (624) and Water Surplus Fund (605).

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - August 12, 2024

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Appropriation for engineering services for solar field project

Legislation Title:
An appropriation in the amount of $51,250.00 is being requested for professional and engineering services related to the planned solar array renewable energy generation project adjacent to the City's wastewater treatment plant.

Background/Synopsis:

Engineering and professional technical services are necessary in preparation for the planned solar energy generation project adjacent to the City's wastewater treatment plant on Groh Lane.

In accordance with Fairfield Sustains, the City has a high-priority goal to increase local on-site renewable energy in municipal operations by 2030. The ultimate objective of this initiative is to install a 3 MW on-site solar array on City-owned property. The technical services piece of the project will facilitate the front-end planning and regulatory review steps necessary before the City can advertise the project for bidding purposes. Technical services will include:

- Solar economic analysis and regulatory review;
- Market engagement and request for proposals (RFP) development; and
- Plan and proposal review, and contractor selection

The City hopes to issue an RFP in January 2025, with selection of a design-build contractor in Q2 of 2025.

Technical and engineering services will be performed by Go Sustainable Energy, LLC. Cost of technical services is $51,250 for Phase 2 and Phase 3 of the project. Phase 1 services will be paid from operating budgets from Public Utilities.

Financial Impact:

An appropriation is requested in the amount of $51,250. Funding for this project will be directed from remaining ARPA funds possessed by the City.

Attachments:
1. City of Fairfield - WWTP Solar Assistance_7.10.24

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

go sustainable energy

PROPOSAL

Date: July 10, 2024

To: Adam Sackenheim and Jason Hunold (City of Fairfield, Department of Public Utilities)

From: Gregory Raffio, Milena Walwer, and John Seryak (Go Sustainable Energy, LLC)

Re: Solar Assistance at Wastewater Treatment Facility - Scope-of-Work and Fee Proposal

The City of Fairfield (Fairfield) aims to reduce energy emissions by 50% by 2030 and 100% by 2055 community-wide, as outlined in Fairfield's Sustainability Action Plan. Specifically, goal E2.1 aims to increase local on-site renewable energy in municipal operations. This proposal details a scope-of-work and fee for Go Sustainable Energy (Go) to provide technical assistance Fairfield as it works towards installing solar at the Municipal Wastewater Treatment Facility.

We are proposing an hourly not-to-exceed rate of $205 per hour with a maximum cost of $74,825 (365 hours). This will allow Fairfield the flexibility to adjust Go's role and scope, as needed, should findings in any of the phases support a change in approach. If Fairfield requires additional assistance, this proposal may be extended at a future date by both parties.

This proposal is valid for 14 days from the date of issuance.

Scope-of-Work

We describe this potential scope-of-work in three phases below. After each phase, Go will check-in with Fairfield to refine the scope of work for the subsequent phase. The table below shows the estimated number of hours and budget allocated for each phase. Hours can be shifted between phases as needed.

Table 1: Estimated Budget and Hours per Phase

Phase	Estimated Budget	Estimated Hours
1	$23,575	115
2	$22,550	110
3	$28,700	140
Total	**$74,825**	**365**

phase 2 & 3: $51,250

Phase 1 - Solar Economic Analysis and Regulatory Review

The first phase will primarily include a solar economic analysis and regulatory review to install roughly 3 MWdc of on-site solar at the Municipal Wastewater Treatment Facility. For this phase, Go will perform activities such as, but not limited to:

- Meet with City staff for a kickoff meeting to learn more about:

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

- Which specific site areas are available for solar.
- The project goals (i.e. maximize on-site renewable energy, maximize electric bill savings, others).
- What analysis has already been performed by Fairfield or other parties.
- Determine what staff assistance may be needed to navigate the collection of up-to-date energy use data and energy contract terms and conditions.

