

EMERGENCY

City of Cincinnati

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An Ordinance No. 172

- 2026

MODIFYING the provisions of Chapter 321, "Procurement and Disposal of Supplies, Services and Construction," of the Cincinnati Municipal Code ("CMC") by **AMENDING** Section 321-118, "Applicability of Prevailing Wage Rates to City Development Agreements"; **MODIFYING** the provisions of Chapter 414, "Valet Parking," of the CMC by **AMENDING** Section 414-7, "Valet Parking Board"; **MODIFYING** the provisions of Chapter 834, "Entertainment Districts," of the CMC by **AMENDING** Section 834-01, "Definitions," and Section 834-02, "Application for Designation of Community Entertainment District"; **MODIFYING** the provisions of Chapter 1101, "Administration," of the CMC by **AMENDING** Section 1101-57, "Demolition or Repair of Buildings"; and **DESIGNATING** a Housing Officer for the City of Cincinnati Community Reinvestment Area.

WHEREAS, the Cincinnati Futures Commission recommended that the City create an Office of Strategic Growth to improve service delivery to better encourage development in Cincinnati; and

WHEREAS, on February 4, 2026, Council unanimously passed Council Motion No. 202600232, directing the City Administration to immediately commence the Office of Strategic Growth; and

WHEREAS, on April 1, 2026, Council passed Ordinance No. 94-2026, amending the Cincinnati Administrative Code to adjust the City's administrative structure to reflect the creation of the Office of Strategic Growth and the Department of Opportunity and Resident Services; and

WHEREAS, this ordinance will amend the Cincinnati Municipal Code to account for the creation of the Office of Strategic Growth and the Department of Opportunity and Resident Services and elimination of the Department of Community and Economic Development; and

WHEREAS, the restructuring will allow for more streamlined service delivery to Cincinnati residents and businesses, and will create operational efficiencies; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 321-118 of Chapter 321, "Procurement and Disposal of Supplies, Services and Construction," of the Cincinnati Municipal Code ("CMC") is amended as follows:

Sec. 321-118. Applicability of Prevailing Wage Rates to City Development Agreements.

- (a) Every development agreement must, as a condition of disbursement of city funds or the receipt of any other incentive or benefit, include a provision that:

- (1) Requires the payment of the wage rates set forth pursuant to Ohio's Prevailing Wage Law, Ohio Revised Code sections 4115.03 to 4115.16, with respect to every component of the development, whether public or private, and whether or not such wage rates would otherwise be required to be paid pursuant to Ohio's Prevailing Wage Law;
 - (2) Provides that violations of Ohio's Prevailing Wage Law on a development, or violations of the provision that must be included in development agreements pursuant to clause (a)(1) of this section, that remain unresolved or uncured after the city provides notice thereof and a reasonable opportunity to resolve and cure the same shall result in the forfeiture of all benefits, incentives, and subsidies provided under the development agreement, whether said benefits, incentives, and subsidies have been previously disbursed or provided or have yet to be disbursed or provided; provided that (i) forfeiture of benefits, incentives or subsidies under this provision shall only apply with respect to the portion of the benefits, incentives, or subsidies that the development agreement does not obligate the developer to repay or reimburse, such as in the case of public infrastructure improvements benefiting a development constructed by the city but paid for by the developer, and (ii) if the city has provided non-monetary benefits, incentives or subsidies, such as the construction of public infrastructure improvements, prior to the date of forfeiture, then the development agreement shall stipulate that, in lieu of the forfeiture of such non-monetary benefits, incentives or subsidies, the forfeiting party shall remit funds to the city in an amount equal to the total value of any such non-monetary benefits, incentives, or subsidies;
 - (3) Authorizes the city to review and audit project records of the developer and requires the developer to cause any construction contractors or subcontractors to likewise agree to permit the city's review and audit of project records as may be needed to ensure compliance with this section and Ohio's Prevailing Wage Law; and
 - (4) Grants the city the authority to take such actions, request such documentation, conduct such investigations, and make such determinations with respect to the compliance with or enforcement of this section as may be taken, requested, conducted or made by the Director of the Ohio Department of Commerce with respect to the compliance with or enforcement of the provisions of Ohio's Prevailing Wage Law.
- (b) The city manager or the city manager's designee ~~department of community and economic development~~ will determine the wage rates that must be paid pursuant to the provisions described in clause (a)(1) on an individual development basis, premised on its review of the scope of the development and any public improvements undertaken in connection therewith. Each development agreement must include and identify the applicable residential or commercial prevailing wage rates that apply to each component of the work undertaken as a part of the development, regardless of whether such component consists of private improvements. Notwithstanding anything to the contrary in this clause (b), the city manager or the city manager's designee ~~department of community and economic~~

