

TO: Mayor Stefan C. Densmore
Members of Village Council

FROM: Terrence M. Donnellon

RE: Legislative Agenda – September 13

DATE: September 10, 2021

The following legislation is on the Agenda for the September 13th meeting of Village Council:

1. Resolution No. 2021 – 31

A Resolution Authorizing an Assessment for the Cutting of Noxious Weeds and Removal of Debris/Trash

This Resolution authorizes the County Auditor to assess various parcels within the Village for costs incurred by the Village to resolve nuisance complaints. Very typically these are high weeds and grass which the property owner has not addressed and for which the Village intervened and incurred the expense to clean up the property. Annually we must assess these properties with the cost added to their tax bill for first collection in January 2022.

The following legislation will be discussed at the September 13th meeting of Village Council. No action is requested at this time:

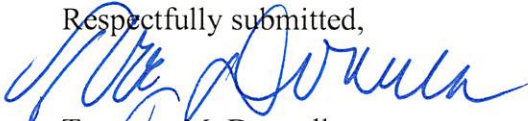
1. Ordinance No. 2021 – 11

An Ordinance Amending Sections of Ordinance No. 2019-10, *An Ordinance to Combat Discrimination and for the Guarantee of Equality and Inclusion*

This Ordinance will update the Non-Discrimination Ordinance to facilitate implementation of the Ordinance with the appointment of the Human Rights Commission, which is anticipated to occur by the close of the year. The first step in the process of appointing a Commission is to provide education and orientation to the Commissioners who will be appointed by Council. Over the course of the last several months, we have been discussing modifications to the Ordinance to better facilitate implementation. Some of these modifications are to clarify the exemptions available under the Ordinance, and Section III is to reaffirm a decision issued by the Supreme

Court concerning employment exceptions for religious institutions. The final change is to cap the civil penalty, which is \$500 per day for each violation to a total of \$2,500.

Respectfully submitted,



Terrence M. Donnellon,
Village Solicitor

TMD/lld

Enclosures

cc: Ron Hirth, Village Administrator
Andy Lanser, Asst. Village Administrator

RESOLUTION NO. 2021 - 31

A RESOLUTION AUTHORIZING AN ASSESSMENT FOR THE CUTTING OF NOXIOUS WEEDS AND REMOVAL OF DEBRIS/TRASH

WHEREAS, the Village of Golf Manor, in *Chapter 553* of the Code of Ordinances, has provided a prohibition against noxious weeds and removal of debris/trash within the Village, a method for notifying non-complying property owners to cut said weeds and to remove debris/trash, and a procedure by which the Village may cut and remove the weeds and litter if the owner fails to take action within the time allowed; and

WHEREAS, the Ohio Revised Code and Section 553.04 of the Code of Ordinances allow the Village to place a lien against real property for the charges for the services in cutting noxious weeds and removal of debris/trash and the fees incurred administratively to provide notice to the non-complying property owner; and

WHEREAS, the Village has followed its Code of Ordinances in notifying the owners of the following real properties:

Auditor's Parcel No.	Owner's Name	Property Address
528-0002-0223-00	SFR3-020 LLC	2273 Rosedale Ave
528-0004-0331-00	Deutsche Bank Trust Americas TR	2366 Losantiville Ave
528-0004-0181-00	Adams, Barbara Ann	6402 Stover Ave
528-0003-0727-00	Thomas, Lakishia L.	6448 Graceland Ave

WHEREAS, the owners have failed or refused to take action within the time allowed pursuant to such notices; and

WHEREAS, the Village, after submitting such notices, has entered upon the real properties to cut and remove the weeds at the costs as set forth herein; and

WHEREAS, the Village now desires to assess a lien upon said real properties for the cost incurred by the City to cut and remove such weeds and an additional administrative fee of \$25.00 as allowable by law.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

SECTION I. Pursuant to the Ohio Revised Code and Section 553.04 of the Code of Ordinances of the Village of Golf Manor, Council hereby makes this written return to the Auditor of Hamilton County, Ohio, and requests that the Auditor place a lien against the following real properties and in the following amounts for immediate assessment and collection in calendar year 2022 for tax year 2021:

Weed & litter to be collected as an annual one-time charge for 2021 pay 2022			
Parcel No.	Address	Owner	Amount (includes Administrative Fee)
528-0002-0223-00	2273 Rosedale Ave	SFR3-020 LLC	\$516.00
528-0004-0331-00	2366 Losantiville Ave	Deutsche Bank Trust Americas TR	\$566.00
528-0004-0181-00	6402 Stover Ave	Adams, Barbara Ann	\$254.40
528-0003-0727-00	6448 Graceland Ave	Thomas, Lakishia L.	\$229.40

The Auditor is requested to place said special assessment against the real properties upon the tax duplicates as is authorized by Ohio law to collect the same according to law and to return such collections to the Village.