- Review previous solar analyses, if they exist, to verify the site's potential solar capacity, the potential annual solar generation, and the percent site load that solar could offset.
- Perform a utility analysis to understand how the site currently consumes and pays for electricity. This will build an economic model to estimate solar savings, which will also become important infrastructure when comparing eventual vendor bids.
- Estimate a range of annual solar costs, savings, and revenues over the system's lifetime. As indicated by Fairfield, a cash-financed option is the preferred option for modeling.
- Provide high-level suggestions for improving solar economics or where elements of eventual vendor bids may significantly impact solar economics.
- Identify and document likely regulatory, policy, technical, or other barriers that might supersede available area or capital cost as a barrier to implementation.

Go will document a summary of our findings in a clear, complete, and concise memorandum, which will be delivered electronically to Fairfield. Go will meet with Fairfield to discuss the results and to determine if next steps are required before Fairfield engages the market.

Phase 2 - Market Engagement

Go would assist Fairfield with initial market engagement by performing activities such as, but not limited to:

- Meet with Fairfield's procurement, legal, and facilities staff to identify market engagement requirements and processes, key terms and conditions, etc.
- Write a Request for Proposals (RFP) solicitating input from Fairfield as needed[1].
- Support Fairfield staff in hosting a site visit for interest RFP respondents.
- Assist in responding to RFP questions.

Go will deliver a draft RFP electronically to Fairfield. It will need to be reviewed by the City's procurement, legal, and facilities staff before issuance.

[1] Fairfield is responsible for the content of the RFP. For example, (1) Fairfield is responsible for determining what level of legal or other input is needed to meet its procurement standards or other obligations, (2) Fairfield is responsible for determining what level of insurance its eventual vendor must carry, and (3) Fairfield is responsible for the issuance process of the RFP.

©Go Sustainable Energy, LLC

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

Phase 3 - Vendor Selection[2] & Contract Negotiations

Go would assist Fairfield in evaluating responses through eventual contract negotiations, if responses are favorable enough to proceed with vendor selection. Go will perform activities such as, but not limited to:

- Assist in vendor selection by reviewing and summarizing respondent submissions, preparing interview questions, attending interviews, etc.
- Update the project economic model based on vendor input.
- Assist in the technical aspects of vendor onboarding and contract negotiations such as reviewing design options, term sheets, or full contracts.

The specific deliverables will be determined based on Fairfield's needs. Go could provide deliverables such as a clear, complete, and concise memorandums summarizing the vendor responses.

Required Resources

Go will need the following resources from Fairfield:

- A copy of any existing previous solar feasibility analysis, reports, or memorandums performed by Fairfield, universities, or its contractors.
- Map(s) of land areas available for solar installation with input from Fairfield staff to help clearly communicate the intent for use and / or preservation of the land.
- At a minimum, total annual electricity consumption from the past 3 years for the wastewater treatment facility. Ideally, Fairfield or its utility (Duke) would provide hourly electricity data for the facility for the past 12-36 months.
- A copy of at least one recent electric bill.
- Current and any future wholesale energy contracts, or a summary of terms and conditions if the contract cannot be shared.
- Examples of recently issued market engagement documents from the City.

[2] Fairfield will make the final decision on which vendor is selected, or if no vendors are selected.

©Go Sustainable Energy, LLC

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

Terms and Conditions

Independent Third-Party Consultant

Go does not sell equipment or design services, and is thus free of financial conflict of interest. As a result, we are legally and professionally obliged to provide independent and unbiased recommendations, which is part of our company ethos. As such, Go will not remove unfavorable results from the report, will not bias savings with liberal assumptions, and will otherwise present the energy savings with the most reasonable confidence. That said, Go always works with the clients to best address their concerns.

Right of Service Refusal

Go maintains the right to withdraw service at any time should our employees be subjected to sexual harassment; discrimination or verbal harassment based on skin color, religious creed, sexual orientation or sex; or any other degrading, unwarranted or unprofessional treatment.

Proposed Fees and Invoicing Terms

Go proposes to conduct these services for a not-to-exceed contract of $74,825 at $205 per hour. Invoices will be issued on a monthly basis, dependent on the project schedule. Payment terms will be 30-days from the invoice date. If payments are not issued before the 30-day period, additional invoices will be issued with a 5% surcharge each month.

Contractual Agreements

Go requires a purchase order (PO) or other legally valid indication from the City of Fairfield to proceed with this service. Issuing of a PO or other indication to proceed from the City of Fairfield indicates acceptance of these terms.