~~development~~ will apply (i) commercial rates to a residential component of a development if such residential component is five stories or greater and (ii) residential rates to a residential component of a development if such residential component is below five stories. Without limitation or modification of any obligations the city ~~or the department of community and economic development~~ may be subject to under applicable state and federal law, this clause (b) shall apply only with respect to development agreements, as defined in this Chapter 321, and shall not operate to require the city ~~or the department of community and economic development~~ to determine the applicability of Ohio's Prevailing Wage Law or any other prevailing wage laws or regulations to any agreements or contracts other than development agreements, as defined in this Chapter 321.

- (c) The city manager or the city manager's his or her designee may issue any rules or regulations necessary to implement and administer this section.
- (d) The department of economic inclusion will assist the city manager or the city manager's designee ~~department of community and economic development~~ in fulfilling its obligations under clause (a) of this section by providing information on the applicable prevailing wage rates with respect to each development agreement. For all developments which are subject to development agreements, the city manager or city manager's designee ~~department of community and economic development~~ is responsible for monitoring compliance with and enforcing the requirements of this section and Ohio's Prevailing Wage Law. In furtherance of this clause (d), the city manager or the city manager's designee ~~department of community and economic development~~, with the cooperation and assistance of the department of economic inclusion shall prepare and submit to the city manager an annual report summarizing the compliance of all developments subject to this section.
- (e) This Section 321-118 shall be construed as being in addition to, and not in limitation of, the requirements of Ohio's Prevailing Wage Law.

Section 2. That Section 414-7 of Chapter 414, "Valet Parking," of the CMC is amended as follows:

Sec. 414-7. Valet Parking Board.

There is hereby created a Valet Parking Board consisting of the city manager ~~Director of Community and Economic Development~~, the traffic engineer, the Chief of Police, or their designees. The solicitor's office shall provide legal support to the Valet Parking Board as necessary. In addition the Valet Parking Board may have a non-voting representative of the businesses in the zone which will use the valet parking. The business representative shall be selected by a vote of the business owners using valet parking within the zone. The three voting members of the Board are authorized to draft rules regarding the method of selecting the non-voting member and the length of his term.

The traffic engineer may establish a valet parking zone based upon an independent determination of a need, or at the request of an interested business pursuant to 414-3 herein. In the case where the traffic engineer independently determines a need for the establishment of a valet

zone, the valet parking board shall advertise at least once, in the City Bulletin, seeking valet parking businesses to operate in the valet parking zone. Subsequently the board shall consider all interested businesses and select one valet provider for the newly created valet parking zone. However, in the case where the traffic engineer is approached by a valet parking business requesting the creation of a valet parking zone which that business intends to service, the Valet Parking Board need not go through the advertising process outlined above. In making its decision as to which business to select to operate a newly established valet parking zone, the board shall consider:

- (a) The wants of the businesses whose customers use valet parking, the affected neighborhood and business associations, and any affected citizen.
- (b) The level of valet parking services to be provided.
- (c) The proximity of the garage or lot proposed to be used by the provider.
- (d) The amounts to be charged for valet parking.
- (e) Any other relevant factors.

Section 3. That Sections 834-01 and 834-02 of Chapter 834, "Entertainment Districts," of the CMC are amended as follows:

Sec. 834-01. Definitions.

