



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final

Healthy Neighborhoods

Chairperson, Jan-Michele Kearney
Vice Chairperson, Victoria Parks
Councilmember Reggie Harris
Councilmember Scotty Johnson

Tuesday, October 31, 2023

12:30 PM

Council Chambers, Room 300

PRESENTATIONS

Busy Being Kids Yoga

Emily Hunt, Owner

From Fatherless to Fearless

Candice Crear, Founder & CEO

Guiding Light Mentoring

Latisha Owens, Founder & President

Cincinnati Recycling and Reuse Hub

Colleen McSwiggin, Executive Director, Recycler-in-Chief

City of Cincinnati

Brooke Lipscomb, Place Based Initiatives Manager

AGENDA

- [202302291](#) **PRESENTATION**, submitted by Vice Mayor Kearney from Emily Hunt, Owner of Busy Being Kids Yoga titled, The Being Project Social Emotional Learning.
Sponsors: Kearney
Attachments: [Presentation](#)
- [202302282](#) **PRESENTATION**, submitted by Vice Mayor Kearney from Candice Crear Founder & CEO, titled From Fatherless to Fearless.
Sponsors: Kearney
Attachments: [Presentation](#)

3. [202302285](#) **PRESENTATION**, submitted by Vice Mayor Kearney from Latisha Owens, Founder & President, Guiding Light Mentoring, titled Guiding Light Mentoring Looking Toward a Brighter Future.
- Sponsors:** Kearney
- Attachments:** [Presentation](#)
4. [202302283](#) **PRESENTATION**, submitted by Vice Mayor Kearney from Colleen McSwiggin, Executive Director, Recycler -in-Chief, titled Cincinnati Recycling & Reuse Hub.
- Sponsors:** Kearney
- Attachments:** [Presentation](#)
5. [202301084](#) **PRESENTATION**, submitted by Vice Mayor Kearney from Greg Pipkins, Co-Founder & CEO, Kept House Estate Sales Company titled, Kept House Estate Sales Company The thoughtful estate sales company.
- Sponsors:** Kearney
- Attachments:** [Presentation](#)
6. [202302162](#) **MOTION**, submitted by Mayor Aftab Pureval, Vice Mayor Kearney and Councilmembers Johnson and Parks, **WE MOVE** that the administration rename The Office of Human Relations to The Office of Equity and realign its missions. That mission and office should include the following: 1. Focusing on and prioritizing closing the racial wealth gap in The City of Cincinnati. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).
- Sponsors:** Mayor, Kearney, Johnson and Parks
- Attachments:** [202302162](#)
7. [202300324](#) **MOTION**, submitted by Vice Mayor Kearney and Councilmembers Parks and Walsh, **WE MOVE** that the City Administration create a bonding program for MBE and WBE contractors who have proven themselves with the City through previous project completions in order to overcome one of the major barriers to equitable opportunities. The City Administration should consider self-bonding, working with bonding agencies and/or co-signing for first-time bonds when the MBE and WBE company meets the City's pre-determined qualifications such as *successfully* completing projects for the City totaling at least \$1 million and limiting the upper end of our bonding threshold. Successful completion of projections should be clearly defined as approval by the City Manager's Office. **WE FURTHER MOVE** that City Council receive a report at quarterly on MBEs and WBEs that have participated in the City's bonding program, and the status of the projects, in order to assess the efficacy of the City's bonding program. (STATEMENT ATTACHED)
- Sponsors:** Kearney, Parks and Walsh
- Attachments:** [Motion](#)
8. [202302196](#) **ORDINANCE (EMERGENCY)**, submitted by Vice Mayor Kearney, from Emily Smart Woerner, City Solicitor, **DECLARING** that the crosswalk across Warsaw Avenue at the intersection of McPherson Avenue in the East Price Hill neighborhood shall hereby receive the honorary, secondary name of "Ventura Navarro Crossing" in honor of Federico Ventura Navarro who was hit by a car

while crossing Warsaw Avenue, as a reminder of the necessity to know and observe road and traffic regulations, and in recognition of his contributions as a business owner to the Cincinnati community.

Sponsors: Kearney

Attachments: [Transmittal](#)
[Ordinance](#)

9. [202302207](#) **ORDINANCE** submitted by Mayor Aftab Pureval, on 10/18/2023, **MODIFYING** the provisions of Chapter 1117, "Housing Code," of the Cincinnati Municipal Code by **AMENDING** Section 1117-53, "Vacant Lots," of the Cincinnati Municipal Code to provide those City officials charged with enforcement of the health code, building and housing codes, and quality of life regulations with additional tools to address nuisance conditions associated with illegal dumping and protect the public health, safety, and welfare.

Sponsors: Mayor

Attachments: [Transmittal](#)
[Ordinance](#)

10. [202302209](#) **ORDINANCE** submitted by Mayor Aftab Pureval, on 10/18/2023, **MODIFYING** the provisions of Title VII, "General Regulations," of the Cincinnati Municipal Code by **AMENDING** Section 729-7, "Setting Out Containers," to ensure the clean and safe storage of garbage containers and dumpsters throughout Cincinnati.

Sponsors: Mayor

Attachments: [Transmittal](#)
[Ordinance](#)

11. [202302212](#) **ORDINANCE** submitted by Mayor Aftab Pureval, on 10/18/2023, **ORDAINING** new Section 729-31, "Impoundment of Motor Vehicles Used to Facilitate Illegal Dumping," of Chapter 729, "Waste Disposal," of the Cincinnati Municipal Code; **MODIFYING** the provisions of Chapter 513, "Impoundment of Motor Vehicles," of the Cincinnati Municipal Code by **AMENDING** Section 513-1, "Impoundment of Motor Vehicles," Section 513-5, "Notice of Impoundment," Section 513-7, "Impounding Fees," Section 513-9, "Appeal Procedure," and Section 513-11, "Sales of Impounded Vehicles"; **MODIFYING** the provisions of Chapter 515, "Parking Infractions; Collections Procedure," of the Cincinnati Municipal Code by **AMENDING** Section 515-9, "Impoundment and Immobilization"; and **MODIFYING** the provisions of Chapter 729, "Waste Disposal," of the Cincinnati Municipal Code by **AMENDING** Section 729-30, "Dumping Prohibited," to permit impoundment of vehicles used to facilitate illegal dumping and to conform the Cincinnati Municipal Code to the policies and procedures of the City with respect to parking

violations.

Sponsors: Mayor

Attachments: [Transmittal](#)
[Ordinance](#)

12. [202201723](#) **ORDINANCE (EMERGENCY)**, submitted by Vice Mayor Kearney, from Emily Smart Woerner, Interim City Solicitor, **ESTABLISHING** the Diversity, Equity, Inclusion and Accessibility Task Force (“Task Force”), a joint effort of the City of Cincinnati’s Office of Human Relations and Office of Aging and Accessibility, whose mission shall be to make recommendations to the Mayor, Council, and the City Manager regarding the development of a City policy on diversity, equity, inclusion, and accessibility; and **DETERMINING** that the goal of the Task Force shall be to recommend policy initiatives to the Mayor and Council to cultivate a diverse, inclusive, and a accessible community by ensuring equitable opportunities for all community members, whereby all community members can fully and effectively access City services, influence City policy, and feel a sense of belonging and safety, and to make specific recommendations to the City Manager for methods by which to accomplish the policy initiatives to cultivate a diverse, inclusive, and accessible community.

Sponsors: Kearney

Attachments: [Transmittal](#)
[Ordinance](#)

ADJOURNMENT



Enhancing classroom focus and peace of mind since 2017

Overview

SEL Support for CPS

- Ohio requires Social Emotional Learning (SEL) standards
- Concise, relatable and engaging **15-min lessons** that can be taught by Social Workers or Busy Being staff
- Ongoing maintenance for youth mental health crisis
- Educator & Social Worker burnout



Products & Services

- Professional Development Trainings
- K-12 SEL Curriculum
- Hands-on SEL classes for children
- Workbooks for children, original songs, "Box of Tricks" & other materials



87
SCHOOLS

1,400+
CHILDREN

315
TEACHERS



Riverview East Academy: CPS Pilot Program

- **96% poverty | 60% black | 18 suicide assessments this year**

Benefits from entire school receiving SEL, rather than designated groups

- **K-2: Surrounding Neighborhood | 7-12: School of Choice**

High School students travel via metro from all neighborhoods, primarily West Side and Mt. Washington