Alternately, signature of the following shall indicate an agreement to commence work within the above-stated scope of work. The signed agreement may be sent electronically or faxed to Go Sustainable Energy at (866) 623-7716.

Representative of the City of Fairfield

Print Name: _____

Signature: _____

Date: _____

©Go Sustainable Energy, LLC

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

Representative of Go Sustainable Energy

Print Name: John A Seryak

Signature:

Date: 7/10/2024

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

©Go Sustainable Energy, LLC

City Council Information Item
Regular Meeting - August 12, 2024

Submitted by: Matt Young,
Submitting Department: Public Utilities

Subject:
Supplies to support Video and Sewer Cleaning Equipment

Legislation Title:
Supplies to support Video and Sewer Cleaning Equipment

Background/Synopsis: The Collection Department performs routine cleaning of the sanitary sewer collection system. Routine cleaning provides satisfactory service to our ratepayers, prevents Sanitary Sewer Overflows (SSO), and is an effective way to maintain infrastructure. Currently, the department's routine scheduling of cleaning has the entire system being cleaned at least once every seven years, with more attention being provided to the identified problem areas. This appropriation request will enable City staff to purchase supplies from various City-approved vendors to support and enhance Video Inspections and Sewer Cleaning.

Financial Impact:

An appropriation in the amount of $25,000.00 is being requested to purchase supplies from multiple vendors, as needed, to support the City's Sewer Video and Cleaning efforts.

Funding for this project is included in the approved 2024-2028 Capital Improvement Program. Project 4WW09 will be used for this appropriation request. The funding source is 624 – Sewer Surplus Fund.

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - August 12, 2024

Submitted by: Jason Hunold,
Submitting Department: Public Utilities

Subject:
Water Division Level Sensors

Legislation Title:
Water Division Level Sensors

Background/Synopsis:

The Water Division utilizes a wide variety of instrumentation in order to physically monitor and control processes ensuring regulatory compliance. It is necessary to integrate new technologies and modern equipment to keep the Water Treatment Plant up-to-date and in optimal working order. The equipment being purchased will replace instrumentation equipment that has exceeded its life expectancy with state-of-the-art equipment using the latest available technology.

The requested appropriation is for the purchase of replacement Level Sensor that monitor water treatment tank levels. A proposal is attached for review.

Financial Impact:

An appropriation in the amount of $5,000.00 is being requested for the purchase of replacement instrumentation equipment.

Funding for this project was included in the approved 2024-2028 Capital Improvement Program (CIP) under project number 4WT02, Instrumentation Replacement Program. The funding source is the Water Surplus Fund, 605.

Attachments:
1. Quote_4173110_Rev 0

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

HOME
OF VALUES

Quote No. 4173110/0

VEGA Americas, Inc. *3877 Mason Research Pkwy* Mason * OH 45036 * USA

City of Fairfield Water Treatment Plant
Mr. Jason Blevens
Maint Foreman
5021 Groh Ln
Fairfield OH 45014-2303

Technical Specialist: Nick Williams
Phone: 513 272 7350
E-mail: n.williams@vega.com

Date: 07/30/24
Quote Validity: 09/28/24

Customer Reference: RFQ C11, mount and MET 141

The total for this quotation, not including shipping and handling, is **$ 4,743.00**.

The lead time for the equipment is **two (2) business days after receipt of order**.

All sales are final. The Buyer assumes responsibility for ensuring all specifications outlined below are correct for the Buyer's intended application.
****VEGA remains committed to delivering our products on-time whenever possible. However, ongoing challenges to the global supply chain may lead to delays in quoted delivery dates.****

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

VEGA Americas, Inc.
3877 Mason Research Pkwy
Mason, OH 45036
USA

Tel 513 272 0131
Fax 513 272 0133
americas@vega.com
www.vega.com

US Remit to Address:
VEGA Americas, Inc.
PO Box 640162
Cincinnati, OH 45264-0162
US Bank
SWIFT No: USBKUS44IMT
ABA Routing No#042000013
Account NO#821710100

Canadian Funds Remit To:
VEGA Americas, Inc.
Account #: 1002823
Transit #: 01014, Bank #: 0003
Wire Transfer:
Royal Bank of Canada
180 Wellington St. W
Toronto, ON M5J 1J1
SWIFT: ROYCCAT2

Euro Funds Remit To:
VEGA Americas, Inc.