As used in this Chapter:

- a. "*Community entertainment district*" means a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these:
 - (1) Hotels;
 - (2) Restaurants;
 - (3) Retail sales establishments;
 - (4) Enclosed shopping centers;
 - (5) Museums;
 - (6) Performing arts theaters;
 - (7) Motion picture theaters;
 - (8) Night clubs;

- (9) Convention facilities;
- (10) Sports facilities;
- (11) Entertainment facilities or complexes;
- (12) Any combination of the establishments described in division (1) to (11) of this section that provide similar services to the community.

~~b. "Director of Community and Economic Development" refers to the Director of Community and Economic Development of the City of Cincinnati, or his designee.~~

Sec. 834-02. Application for Designation of Community Entertainment District.

- a. Any owner of property located within the cCity of Cincinnati seeking to have that property, or that property and other surrounding property, designated as a community entertainment district, as defined in Chapter 4301 of the Ohio Revised Code, shall file an application seeking this designation with the Mayor.
- b. An application to designate an area as a community entertainment district shall contain all of the following:
 - (1) The applicant's name and address;
 - (2) A map or survey of the proposed community entertainment district in sufficient detail to identify the boundaries of the district and the property owned by the applicant;
 - (3) A general statement of the nature and types of establishments described in section 834-01(a) that are or will be located within the proposed community improvement district and any other establishments located in the proposed community entertainment district that are not described in section 834-01(a);
 - (4) If some or all of the establishments within the proposed community entertainment district have not yet been developed, the proposed time frame for completing the development of these establishments;
 - (5) Evidence that the uses of land within the proposed community entertainment district are in accord with the City of Cincinnati's master zoning plan or map;
 - (6) A certificate from a surveyor or engineer licensed under Chapter 4733 of the Ohio Revised Code indicating that the area encompassed by the proposed community entertainment district contains no less than twenty contiguous acres;
 - (7) A handling and processing fee, payable by cashier's check or money order to the City of Cincinnati, in the amount of \$15,000.00;

(8) The ~~c~~City ~~m~~Manager may grant a non-profit entity applicant a reduction of the fee in (7) above in an amount determined by the ~~c~~City ~~m~~Manager, if the city manager ~~he or she~~ determines that the intent of the application is to promote and encourage community involvement, economic prosperity, and revitalization within a ~~City Cincinnati~~ neighborhood by locating operating businesses in existing vacant or underutilized buildings. An applicant shall not be eligible for a fee reduction unless a majority of the newly available liquor licenses will be used in buildings existing and eligible for a permanent certificate of occupancy as of the date of the application. An applicant shall include with an application written documentation, acceptable to the City Manager, evidencing that the applicant meets the eligibility requirements set forth herein. The application form shall include a list of acceptable documentation.

c. The property owner shall deliver a copy of the application, along with the handling and processing fee, to the ~~Director of Community and Economic Development, or his~~ city manager or city manager's designee, who shall provide proof of receipt.

Section 4. That Section 1101-57 of Chapter 1101, "Administration," of the CMC is amended as follows:

Sec. 1101-57. Demolition or Repair of Buildings.

1101-57.1 *Buildings Subject to Demolition or Repair:* A building shall be subject to demolition or repair by the director of buildings and inspections whenever:

- (1) The building has been deemed to be dangerous and unsafe as defined in § 1101-63.1 CBC, the director of buildings and inspections has exhausted the provisions of § 1101-61.1 CBC, and the building has not been brought into compliance with the CBC or any order issued by the director of buildings and inspections; or
- (2) The building threatens to collapse or poses other immediate danger and action authorized by § 1101-63.4 CBC is in the interest of public safety.