SECTION II. This Resolution shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2021.

Mayor Stefan C. Densmore

ATTEST:

Paula Burgin, Assistant Clerk

APPROVED AS TO FORM:


Terrence M. Donnellon, Solicitor

ORDINANCE NO. 2021 - 11

**AN ORDINANCE AMENDING SECTIONS OF ORDINANCE NO. 2019-10,
AN ORDINANCE TO COMBAT DISCRIMINATION AND FOR THE
GUARANTEE OF EQUALITY AND INCLUSION**

WHEREAS, in January 2020, Council did take the final steps to enact Ordinance No. 2019-10 entitled, *An Ordinance to Combat Discrimination and for the Guarantee of Equality and Inclusion*; and

WHEREAS, subsequent to the enactment of the Ordinance, a Referendum Petition was filed with the Village, which Referendum was placed upon the November 2020 General Election ballot, which Referendum did reaffirm Ordinance No. 2019-10; and

WHEREAS, in moving forward to implement the Ordinance, the Administration has recommended, and Council concurs, that certain sections of Ordinance No. 2019-10 should be modified to better assure fair and equitable enforcement of the principles outlined within the Ordinance.

NOW THEREFORE, Be It Ordained by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

SECTION I. Section I (B), *DEFINITIONS*, subsection (7) shall be amended to read as follows:

(7) "Place of public accommodation" means inns, taverns, hotels, motels, restaurants, wholesale outlets, retail outlets, banks, savings and loan associations, other financial institutions, credit information bureaus, insurance companies, dispensaries, clinics, hospitals, theaters, recreational parks and facilities, trailer camps, garages, public halls, and all other establishments which offers goods, services, accommodations and entertainment to the public within the Village.

SECTION II. Section IV (B), *EXEMPTION*, shall be amended to read as follows:

(B) Exemption. Except when offering goods, services, accommodations or entertainment for Commercial Purposes or except when such offering is supported by Village resources, it shall not be an act of discrimination and/or a violation of this Ordinance for any religious or denominational institution, organization, society or association, or any nonprofit charitable or educational organization that is operated, supervised or controlled by or in connection with a religious organization, from limiting its offerings of goods, services, facilities, including places of worship, educational facilities or their contiguous facilities, and accommodations to persons of the same religion, or from giving preference to such persons.

SECTION III. Section III (B), *GENERAL EXCEPTIONS*, subsection (1) shall be amended to read as follows:

(1) A religious or denominational corporation, institution, association, organization, educational institution, or society with respect to the employment of an individual of a particular religion to perform work connected with the carrying on of that religious or denominational corporation, institution, association, organization, educational institution, or society of its activities. (This exception recognizes the ministerial exception as reaffirmed by the U.S. Supreme Court in Our Lady of Guadalupe School v. Morrissey-Berru to protect religious institutions' First Amendment rights.)

SECTION IV. Section III (B)(7) shall be deleted.

SECTION V. Section VIII (E)(2), *COMMISSION REMEDIES*, subsection (a) shall be amended to read as follows:

(a) The Commission may order a civil fine of up to \$500 for each violation. Each day on which a continuing violation occurs shall constitute a new and separate violation of this chapter. Provided, however, the maximum collected fine for a continuing violation shall be \$2,500. Fines collected pursuant to this section will be used to establish a fund to educate the community about nondiscrimination practices and to promote nondiscrimination in the Village. The Village Solicitor is authorized to pursue enforcement and collection of such fines in a separate civil action. In addition to recovery of such fines in any subsequent court proceeding, the Respondent/Defendant shall be liable for all costs of collection including reasonable Attorney fees.

SECTION VI. This Ordinance shall take effect the earliest opportunity as permitted by law.

PASSED this _____ day of _____, 2021.

Mayor Stefan C. Densmore

ATTEST:

Paula Burgin, Assistant Clerk

APPROVED AS TO FORM:

Terrence M. Donnellon, Solicitor