Riverview East Academy: Preassessment Statistics

- **91% of students ask for more education on wellness and mental health**

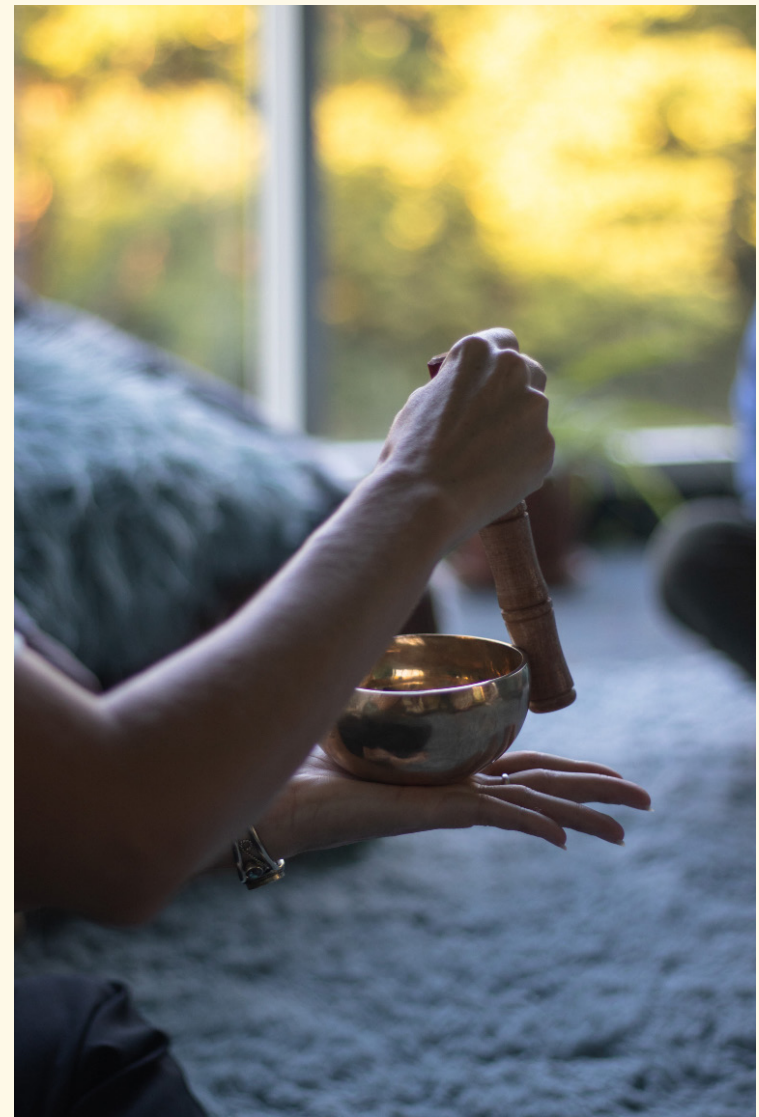
Each child at Riverview East receives 30 minutes of SEL and wellness classes per week

- **Anxiety is the #1 issue that makes coming to school difficult for children**

Our program relieves anxiety by practicing self-regulation exercises and building community



Calm Room



K-2 SEL: Curriculum Sample Pages

Introduction for Teachers:

Facilitators: the most important thing is that you approach this with your own heart. Use short stories from your experience, ask the children your own questions if you find better ones, and truly let each lesson be guided by you.

Stay strong in your personal practice of self care so you can continue learning and growing as a unique teacher. You will more deeply understand the benefits of what you are sharing...and HAVE FUN.

And now to the lesson structure..

1. IF POSSIBLE, HOST EACH SESSION IN A CIRCLE, SITTING ON THE GROUND. THIS HELPS EVERYONE SEE EACH OTHER AND FEEL LIKE THEY'RE ON THE SAME LEVEL.
2. A LIGHT BLUE BAR GIVES THE OPTION TO BRING THE MATERIAL A BIT DEEPER. A DARKER BLUE BAR BRINGS IT DEEPER THAN THAT.
3. START AND END EACH AND EVERY LESSON THE SAME WAY, LIKE TWO PIECES OF BREAD ON A SANDWICH. THERE IS ALWAYS BREAD ON A SANDWICH, OR IT'S NOT A SANDWICH.

The “Bread” of Each Lesson:

Besides taking care of your own heart, the most important aspect of this curriculum is the “bread” of each lesson. **Every lesson begins and ends the same way:**

BREAD: 2 MINUTES

Focus Seat with 3 Deep Breaths (Video in Google Drive)
Busy Being Right Here (Video in Google Drive)

SANDWICH CONTENT: 10 MINUTES

Lesson: Discussion/Activity

BREAD: 3 MINUTES

Stillness Stone

1. Each student may choose to stay in a seat or lay on their back.
2. Let them know that you will come around to pass out Stillness Stones.
3. If they are in a seat, they will balance the Stillness Stone on their knee.
4. If they are on their back, they will balance the Stillness Stone on their forehead.
5. Let them know that you will place the Stillness Stone for them, or they can hold their hand out if they prefer.
6. As they balance their Stillness Stones, guide one of the 3 experiences below:
 - A. Secret Garden Recording (in Google Drive)
 - B. Guided Meditation of your choice
 - C. 5 deep breaths—filling up their belly on the inhale, and emptying on the exhale.

Before you get started:

Before the following lessons are incorporated, let the first 3-5 lessons simply be an open conversation. Get to know your students and explain why you're there through questions like the ones below.

BREAD: 2 MINUTES

Focus Seat with 3 Deep Breaths (Video in Google Drive)
Busy Being Right Here (Video in Google Drive)

SANDWICH CONTENT: 10 MINUTES

Lesson: Discussion/Activity: Before you start the lessons in the curriculum, facilitate open conversation about SEL with the group first—with questions such as these:

1. Raise your hand quietly if you've heard of Social Emotional Learning.
2. Raise your hand quietly if you want to explain what you think that is.
3. Raise your hand quietly if you want to explain why you think Social Emotional Learning is important in school.
4. Raise your hand quietly if you want to share what you think is the most difficult part about school.
5. Raise your hand quietly if you want to share your favorite part about school.

Throughout the first several lessons, continue to explain what SEL is and why you are there to teach it to them.

BREAD: 3 MINUTES

Stillness Stone



K-2 SEL: Curriculum Sample Pages

COMMUNITY, RULES, & AGREEMENTS

Lesson 1:

D3. 3a: Apply listening and attention skills to identify the feelings and perspectives of others & C4. 3a: Recognize others' personal space and boundaries

Materials:

1. **Box of Tricks:** Glitter Jar (Mason jar with glitter and water) as a Talking Piece/Microphone

FOCUS SEAT, DISCUSSION:

Guide: We sit in a circle because we're all equal: no one's in the front or back. 3 rules for our circles are as follows:

1. **Respect the person talking with the Glitter Jar (Talking Piece):** You can share or simply shake the glitter jar and choose not to share. In a circle everyone is equal and we respect each other. Listen closely to what each person says, without thinking of what you'll say next.
2. **Try your best to stay in the circle to listen the whole time.** You don't have to share anything or participate in an activity that doesn't make you feel comfortable but do your best to stay present. If you really need space, tell the teacher.
3. **Anything that is shared in the circle stays in the circle.** We keep this information within this group, we do not share or gossip outside of our circle.

Lesson 2:

Materials:

1. **Box of Tricks:** Singing Bowl

ACTIVITY:

Guide: Practice mindful listening with a singing bowl: Raise your hand when you hear the sound appear and close your fist when it totally goes away.

Play singing bowl 1-3 times.

Guide: Imagine if we listened that closely to each other.

Teacher's Tip: If several students let the class know verbally that they can still hear the bowl, explain in more depth that we can communicate that we can still hear the bowl simply with our hands. We don't have to always use our voices to communicate. In fact, if everyone were to say "I still hear it," then no one would be able to hear the bowl. So try again, only communicating with your hands so we all can hear the bowl for as long as possible.

Some children may say they can still hear the bowl when the sound is completely gone, or even when your fingers are on the bowl, stopping the vibration. Show them that the sound waves don't work when your fingers are on the bowl. They also may be imagining the sound, just like they could imagine what their house looks like, or the sound of birds.

Why do you think the sound no longer works when I have my fingers on the singing bowl?

Lesson 3:

Materials:

1. **Box of Tricks:** Stillness Stones
2. **Google Drive:** Stillness Stone Meditation

ACTIVITY:

Practice self control with Stillness Stones: Recorded Meditation in Google Drive

1. Combine with **A3.3a** by explaining that respecting others' personal space helps them feel comfortable.
2. Have each child choose to either stay in a crossed-leg seat or they can choose to lie on their back.
3. Each child will get a stillness stone to rest on their knee (seated) or forehead (reclined).
4. Once the Stillness Stones are balanced, or as you are passing them out, guide them through an imaginative 3-min. story (ie. you are walking through a forest, or you just grew wings and are floating up to the clouds.) Stillness Stone Visualization Video available + a worksheet to write a prompt is on the following spread.

Teacher's Tip:

- A. Stillness stones can be small rocks, crystals, beads or another small object that can lay flat and balance easily.
- B. Children may choose to hold their hand out for the stone if they prefer
- C. Remind the children that there are 3 rules for the stillness stones to work:
 1. Be grateful for whatever color or size stone you receive.
 2. Practice stillness in your own bubble so everyone can focus on their own experience.
 3. Be totally quiet so everyone can hear the story.

Lesson 4:

C2. 2a: Identify characteristics of positive citizenship in the classroom and school

Materials:

1. **Box of Tricks:** Glitter Jar as a Talking Piece

DISCUSSION:

Guide: Positive citizenship means you help others without expecting anything in return—even without the expectation of anybody noticing.

What are some things you can do to be a positive citizen—even things in secret?

Why do you think it's sometimes harder to do nice things without being noticed?

High School SEL: Curriculum Sample Pages

Day 1:

3 THINGS I'M GRATEFUL FOR:

Intention Setting:

MY INTENTIONS FOR THIS WEEK:

Affirmations

I AM :

Day 2:

3 THINGS I'M GRATEFUL FOR:

Journal:

In order to be able to identify how we are feeling, we must first have an emotional vocabulary. Most people only know the most basic emotions that are seen on the innermost part of the wheel. Happy, sad, angry, fearful etc.

HAVE YOU EVER HAD A SITUATION WHERE YOU *COULDN'T* EXPRESS YOUR FEELINGS? (MAYBE YOU DIDN'T HAVE THE WORDS OR DIDN'T KNOW HOW YOU FELT OR DIDN'T FEEL SAFE TO SAY IT). WRITE OR DRAW ABOUT THIS MOMENT.