Financial Institution - US Bank National Association

SWIFT No: USBK
Account No: 0300

VEGA HOME OF VALUES

Quote No. 4173110/0

Pos.	Quantity	Instrument Type	Unit Price USD	Total Price USD
1	3	**VEGAPULS C 11**	795.00	2,385.00

Order Code: RA - 222 228

Wired radar sensor for continuous level measurement
Axial cable outlet, 4 ... 20 mA output, measuring range up to 8 m, accuracy ±5 mm, PVC cable with 10 m length

Applicaion area
VEGAPULS C 11 is the ideal sensor for non-contact level measurement in simple applications where a high degree of protection is required. It is particularly suitable for use in water treatment, pumping stations, rain overflow basins and level monitoring. In bulk solids the sensors are used in small bulk solids silos or open containers.

Your benefit
- Maintenance-free operation due to non-contact 80 GHz radar technology
- Exact measurement results independent of medium, process and environmental conditions
- Cost-effective radar sensor for simple measurement tasks
- Comfortable wireless setup and diagnostics with smartphone

Thread process side / Cable side	N : Thread 1½NPT / 1NPT
Approval according to c-CSA-us	: No
Bluetooth operation	B : with
Customs tariff number (HS code)	: 90318080

2	3	**Mounting bracket with adjustable sensor holder**	102.00	306.00

Order Code: AC - 222 2XV

High quality and robust mounting strap made of 316L stainless steel. The adjustable sensor holder allows easy alignment of the sensors. The mounting strap is particularly suitable for VEGAPULS 11, 21, 31 and C 11, C 21, C 22, C 23 series radar sensors and VEGAPULS Air 41, but can also be used for other instruments with appropriate process fittings.
The necessary mounting material for wall mounting of 316L is supplied with the instrument.

Suitable for sensor connection	A : 1" e.g. VEGAPULS C 11, 21, 23
Length to sensor center	A : 80 mm (3.15 inch)
Customs tariff number (HS code)	: 90269000

3	3	**VEGAMET 141**	684.00	2,052.00

Order Code: CR - 222 2BH

Compact controller and display instrument for level sensors
1x 4 … 20 mA sensor input, 1x 4 … 20 mA current output, 3x operating relay, 1x fail safe relay (instead of operating relay), Ex approval, ship approval, on-site display, turn/push button and smartphone operation

Application area
The VEGAMET 141 controller feeds the connected 4 ... 20 mA sensor, processes the measured values and displays them. The compact design is ideal for mounting on carrier rails in switching cabinets. A graphic display as well as a turn/push button for quick on-site control of the measuring point is also integrated.
With VEGAMET 141, limit values can be reliably monitored and relays, e.g. for overfill protection according to WHG, can be switched. It enables simple pump control, flow measurement on open flumes and weirs and

VEGA Americas, Inc.
3877 Mason Research Pkwy
Mason, OH 45036
USA

Tel 513 272 0131
Fax 513 272 0133
americas@vega.com
www.vega.com

US Remit to Address:
VEGA Americas, Inc.
PO Box 640162
Cincinnati, OH 45264-0162
US Bank
SWIFT No: USBKUS44IMT
ABA Routing No#042000013
Account NO#821710100

Canadian Funds Remit To:
VEGA Americas, Inc.
Account #: 1002823
Transit #: 01014, Bank #: 0003
Wire Transfer:
Royal Bank of Canada
180 Wellington St. W
Toronto, ON M5J 1J1
SWIFT: ROYCCAT2

Euro Funds Remit To:
VEGA Americas, Inc.

Financial Institution - US Bank National Association

SWIFT No: USBK
Account No: 0300

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

Quote No. 4173110/0

HOME OF VALUES

Pos.	Quantity	Instrument Type	Unit Price USD	Total Price USD
			Carried over Value of Goods Net Page 2:	**4,743.00**

Continuation position: 3

summation.
Due to its various possibilities it is suitable for many industrial branches as well as for plant manufacturers.