1101-57.2 *Administrative Proceedings:* Whenever a building is subject to demolition or repair under § 1101-57.1(1) CBC the director of buildings and inspections shall:

- (1) Schedule a public hearing for the purpose of determining whether the building in question constitutes such a public nuisance that it should be demolished or repaired by governmental action;
- (2) Send notices to all known parties of interest in the property, as determined from the official land records of Hamilton County, by certified mail not less than ten days prior to the public hearing;

- (3) If the subject building contains any dwelling units, send electronic mail notification to the community council for the area within which the building is located, electronic mail notification to not-for-profit organizations known to be active in the rehabilitation of residential buildings in the neighborhood of the subject building, and any other entity or individual who has requested electronic mail notification. Such notification is contingent upon the relevant community councils, non-profit organizations and other entities or individuals providing the director of buildings and inspections with electronic mail contact information;
- (4) If the subject property is more than fifty (50) years of age, notify the urban conservator so that he can conduct a separate hearing to assess the building's historic significance;
- (5) Post a copy of the notice of the public hearing on the subject building or premises not less than ten days prior to the public hearing;
- (6) Publish the notice of the public hearing on the City of Cincinnati's website at least two weeks prior to the public hearing;
- (7) Engage the services of a reputable property manager or other person experienced in the rehabilitation of buildings of similar use and type as the subject building to survey the premises to determine whether the condition of the premises is a factor seriously depreciating property values in the neighborhood;
- (8) Hold the public hearing at which evidence may be received from any known parties of interest in the property, representatives from neighborhood organizations, police and fire division, the division of property maintenance code enforcement, and others. Witnesses must be sworn before testifying;
- (9) Parties of interest in the property shall be permitted to appear and be heard in person, or by an attorney, in opposition to the proposed demolition or repair of the building, and to do all of the following:
 - (a) Present the party's position, arguments, and contentions;
 - (b) Offer and examine witnesses and present evidence in support;
 - (c) Cross-examine witnesses purporting to refute the party's position, arguments, and contentions;
 - (d) Offer evidence to refute evidence and testimony offered in opposition to his position, arguments, and contentions;
 - (e) Proffer any such evidence into the record, if the admission of it is denied by the chief building official or his designee;

1101-57.3 *Stay of Hearing*: The director of buildings and inspections may stay the conduct of hearing or continue a hearing in progress for up to 30 days if:

- (1) The subject building has been sold or transferred and the new owner or person in control has the present capacity and intent to bring the subject building and its premises into compliance with the CBC or, if the building is not an historic structure or a structure within an Historic Landmark or District, taken down and removed within 30 days or such other time as may be allowed by the director of buildings and inspections; or
- (2) The owner or person in control has applied for and obtained an administrative stay pursuant to § 1101-57.9 CBC.

If the building and its premises are not brought into compliance with the foregoing standards within the time provided the hearing shall be resumed, and any bond that may have been posted forfeited and the proceeds applied to the demolition and restoration costs.

1101-57.4 *Findings*: If from the evidence received at the public hearing conducted pursuant to § 1101-57.2 CBC and from personal observation of the subject building, the director of buildings and inspections finds:

- (1) The city has exhausted reasonable efforts to cause the building to be brought into compliance with the CBC; and
- (2) The subject building is a public nuisance under the standards of § 1101-63.1 CBC or because of age, obsolescence, dilapidation, deterioration, lack of maintenance or repair or any combination thereof constitutes a serious fire hazard, a serious health hazard, a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other premises within the neighborhood or a factor seriously depreciating property values in the neighborhood;

Then the director of buildings and inspections shall direct the subject building to be demolished and its premises restored to a safe condition, or that it be repaired in a manner sufficient to remediate any public nuisance. If the urban conservator has conducted a public hearing and concluded that the building is of historic significance, repair or other legal remedies will be pursued in lieu of demolition unless an emergency condition exists. The director of buildings and inspections shall have standing to seek a certificate of appropriateness from the urban conservator or historic conservation board for the purpose of performing repairs. Where the director of buildings and inspections seeks a certificate of appropriateness pursuant to this chapter, any fees associated with the application shall be waived. The director of buildings and inspections shall reduce the order to writing and incorporate the findings and conclusions supporting the order.

1101-57.5 *Demolition or Repair*: In cases where the director of buildings and inspections has directed a building to be repaired or demolished, the director of buildings and inspections shall:

- (1) Notify all known parties of interest in the property of his decision by sending a copy by certified mail to their tax mailing addresses, by publication at least once in the City Bulletin and by posting a notice of the decision upon the building or premises concerned.
- (2) Not less than thirty days after the notification as set forth in paragraph (1) of this division, cause the building to be demolished or repaired by governmental action. If demolished, the site will be left free of any nuisance and, if applicable, consistent

with historic district guidelines. Maintenance of the vacant lot remains the responsibility of the owner or person in control. If repaired, the premises will be restored to a safe condition, free from any public nuisance, and the director of buildings and inspections will certify the costs incurred to the city treasurer for payment.