Riverview East Academy: Our Model

- **Every student in the school receives Tier 1 SEL for 30 minutes per week**

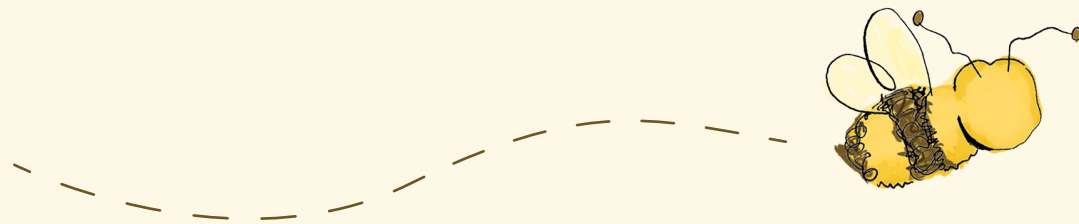
Monday & Wednesday: High School receives SEL in the morning, K-8 in the remainder of the day

- **Monitored Calm Room**

Every classroom rotates to have SEL classes in the Calm Room.

Calm Room is monitored by Busy Being staff during designated hours for students to use for self regulation

Calm Room is used by Tier 2 & 3 professionals: Social Workers, Counselors, Psychologists



“TEACHES BY EXAMPLE”

“EMILY IS A FABULOUS PRESENTER”

“CAN’T WAIT TO TAKE BACK TO MY CLASSROOM”

“PRESENTED IN A DIGESTIBLE WAY”

“THE SONGS ARE WONDERFUL”

“I SERIOUSLY HAD SO MUCH FUN”

“ENGAGING AND COMPREHENSIVE”

“BROUGHT ME BACK TO WHY I LOVE YOGA”

“REALLY EXPLAINS THINGS FROM CHILDRENS’ POINT OF VIEW”

“PUSHED ME INTO A GOOD PLACE OF CONFIDENCE”

“SO MANY GREAT STRATEGIES”

“INTERACTIVE AND ENGAGING”

“LOVED THE LIGHTHEARTEDNESS OF IT”

“DEEP RESPECT FOR CHILDREN”

“ONE OF A KIND”

Testimonials

ERIKA EICHOLTZ

XAVIER UNIVERSITY MONTESSORI LAB SCHOOL, HEAD OF SCHOOL

Emily Hunt, through her work with Busy Being Kids Yoga, has brought much needed support to our school in the area of SEL. She personally works with students in each classroom to guide them as they learn to understand and navigate their emotions, through the use of yoga, mindfulness, and many other carefully crafted materials and activities. Emily has taken the time to learn about Montessori philosophy and ensure that her approach blends in with our teaching pedagogy.

As such, this is a personalized and thoughtful approach that is already proving invaluable to our students.

ANDREA CEFALO

UNIVERSITY OF CINCINNATI ARLITT CENTER, FAMILY SUPPORT & INCLUSION COORDINATOR

A few years ago I took Emily's training to support children here who were struggling with challenging behaviors. It was incredibly helpful. Afterwards, a number of our teachers were interested as well so Emily came to train our whole staff. After Emily's training, I was inspired to continue my knowledge of yoga through an additional a 500 hour yoga certification. Since then I have done mini trainings to share the information with some of our ECE students.

Busy Being's content is something that has been shared and reshared and is just a wonderful, wonderful tool.

REBECCA WOLF

RIVERVIEW EAST ACADEMY PRINCIPAL

We are at a crisis point with the mental health of young people. I see it every day in school, each year bringing more suicide risk assessments and students who self harm. We also see it in our city; youth violence is on the rise and there have been a record-breaking number of young people shot so far this year. Young people are struggling, and it is our job to educate them, not only in academics, but also in how to be in the world.

The work that Busy Being is doing makes me optimistic that we can and will improve outcomes for young people across our city.

From Fatherless to Fearless®

www.FromFatherlessToFearless.org



OUR WHY

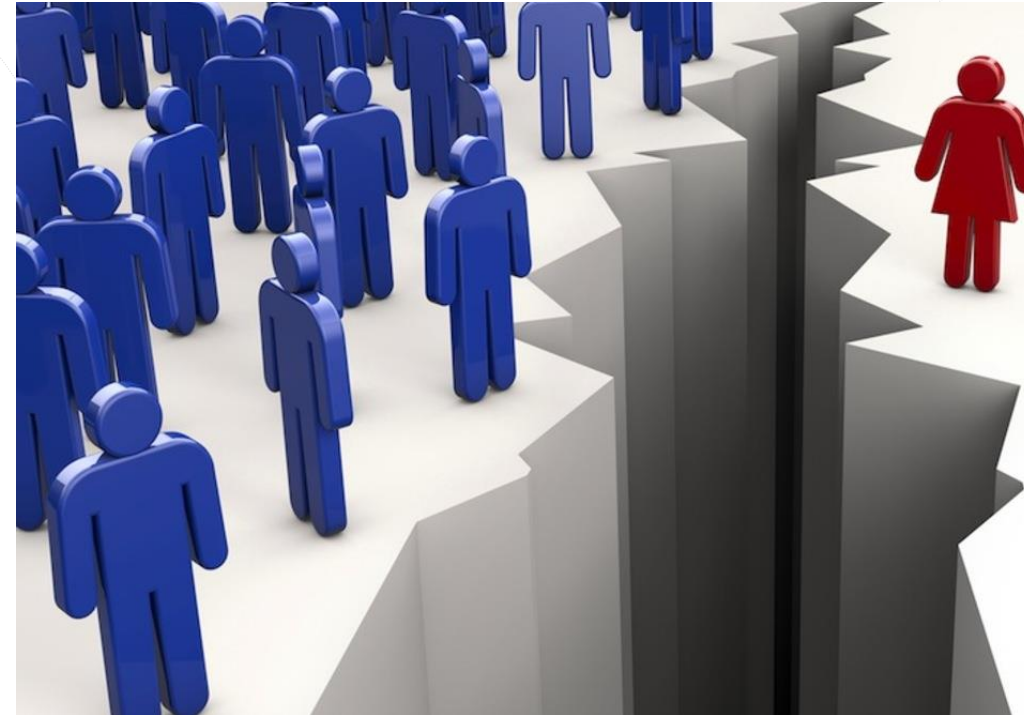
THE TIME IS NOW



Left Behind

In the United States, almost 30% of children live without a father. As they grow into adults, side effects like rejection, depression, fear, and pain take root. Although there are organizations that support fatherless children (The Fatherless Generation Foundation) and help men become better fathers (The National Fatherhood Initiative), fatherless women are being left behind.

One in three women consider themselves fatherless. This most often leads to what is called, Fatherless Daughter Syndrome. The Fatherless Daughter Syndrome is an emotional disorder that stems from issues of trust and lack of self-esteem, which leads to a cycle of repeated dysfunctional decisions in relationships with men. Fatherless women often become single parents and perpetuate the generational curse on their children.



By the Numbers: Effects of Fatherlessness



Where We Step In

With fatherlessness says considered the “new normal”, society has failed to shine the spotlight on the growing problem and financially support the solution, until now...

From Fatherless to Fearless® is an organization that wants more. We focus on providing fatherless women the tools they need to thrive. Whether their father is absent or their relationship with their father is strained, we strive to be the sisterhood organization they can lean on for resources, empowerment, and much more!



CURRENT IMPACT

ONE GIRL AT A TIME



B.R.I.D.G.E.® Program



Our core program, B.R.I.D.G.E., is a 14 or 8-week curriculum that is proven to increase:

- Student attendance
- Student grades
- Self-worth
- Forgiveness
- Emotional awareness and control
- Ability to set healthy boundaries

Meeting the Need

2023 Success

- Tripled our impact from 50 women and girls in 2022, to 150 women and girls
- Quadrupled our budget from \$60,000 in 2022, to \$250,000
- Increased the number of program partners
- Began quarterly engagement and support events for single moms to nurture their mental health and bond with their child(ren)



THANK YOU

- www.FromFatherlessToFearless.org



Candice Crear



+1 (937) 671-8899



ccrear@fromfatherlesstofearless.org

GUIDING LIGHT MENTORING

LOOKING TOWARD A BRIGHTER FUTURE



MEET THE TEAM



LATISHA OWENS
Founder & President



SUE ANNE COLLINS
Program Coordinator



RACHAEL DUBOSE
Clinical Director

ABOUT GUIDING LIGHT

- Established in 2014 by **Latisha Owens**
- Serves youth ages 8-18
- **Goal:** Support children and their families with positive role models, teaching relationships skills, and helping develop moral character
- Programs
 - Mentoring
 - Wellness
 - Tutoring
 - Leadership
 - Scholarship Opportunities
 - Case Management (TBD)



MISSION STATEMENT

Provide youth with guidance, support, and encouragement to make positive decisions that lead to a successful life.



VISION

STATEMENT

Provide the opportunity for youth to achieve their full potential to live a successful and rewarding life.

OUR SCOPE

Mentoring

- Ages 8-18
- **1:1** community-based
- **Individualized** service plan created with short/long term goals for mentees
- **Bi-monthly** group outing

Wellness

- Ages 8-18
- **Combined** with mentoring program
- **New** experiences
- **Physical**, emotional, and social health

Tutoring

- Ages 8-18
- **Academic** assistance virtually or in person
- **ONLY** for current students enrolled in the mentor program

OUR SCOPE

Leadership

- Ages 9-12
- 5-6 summer program
- Over the next couple of months, will expand to an after school program
- **Focuses** on self-esteem, relationship building, and leadership skills

Leadership Summit

- Ages 12-19
- **1-day** event that occurs every February at a local college or school
- **Theme** focused that changes each year
- **Includes** resources, food, music, workshops for both parents and students

Scholarships

- High school seniors
- **ONLY** for current students enrolled in the mentor program that have been in program for a minimum of two years

OUR SCOPE

Project E.P.I.C

- Ages 16-24
- 12-week program with hourly group sessions
- **Student** handbooks
- **30-minutes** of onsite mentoring
- **Guests** Speakers
- **Focuses** on gang & gun violence, conflict resolution, trauma, anger management, self-esteem, leadership skills and more...