Your benefit
- Simple control of the measuring point by means of a graphic display, even in the dark
- Complex programming of control tasks is no longer necessary
- Simple and safe setup and diagnosis of the measuring point via Smartphone

Explosion protection	XX : without, for Ex-free area (CE, UKCA, c-UL-us, RCM)
Approved as overfill protection	X : without
Ship approval	X : without
SIL qualification	X : without
Customs tariff number (HS code)	: 85371098

Value of Goods Net USD: 4,743.00

Contact Information:

Local Sales Contact **Joe Simmons**
Phone: 513 272 4037
E-mail: j.simmons@vega.com

Technical Specialist **Nick Williams**
Phone: 513 272 7350
E-mail: n.williams@vega.com

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

VEGA Americas, Inc.
3877 Mason Research Pkwy
Mason, OH 45036
USA

Tel 513 272 0131
Fax 513 272 0133
americas@vega.com
www.vega.com

US Remit to Address:
VEGA Americas, Inc.
PO Box 640162
Cincinnati, OH 45264-0162
US Bank
SWIFT No: USBKUS44IMT
ABA Routing No#042000013
Account NO#821710100

Canadian Funds Remit To:
VEGA Americas, Inc.
Account #: 1002823
Transit #: 01014, Bank #: 0003
Wire Transfer:
Royal Bank of Canada
180 Wellington St. W
Toronto, ON M5J 1J1
SWIFT: ROYCCAT2

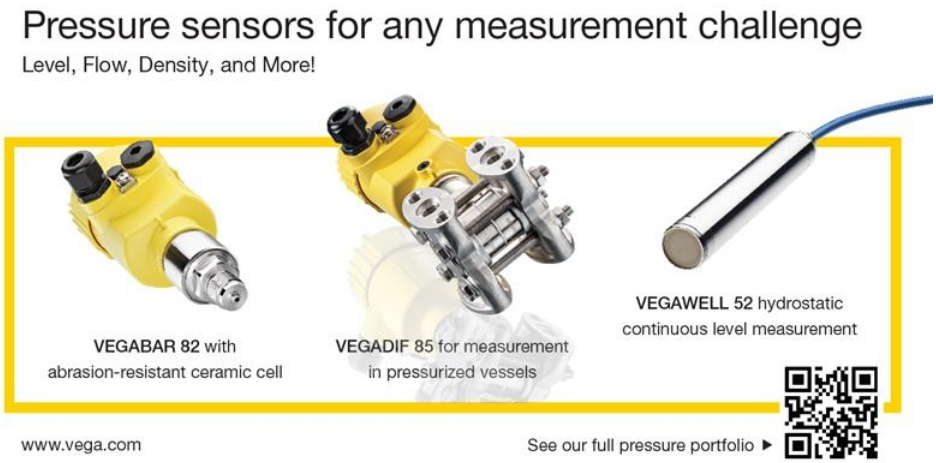
Euro Funds Remit To:
VEGA Americas, Inc.

Financial Institution - US Bank National Association

SWIFT No: USBK
Account No: 0300

Quote No. 4173110/0

HOME OF VALUES



Unless otherwise agreed upon between VEGA Americas and the buyer, VEGA Americas standard terms and conditions will apply for all purchase orders. VEGA Americas' standard terms and conditions can be found on our website at VEGA.com.

Please submit all purchase orders to orders.us@vega.com

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

VEGA Americas, Inc.
3877 Mason Research Pkwy
Mason, OH 45036
USA

Tel 513 272 0131
Fax 513 272 0133
americas@vega.com
www.vega.com

US Remit to Address:
VEGA Americas, Inc.
PO Box 640162
Cincinnati, OH 45264-0162
US Bank
SWIFT No: USBKUS44IMT
ABA Routing No#042000013
Account NO#821710100

Canadian Funds Remit To:
VEGA Americas, Inc.
Account #: 1002823
Transit #: 01014, Bank #: 0003
Wire Transfer:
Royal Bank of Canada
180 Wellington St. W
Toronto, ON M5J 1J1
SWIFT: ROYCCAT2

Euro Funds Remit To:
VEGA Americas, Inc.