1101-57.6 Recovering Demolition or Repair Costs: The city solicitor, at the request of the director of buildings and inspections, shall recover the total cost of demolition and restoration or repair of the property, including the cost of service of notice and publication, from the persons on whom liability is imposed by § 1101-57.7 CBC.

1101-57.7 Liability of Owners and Persons in Control: Any person who on or after July 13, 1990 owns or is in control of a building found to be in violation of the CBC by the director of buildings and inspections pursuant to § 1101-61.1 CBC and subsequently demolished or repaired by government action pursuant to § 1101-57 CBC shall be jointly and severally liable for the costs incurred unless the building is reinspected and found to have been brought into compliance with the CBC without governmental action and the building is thereafter kept in compliance with the CBC for so long as the person retains any interest in the building.

The city solicitor may accept title to real property from any person liable for demolition or repair costs under § 1101-57.7 CBC in whole or partial settlement of that liability on being advised by the city manager that the property can be used for municipal purposes or that the city can cause the property to be rehabilitated or redeveloped if title is acquired.

1101-57.9 Administrative Stay: The owner or person in control of any building subject to demolition under § 1101-57.1(1) and § 1101-57.4 CBC may apply to the director of buildings and inspections for a stay of the demolition. The owner or person in control shall give to the city treasurer a bond in amount equal to the costs of demolishing the building and restoring the premises to a safe condition as estimated by the director of buildings and inspections conditioned on the owner or person in control causing the subject building to be brought into compliance with the CBC. The director of buildings and inspections may grant a stay for a period not to exceed 90 days on finding that the delay in demolition will not pose an imminent peril to the public. The director of buildings and inspections may extend a stay for an additional 90 days on being satisfied that the owner or person in control is diligently causing the building to be brought into compliance with the CBC. If the owner or person in control fails to bring the building into compliance with the CBC within the period of the stay the bond shall be forfeited. The director of buildings and inspections shall then demolish or repair the building and restore the premises to a safe condition, free from any public nuisance, and certify the costs incurred to the city treasurer for payment.

1101-57.9.5 Stay of Demolition or Repair of Buildings Under Contract for Rehabilitation With the City: The owner or person in control of any building subject to demolition or repair under § 1101-57.1(1) and § 1101-57.4 CBC who has a contract in effect with the city for the rehabilitation of that building or who has applied to the city for rehabilitation assistance may apply to the director of buildings and inspections for stay of demolition or repair by governmental action. If the contract is in effect the director of buildings and inspections may issue the stay for as long as the owner is not in default of the contract. The director of buildings and inspections may issue a stay to a person who has applied to the city for rehabilitation assistance if the city manager or city manager's designee ~~director of community and economic development~~ endorses the application for stay and states that the city is likely to enter into a rehabilitation contract within the next 90 days. If the application is rejected the stay shall terminate.

1101-57.10 *Appeals*: Any person affected by any order or decision of the director of buildings and inspections made pursuant to § 1101-57 CBC may appeal in the manner as provided by law.

Section 5. That the City Manager or the City Manager's designee is hereby designated as housing officer, as such term is defined in Ohio Revised Code Section 3735.65(A), for the City of Cincinnati Community Reinvestment Area.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to reflect the creation of the Office of Strategic Growth and the Department of Opportunity and Residential Services, and the elimination of the Department of Community and Economic Development to ensure efficient operation of the City's development and incentives programs.

Passed: April 29, 2026

Jan Michele Lemo Kearney
VICE Mayor

Attest: City Clerk
Clerk

Deletions are indicated by strikethrough; additions are indicated by underline.

I HEREBY CERTIFY THAT ORDINANCE NO 122-2026
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 5/12/2026
City Clerk
CLERK OF COUNCIL