Process



Workers/School complete youth referral form



Guiding Light Mentoring will request youth records, assessments, etc. for additional information if needed.



Info Session/1st day of program that leads into Youth Summit



Meet weekly for 1.5 hours for 12-weeks



Graduation/Give students certificates for completing program



Next group session to begin in November *Last session ended in August*



Youth Summit scheduled for February 10th with tentative location of The Graduate Hotel

COMMUNITY PARTNERS

Abundance University
Cincinnati Police Department Youth Division
Hamilton County Juvenile Court
Healthy Links Mental Health Agency LLC
Legacy Residential Homes
National Network of Youth Ministries
New Beginnings Church of the Living God
The Global Learning Project
Winton Woods High School

DEMOGRAPHICS

FY23

- Ages 14-24
- 52 Youth served
- 37 Male students
- 15 Female students
- 49 African American
- 2 Caucasian
- 1 Hispanic
- 39 residents of City of Cincinnati

FEEDBACK

Increased Confidence

Get along with their parents/guardians

Surround themselves with better influences

**Fewer suspensions and expulsions since
being in the program**

No new offenses while in program

Discovered something with their mentor

**Were motivated to go school or attend a
job after the program**



THANK YOU



Cincinnati Recycling & Reuse Hub

www.cintirrh.org



Healthier Environments, Healthier Communities

Environmental justice cannot be separated from social justice. The two are deeply intertwined.

— Laura Coleman

We all have a stake—equally. Because if we do not save the environment and save the Earth, then whatever we do in civil rights or in a war against poverty will be of no meaning, because then we will have the equality of extinction and the brotherhood of the grave.

— James L. Farmer, Jr.



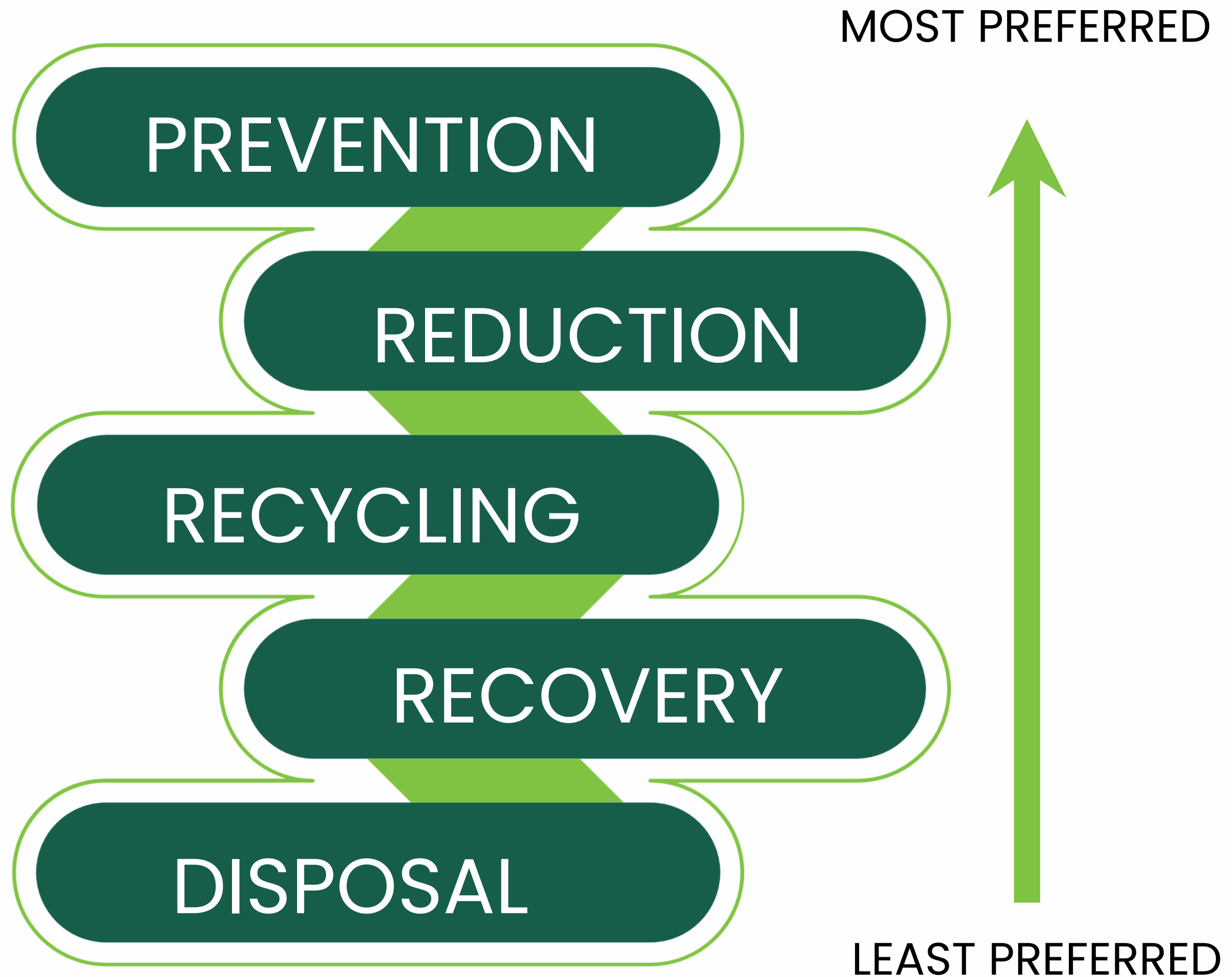
Our Mission

Our mission is to revolutionize how people think about “things” and to provide a place where almost anything can be recycled or reused.

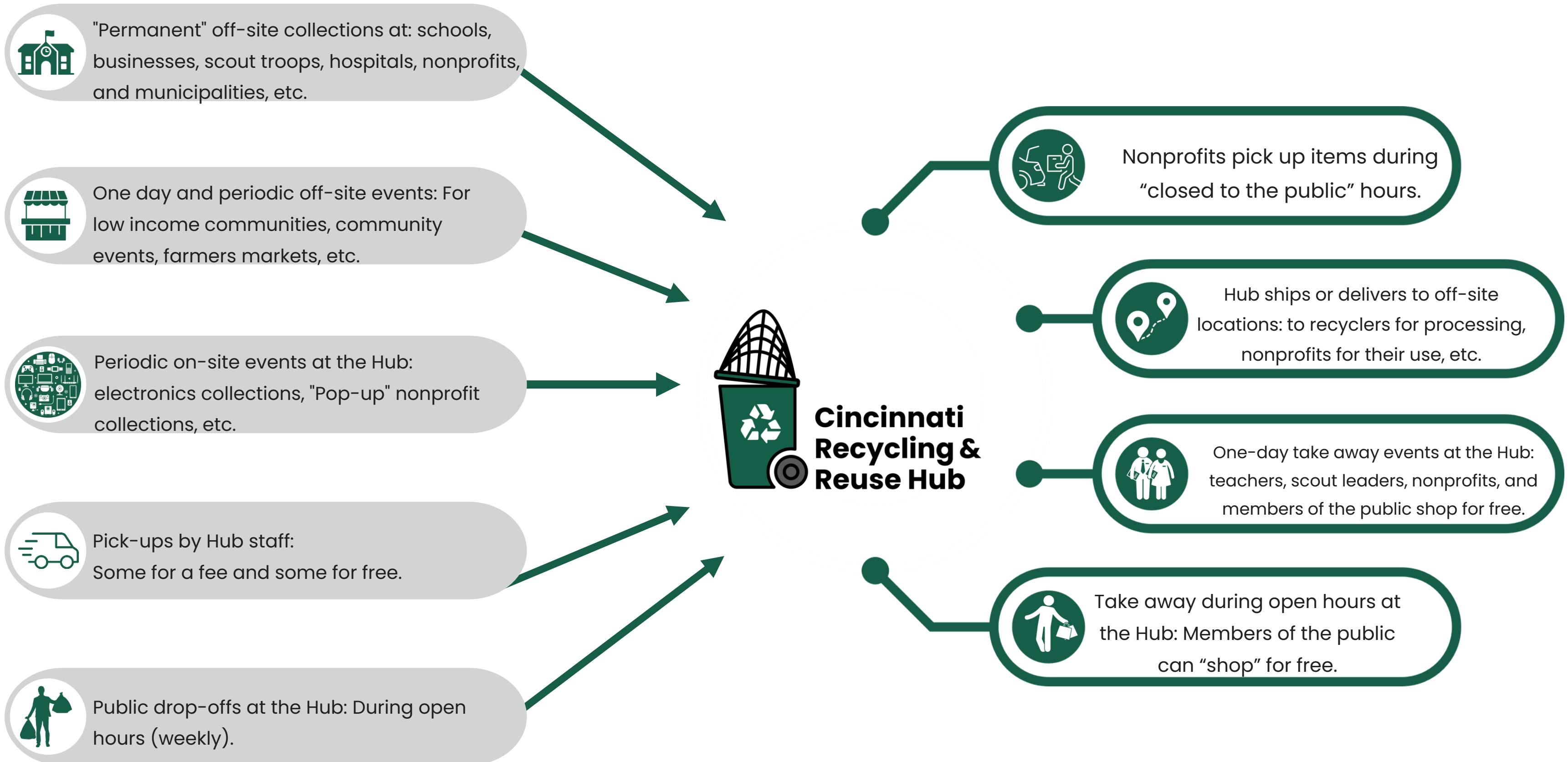


Our Goal

To help mitigate the effects of climate change by increasing recycling, reuse, and landfill diversion rates in the Greater Cincinnati area.