Financial Institution - US Bank National Association

SWIFT No: USBK
Account No: 0300

City Council Ordinance
Regular Meeting - August 12, 2024

Submitted by: Amanda Brock,
Submitting Department: Parks

Subject:
4PRT0Additional Video Wall Panels for exisitng Video Wall at Parks and Recreation Events

Legislation Title:
Ordinance to authorize the City Manager to enter into a contract with Cincy Entertainment services for the purchase of 10 additional video wall panels with necessary appurtenances. These additional video wall panels will attach to our current video wall to make it larger during events.

Recommendation:
It is recommended that City Council authorize an appropriation of $28,954.00 from the Capital Fund for the purchase of Video Wall Panels with appurtenances.

Background/Synopsis:

This project aims to enhance our events by purchasing ten additional video wall panels to connect to our existing video wall. This expansion will significantly increase the size of our Video Screen, providing a more immersive experience for our audience.

We use the Video Wall during all events, such as Groovin' on the Green, Movies in the Park, and our watch parties.

The project is programmed in the 2024-2028 as CIP 4PR01 Community Arts Center.

Financial Impact:

$28,954.00 from the Capital Fund as CIP 4PR01 Community Arts Center.

Emergency Provision Explanation:

Not Applicable

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

1. Video Wall

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

Cincy Entertainment Services
5816 Ferdinand Dr
West Chester, OH 45069
+1 5138005720
sales@cincyent.com
www.CincyEnt.com

Quote 1234

ADDRESS
City of Fairfield

DATE	TOTAL	EXPIRATION DATE
07/29/2024	$28,954.00	08/16/2024

DATE	ACTIVITY	QTY	RATE	AMOUN
	Sales Icon IP3XL 3.9MM	10	2,999.00	29,990.0
	Sales Blizzard Video Wall Rigging Dual Panel Rigging Bar	2	449.00	898.0
	Sales Custom ICON IP3 XL Road Cases	2	799.00	1,598.0
		SUBTOTAL		32,486.0
		DISCOUNT		-4,000.0
		SHIPPING		468.0
		TOTAL		$28,954.00

THANK YOU

Accepted By

Accepted Date

Deliveries / Pick-ups: Warehouse address: 3120 Homeward Way, ste 16, Fairfield OH 45014

Attachment: NonContractualAppropriations.081224 (4029 : Non-Contractual Appropriations)

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 166-23 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 166-23, the 2024 Appropriation Ordinance, is hereby amended in the following respects:

From:	**Unappropriated Water Surplus Fund**	**$20,000**
To:	60516024-244600 Meters *(Automatic Meter Reading Equipment 4WT17)*	$15,000
To:	60516024-244100 Supplies to Maintain Equipment *(Instrumentation Replacement 4WT02)*	$5,000
From:	**Unappropriated Sewer Surplus Fund**	**$50,000**
To:	62416024-244600 Meters *(Automated Meter Reading Equipment 4WW14)*	$25,000
To:	62416024-244200 Supplies to Maintain Land, Building & Facilities *(Sewer Cleaning Equipment 4WW09)*	$25,000
From:	**Unappropriated Capital Improvement Fund**	**$28,954**
To:	40216024-241200 Non Capital Equipment *(Video Wall Expansion Panels 4PR01)*	$28,954
From:	**Unappropriated American Rescue Plan Act Fund**	**$51,250**
To:	26616023-233300 Engineering Services *(Wastewater Facility Solar Array Engineering)*	$51,250
From:	**Unappropriated Water Replacement & Improvement Fund**	**$14,900**
To:	60416023-233900 Other Professional Services *(Winton/Mack Water Tower Cleaning 4WT12)*	$14,900

Attachment: NONCONTRACTUAL 8-12-ORD (4029 : Non-Contractual Appropriations)

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

_____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

ACTIVE CLIENTS\CITY OF FAIRFIELD\ORDINANCES\2024\NONCONTRACTUAL 8-12-ORD

Attachment: NONCONTRACTUAL 8-12-ORD (4029 : Non-Contractual Appropriations)