Arrivals & Departures: A journey to and from the Hub



Our Facility

32,000 sq ft over 3 floors in a Warehouse Space in Lower Price Hill

- 1st floor: Mini-hub for recycling drop off
- 2nd floor: Storage for baled materials as well as space for our community craft night events
- 4th floor: Reuse shop where the public can “shop” for items for free; also houses our main recycling processing facilities



What We Take at the Hub

#1-#7 rigid plastics

light bulbs

denim

office supplies

electronic media

crayons

garden pots

smoke detectors

flexible plastic film

tires

plastic cutlery

egg cartons

dried markers

styrofoam

foil-lined packing and pouches

televisions

foam sheets

eyeglasses

air pillows

tablets

plastic straws

plastic gift cards

batteries

bubble wrap

phone cases

packing peanuts

car seats (plastic parts only)

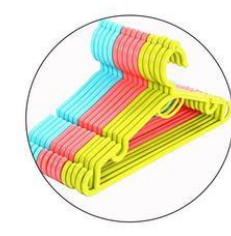
empty glue sticks

footwear in any condition

radios

old, unwearable socks

computers



Where Things Go



Referral Organizations and Community Resources



Impact

310 Tons Recycled or Reused Since April 2021

Reuse



1699 lbs of
hangers

Recycling



90+ tons of
Electronics

Reuse

1614 lbs of egg
cartons



Reuse



59 lbs of silica
packets

Recycling



Nearly 5 tons of light
bulbs and batteries
sent for recycling

Recycling

9 Semi Trailers
(approx 9 tons)
Expanded PolyStyrene
(EPS)/Styrofoam



Reuse



6.5+ tons of
school and
office supplies

Reuse



2171 lbs of packing
materials (bubble
wrap, air pillows,
packing peanuts)

Recycling

38+ tons of Plastic
unable to be
recycled curbside



Reuse

40+ tons
of architectural and design
samples (carpet squares, fabric
swatches, wallpaper books, tile
samples, etc.)



Off-Site Collections



Why Recycle Electronics?

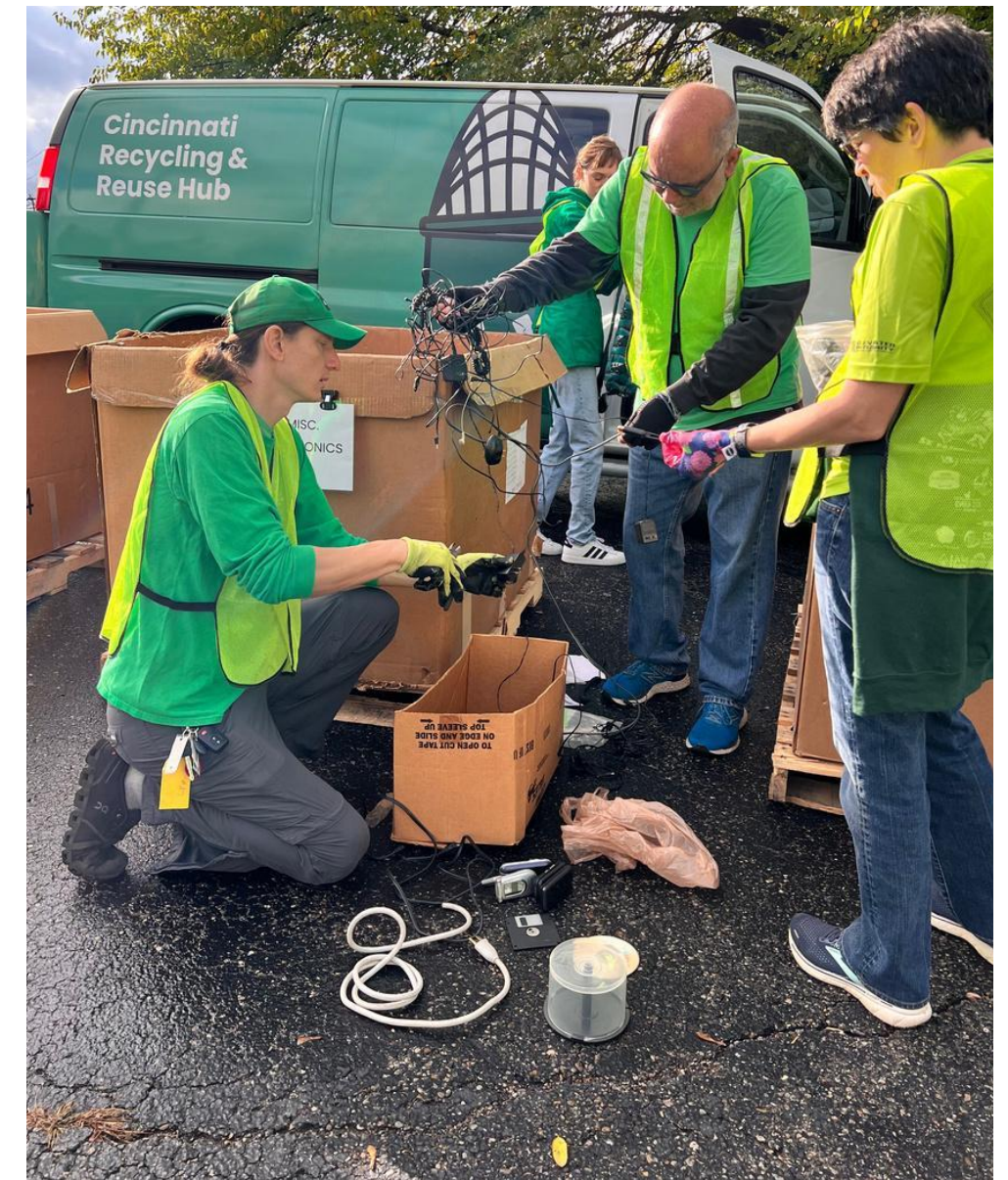
Disposal

- Hazardous Components = Risk of Environmental Contamination
- Potentially adverse health effects
- Risks of Fires
- CRT TVs: lead, mercury, cadmium, barium
- Fluorescent lightbulbs: mercury
- Batteries: mercury, zinc, manganese, cadmium, lithium, nickel

Lincoln Heights Electronics Event October 2023



Grant funded event in partnership with Accenture, Avon-Miami Charities, and the Village of Lincoln Heights



45 Vehicles totaling 4,300 lbs of electronics collected



1,300lbs CPUS



900lbs Printers & E-Media

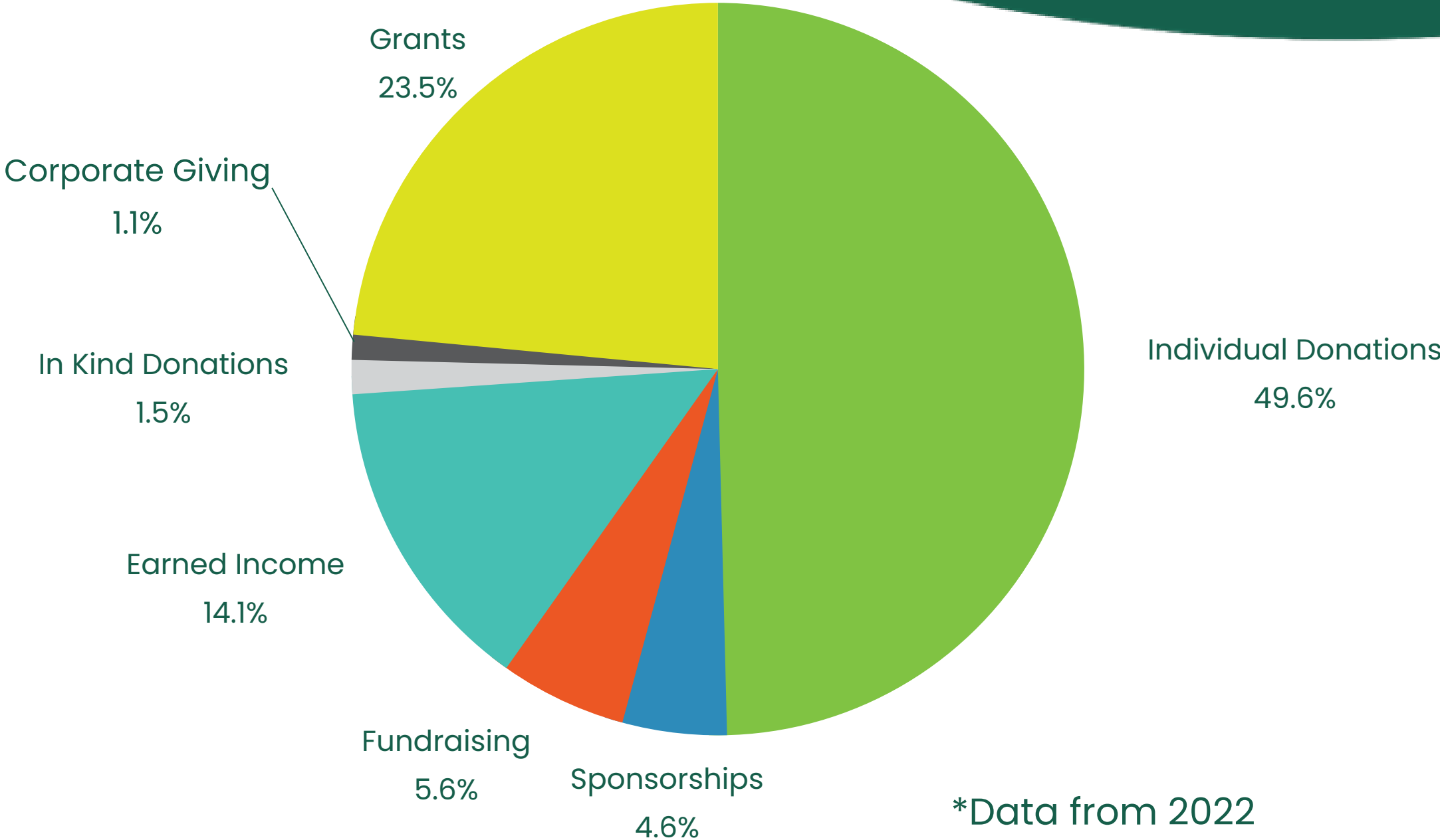


1800lbs TVs

How We Are Funded

- Individual Donors
- Grants
- Sponsorships
- Recycling Fees
- Other Programs (ex. TerraCycle)

We are primarily volunteer based with just 11 paid employees.



How You Can Help

Recycle with Us! Recycling Drop Off Thursday 12-6 and Saturday 10-2

Shop our Reuse Space

Connect us with potential sponsors/funding

Spread the Word: Tell a friend/family member, Google/Facebook Review, Share our Social Media and Blog Posts

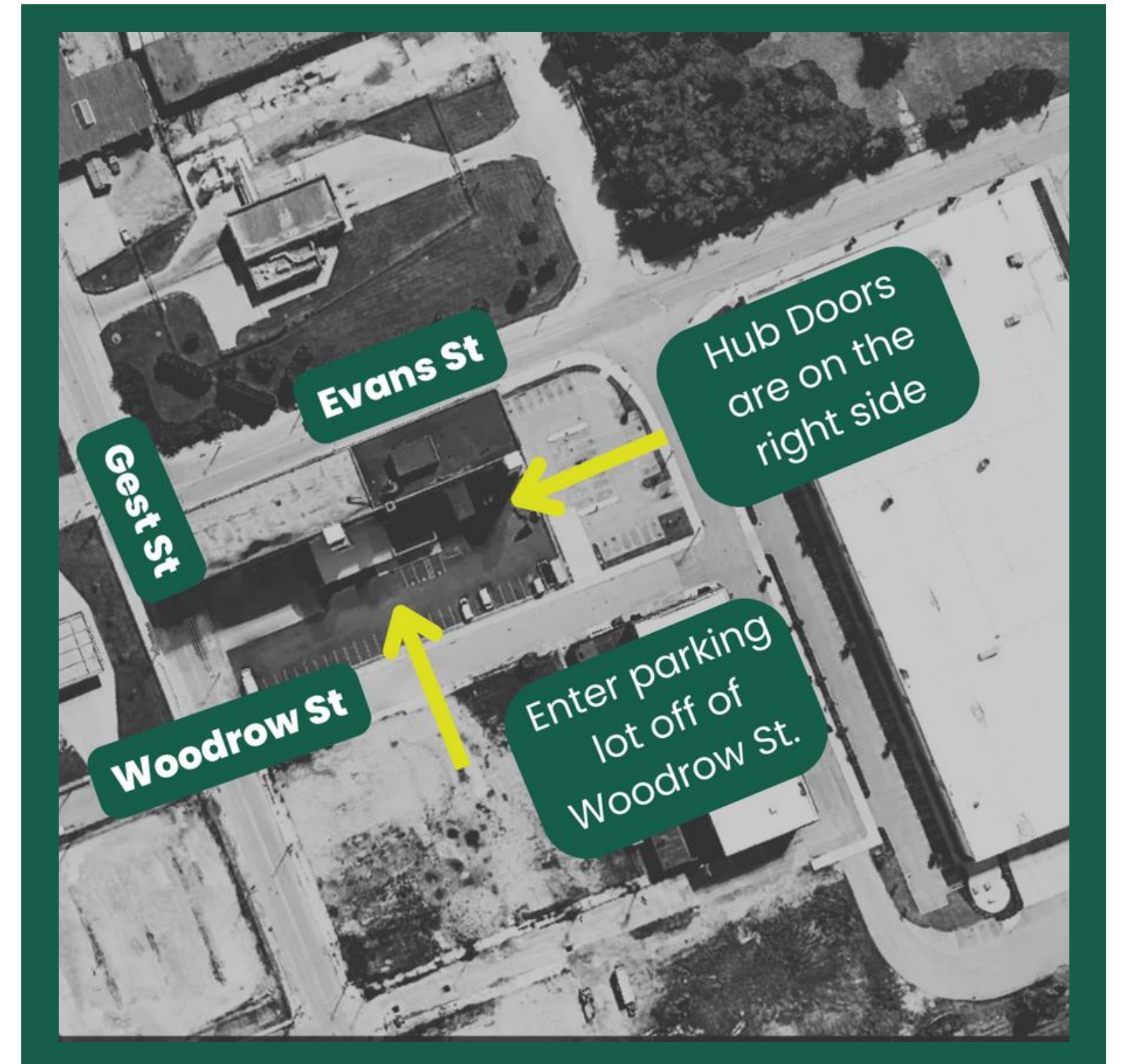
VOLUNTEER
WITH US



Visit Us



911 Evans Street Cincinnati, Ohio 45204



Colleen McSwiggin

Executive Director, Recycler-in-Chief



513-484-0112



www.cintirrh.org



executivedirector@cintirrh.org



911 Evans Street Cincinnati, Ohio 45204



<https://www.facebook.com/CintiRRH>



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CAMPAIGN

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The thoughtful estate sales company.

www.keptestate.com
513.609.4731



The problem heard ...

Do your members struggle with downsizing or conducting a liquidation process during life transitions?



The Kept House Solution

Kept House Estate Sales Company provides a variety of liquidation services and support when a big move is coming. We pride ourselves in being the most thoughtful resource for life's biggest transitions.

www.keptestate.com

We began as a desire to help family during the overwhelming process of transitioning "Grandma's" estate, and it remains important to us to intentionally listen to the needs of all of our clients and package tailor-made solutions.

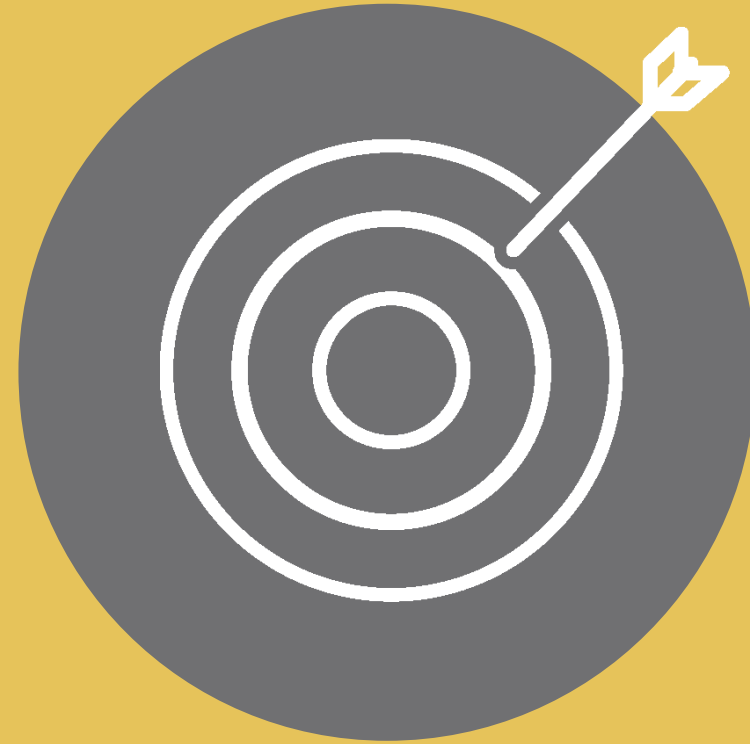
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513.609.4731

OUR PACKAGE OF SERVICES



Valuation & Campaign

Each lead receives a free consultation. Clients' inventories are priced and marketed to Kept House followers and target audiences.



Estate Sale & Auction

Target marketing and promotion for in-person and online sales driving buyers to the estate.



Donation & Clearout

Clients receive sale proceeds. donations are made, and the home is cleared.

TAMMY & MINDY, AMBERLEY VILLAGE OH

www.keptestate.com
513.609.4731

05



Tammy and Mindy were the executors of their parent's estate in Amberley Village OH, a 5 bedroom 3.5 bath 4800 sq ft home and all of its contents. They wanted a clear home in 5 weeks.

Kept House worked with the estate's realtor to ensure uninterrupted showings during our estate sale process. The home was cleared on time, and instead of paying to clear the home, they each received a check.

Our Value

Vision

We see a world where Kept House is at the core of the most efficient web of support as the premier player in estate transitions and global unique shopping.

Mission

Our mission is to provide the most thoughtful resource during life's biggest transitions.

OUR CLIENTS



Downsizing Seniors

Seniors looking to liquidate 50-70% of contents in their homes. Most are moving into smaller homes, assisted living facilities, or retirement communities and are looking for efficiency.



Relocating Families

Families relocating and need to liquidate 30-50% of their home's contents before moving. These clients are moving to a new city, state, or country and need to liquidate on a specific schedule.



Estate Executors

Those who are responsible for settling the affairs of a deceased person, including the distribution of assets. We work with out-of-state executors as well.



Closing Businesses

We provide Going out of Business services to organizations of a certain size needing help liquidating inventory.



Client Referral Program

www.keptestate.com
513.609.4731

Get paid when clients sign:

\$100

**Estate
Transitions**

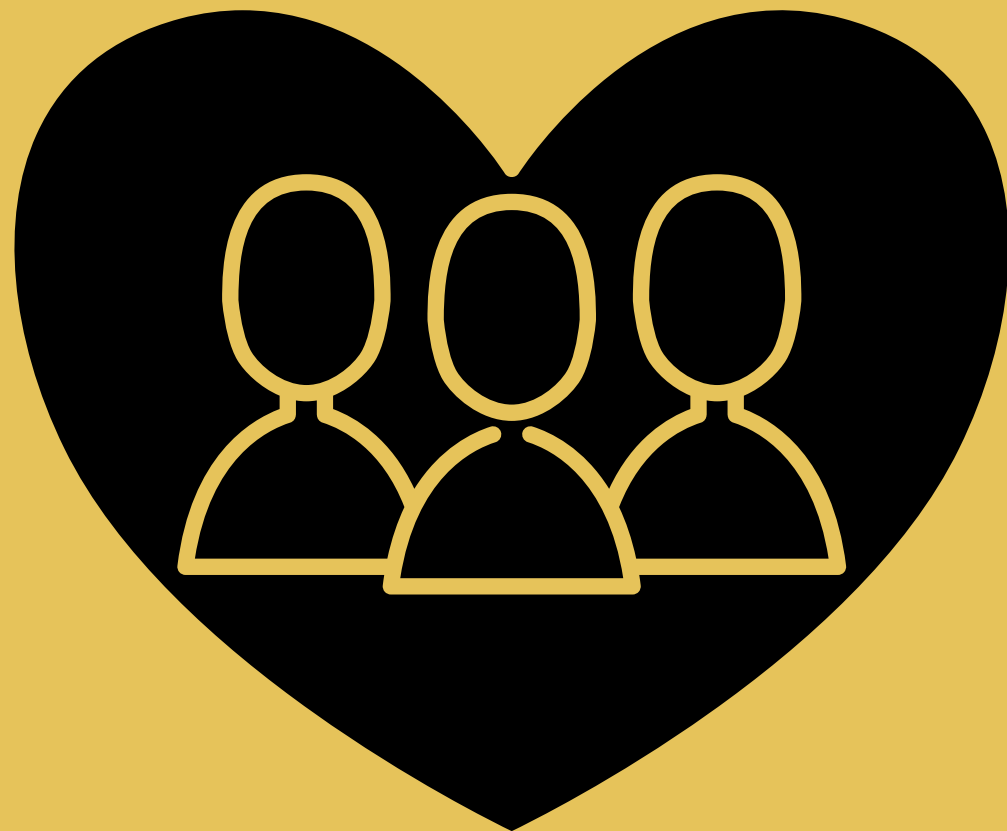
\$50

**Estate
Sale**

\$25

**Clearout
Management**

**www.keptestate.com
513.609.4731**



Association Partners



Kept House provides thoughtful and individual attention that organizations show for their members.

We partner with organizations who take care of their clients in the same thoughtful way that we do.

We are happy to work out a partnership that meets the needs of everyone.

- ✓ Referral funds available
- ✓ Client receives a smooth, hands-off transition experience
- ✓ Professional liquidation and buyer sourcing
- ✓ Keep quality goods out of the landfill



Next Steps:



- Finalize specific terms of agreement
- Receive unique referral code
- Activate referral code
- Refer individuals in your community and start earning rewards!

Thank You

www.keptestate.com
513.609.4731





Jan-Michele Lemon Kearney
Vice Mayor

October 17, 2023

MOTION

WE MOVE that the City Administration rename The Office of Human Relations to The Office of Equity and realign its mission. That mission and office should include the following:

1. Focusing on and prioritizing closing the racial wealth gap in The City of Cincinnati.
2. Managing and continuing to execute the Mayor’s Financial Blueprint Plan by (but not limited to):
 - a. Identifying annual targets for each fiscal year.
 - b. Identifying innovative strategies to achieve the targets within that fiscal budget year.
 - c. Reporting on the process of those targets at the end of each fiscal year including the amount of resources allocated to those targets.
 - d. Holding community engagement sessions to update, educate and receive feedback on the City efforts.
3. Annually monitoring and reporting on the progression of closing the racial wealth gap including budget recommendations, best practices across the country with innovation at the forefront. The report should include but not be limited to a presentation before City Council and community members.
4. A community advisory committee, consisting of seven (7) members and appointed by the City Manager pursuant to a transparent application process, shall assist the Office of Equity in its efforts to close the racial wealth gap.

Mayor Aftab Pureval

Councilmember Scotty Johnson

Jan-Michele Lemon Kearney

Vice Mayor Jan-Michele Lemon Kearney

President Pro Tem Victoria Parks

STATEMENT

The Financial Blueprint does a thorough job of tracing the history of the racial wealth gap, identifying the major drivers behind the gap, and identifying some initial action steps in the 2024 budget year that will start addressing the gap. City Council commits to continual improvement on closing the wealth gap. To build on the work done in creating the Financial Blueprint, City Council must establish a system for ongoing research and assessment of progress, as well as advice and dialogue with the public through a community advisory council.

City of Cincinnati
Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

January 6, 2023

MOTION

Equitable Development: Cincinnati Bonding Program

WE MOVE that the City Administration create a bonding program for MBE and WBE contractors who have proven themselves with the City through previous project completions in order to overcome one of the major barriers to equitable opportunities. The City Administration should consider self-bonding, working with bonding agencies and/or co-signing for first-time bonds when the MBE or WBE company meets the City's pre-determined qualifications such as *successfully* completing projects for the City totaling at least \$1 million and limiting the upper end of our bonding threshold. Successful completion of projects should be clearly defined as approval by the City Manager's Office.

WE FURTHER MOVE that City Council receive a report at quarterly on MBEs and WBEs that have participated in the City's bonding program, and the status of the projects, in order to assess the efficacy of the City's bonding program.

Handwritten signature of Councilmember Seth Walsh in blue ink.

Councilmember Seth Walsh

Handwritten signature of President Pro Tem Victoria Parks in blue ink.

President Pro Tem Victoria Parks

Handwritten signature of Vice Mayor Jan-Michele Lemon Kearney in blue ink.

Vice Mayor Jan-Michele Lemon Kearney

STATEMENT

Many smaller minority-owned and women-owned companies face the barrier of being unable to secure bonds, and as a result, they are prevented from participating in larger projects. The inability to secure bonding is the major barrier to growth for many contractors. Examples of reasons for denial include inadequate cash savings and/or credit scores. And yet, neither cash savings nor credit scores can improve without the opportunity to work on larger, more lucrative projects.

Councilmember Seth Walsh is intimately familiar with the “glass ceiling” that creates a barrier to growth for MBE and WBE contractors through his years of experience leading the College Hill Community Urban Redevelopment Corporation. In his experience a critical hurdle that smaller contractors must overcome is securing bonding for the first time. Subsequent bonding follows more easily.

Simultaneously, the City provides funding for smaller neighborhood projects each year that struggle to find quality contractors to work with in order to complete the projects in a timely and high quality manner.

Therefore, a program by the City to help contractors overcome the hurdle of first-time bonding, while incentivizing participation in smaller projects with the City, would create equitable opportunities for growth for MBE and WBE contractors.

The City’s bonding program should include clear, pre-determined qualifications such as the successful completion of projects for the City, such as completing projects totaling at least \$1 million. City Administration should be able to determine companies that are ready for larger projects and eligible for the City’s bonding program, being mindful to keep the City’s liability to a minimum. Criteria must be clear so that contractors understand the steps they must take to become eligible.

City Council should receive a report at least semi-annually on MBEs and WBEs that have participated in the City’s bonding program, and the status of the projects, in order to assess the efficacy of the City’s bonding program.

CAL → Budget & Finance
J-mck

202307196

Date: October 18, 2023

To: Vice Mayor Jan-Michele Lemon Kearney
From: Emily Smart Woerner, City Solicitor *ESW*
Subject: **Emergency Ordinance – Honorary Secondary Street Name “Ventura Navarro Crossing”**

Transmitted herewith is an emergency ordinance captioned as follows:

DECLARING that the crosswalk across Warsaw Avenue at the intersection of McPherson Avenue in the East Price Hill neighborhood shall hereby receive the honorary, secondary name of “Ventura Navarro Crossing” in honor of Federico Ventura Navarro who was hit by a car while crossing Warsaw Avenue, as a reminder of the necessity to know and observe road and traffic regulations, and in recognition of his contributions as a business owner to the Cincinnati community.

ESW/JRS (dmm)
Attachment
391234

EMERGENCY

City of Cincinnati

JRS

EESW

An Ordinance No. _____ - 2023

DECLARING that the crosswalk across Warsaw Avenue at the intersection of McPherson Avenue in the East Price Hill neighborhood shall hereby receive the honorary, secondary name of “Ventura Navarro Crossing” in honor of Federico Ventura Navarro who was hit by a car while crossing Warsaw Avenue, as a reminder of the necessity to know and observe road and traffic regulations, and in recognition of his contributions as a business owner to the Cincinnati community.

WHEREAS, Federico Ventura Navarro came to America from Guatemala in 1991; and

WHEREAS, Mr. Navarro opened his store, Tienda Julia, a decade later in 2001; and

WHEREAS, Tienda Julia serves the Hispanic community by providing traditional ingredients and products not offered by standard grocery stores; and

WHEREAS, Mr. Navarro became a beloved businessman and member of the East Price Hill community, and was known for his kindness and friendliness; and

WHEREAS, Mr. Navarro was tragically struck and killed in a hit and run vehicle collision at the intersection of Warsaw Avenue and McPherson Avenue; and

WHEREAS, At the time of his death, Mr. Navarro was actively working in conjunction with the East Price Hill Improvement Association Community Council to address pedestrian safety concerns on Warsaw Avenue; and

WHEREAS, Mr. Navarro is remembered for his friendliness and being a loving family man, and is survived by his wife and three children who still own Tienda Julia today; and

WHEREAS, Council, together with Mr. Navarro’s loving and dedicated family, wishes to honor his memory by placing an honorary, secondary name on the crosswalk across Warsaw Avenue at the intersection of McPherson Avenue in the East Price Hill neighborhood; and

WHEREAS, by this action, Council and Mr. Navarro’s family further seek to increase education and awareness of pedestrian safety issues in the hope that future tragedies of this type are prevented; now, therefore,

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

Section 1. That the crosswalk across Warsaw Avenue at the intersection of McPherson Avenue in the East Price Hill neighborhood shall hereby receive the honorary, secondary name of

“Ventura Navarro Crossing” to honor Federico Ventura Navarro and to serve as a reminder of the necessity for both drivers and pedestrians to know and observe road and traffic regulations and in honor of Mr. Navarro’s contributions to the Cincinnati business community and the East Price Hill neighborhood.

Section 2. That the appropriate City officials are hereby authorized to do all things necessary and proper to implement the provisions of Section 1 herein, including the generation and installation of appropriate secondary street signage, which shall designate the crosswalk across Warsaw Avenue at the intersection of McPherson Avenue as “Ventura Navarro Crossing” in accordance with the Department of Transportation and Engineering’s procedures relating to street designation and related signage.

Section 3. That a copy of this ordinance be sent to the family of Federico Ventura Navarro via the office of Vice Mayor Jan-Michele Lemon Kearney.

Section 4. 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 allow the Department of Transportation and Engineering to move forward with the administrative requirements related to the honorary naming of streets to provide for the ceremony and dedication of the honorary name at the earliest possible time.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: October 18, 2023

To: Members of City Council
From: Mayor Aftab Pureval
Subject: ORDINANCE – Fence Nuisance Properties

Attached is an ordinance captioned as follows:

MODIFYING the provisions of Chapter 1117, “Housing Code,” of the Cincinnati Municipal Code by **AMENDING** Section 1117-53, “Vacant Lots,” of the Cincinnati Municipal Code to provide those City officials charged with enforcement of the health code, building and housing codes, and quality of life regulations with additional tools to address nuisance conditions associated with illegal dumping and protect the public health, safety, and welfare.

The purpose of this ordinance is to amend existing legislation to provide a more specific and effective program regarding fencing of vacant lots with chronic nuisance violations. The department often notes chronic nuisance dumping sites are vacant and unmaintained, creating multiple citable offenses and often resulting in the city, through the Private Lot Abatement Program (PLAP) program, to clean up properties at considerable and often unrecoverable expense to the city. The department has found, through a recent pilot program, that more proactive fencing vacant properties has deterred reoccurrence of dumping and that the cost of fencing was potentially a more cost and time effective solution than the reoccurring costs to manage the multiple dumping violations. The result is a more lasting solution that reduces blighting influences that negatively impacts adjacent property owners. And given that the majority of dumping citations and chronic dumping sites are within our low-moderate income single family neighborhoods, the anticipated benefit of proactive fencing of chronic sites would be immediately apparent to the neighboring property owners and would be one tool to begin to reduce the multiple blighting influences that can negatively impact these streets and neighborhoods.

Noteworthy amendments to this ordinance from the existing law include:

- Clearer procedures on how enforcement actions are escalated on vacant lots.
- Clearer standards for fencing may be considered the most appropriate alternative.
- Provision for property owner appeals against a proposed action in a public hearing.
- Clarity that the property owner/person in control is “jointly and severally liable” for costs incurred, even if sale of the property occurs after costs are incurred.
- Authority for the department to assess a lien upon the property and seek collection through the County Auditor’s Office for the additional costs associated with fencing.

The Administration recommends passage of the attached ordinance.

cc: Art Dahlberg, Director, Buildings & Inspections

MODIFYING the provisions of Chapter 1117, “Housing Code,” of the Cincinnati Municipal Code by **AMENDING** Section 1117-53, “Vacant Lots,” of the Cincinnati Municipal Code to provide those City officials charged with enforcement of the health code, building and housing codes, and quality of life regulations with additional tools to address nuisance conditions associated with illegal dumping and protect the public health, safety, and welfare.

WHEREAS, vacant lots and unoccupied, unproductive spaces that are accessible to the public are more likely to be the source of illegal dumping and nuisance activity that is harmful to communities; and

WHEREAS, visibly designating control of and limiting access to these locations is an effective tool to prevent chronic dumping and other illegal activity; and

WHEREAS, erecting and maintaining fencing to limit access to unproductive spaces effectively prevents against the use of those spaces for illegal dumping and otherwise provides for the public welfare by reducing access to unmaintained property; and

WHEREAS, the use of fencing to prevent nuisance activity at unmaintained spaces can be more efficient and affordable than repeatedly incurring the cost of abating chronic dump sites and nuisance conditions; and

WHEREAS, the costs incurred by the City in abating nuisance conditions and illegal dump sites along Beekman Street was more than twice the expense of installing fencing; and

WHEREAS, Council finds that authorizing the use of fencing to protect against nuisance activity on vacant lots is necessary and in the interest of the public health, safety, and general welfare; now, therefore,

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

Section 1. That Section 1117-53, “Vacant Lots,” of Title XI, “Cincinnati Building Code,” of the Cincinnati Municipal Code is hereby amended as follows:

~~Sec. 1117-53. Vacant Lots.~~

~~1117-53.1 General: Whenever the maintenance of any vacant lot or lots without enclosing fences shall, in the opinion of the director of buildings and inspections, constitute a nuisance, he shall be authorized to compel the owner, person in control, or agent in charge of any such lot or lots to enclose the same with a fence. Notice of the order of the director of buildings and inspections declaring a vacant or unenclosed lot or lots to be a nuisance shall be served upon the owner, person in control, or any agent. If there is no resident owner, person in control, or agent,~~

~~the notice shall be served by mail addressed to the last known place of residence of the owner, person in control, or agent. Any owner, person in control, or agent failing to comply with such notice within 20 days from the date of serving, shall be subject to the penalty prescribed by the COBBC. In a situation of immediate danger, the director of buildings and inspections shall be authorized to cause such protective construction to be erected as he may consider necessary, and to charge the cost thereof to the owner or person in control.~~

Sec. 1117-53. – Fencing Vacant Premises.

1117-53.1 Abatement of nuisance conditions on vacant premises: The director of buildings and inspections shall be authorized to order the owner or person in control of a premises to take necessary measures, including, but not limited to, erecting fencing or posting signage on the premises, to prevent their premises from being used as an illegal dump site or for similar nuisance activity if any of the following conditions exist:

- (a) The premises is unsafe or unsanitary;
- (b) The premises has been abated at least once pursuant to Cincinnati Municipal Code Chapter 714, “Littering,” or Chapter 731, “Weed Control,”; or
- (c) The premises has been used as a dump site in violation of Section 729-30, “Dumping Prohibited,” of the Cincinnati Municipal Code.

This section shall apply only to vacant lots or lots with vacant structures.

1117-53.3 Abatement measures: The abatement measures taken by the owner or person in control in response to an order issued pursuant to Section 1117-53.1 must be approved by the director and shall be maintained until the director of buildings and inspections approves of the owner or person in control’s plan to prevent or timely abate nuisance conditions.

1117-53.5 Failure to take abatement measures: If, after service of an order issued under Section 1117-53.1, the owner or person in control fails to take abatement measures within the time provided, the director of buildings and inspections may enter the premises and undertake abatement measures, including installing fencing to protect against the creation of future nuisance conditions.

1117-53.7 Administrative procedures: Whenever premises is subject to abatement measures pursuant to Section 1117-53.1, the director of buildings and inspections shall:

- (a) Serve the owner, as determined from the official land records of Hamilton County, or person in control by personal delivery or by certified mail with a notice of intent to undertake abatement measures. If there is a vacant and unoccupied structure, the director shall also post a copy of the notice on the structure.
- (b) The notice shall set forth the street address of the premises, the date of intended entry on the premises, the right of an owner or person in control to a public hearing before the director on the necessity of the abatement measures by the director prior to the measures being taken, and the time limit for requesting a public hearing, which shall be no less than seven days after the date of the notice of intent being issued and before the date of intended entry.

- (c) If the owner or person in control requests in writing a public hearing within the time set forth in the notice of intent, the director shall refrain from fencing the premises until after the director has held a public hearing.

1117-53.9 Hearings: Whenever an owner or person in control requests a public hearing pursuant to this section, the director of buildings and inspections shall fix the time for the hearing and send notice of the hearing to the owner or person in control. The director of buildings and inspections shall conduct the hearing and receive testimony and other evidence as to whether good cause exists for the director to take abatement measures. The director shall announce the decision made at the conclusion of the hearing.

1117-53.11 Liability of Owners or Persons in Control: Any owner or person in control shall be jointly and severally liable for the costs incurred pursuant to this section.

1117-53.13 Costs as a Lien on the Land and Personal Judgment Against Owners and Persons in Control: When abatement measures have been taken in accordance with this section, the cost thereof shall be a lien on such lot or land from the date such expenses are reported to council. The clerk of council shall certify such cost to the county auditor to be placed upon the tax list and collected as other taxes are collected and returned to the City of Cincinnati in accordance with Section 715.26, Section 715.261, or Section 731.54 of the Ohio Revised Code. The cost of abatement may also be recovered by means of a judgment against the owner or person in control.

1117-53.13 Nonconformity of Order to Take Abatement Measures: Fencing may be erected pursuant to this section notwithstanding any contrary provision related to zoning or land use within the Cincinnati Municipal Code.

Section 2. That existing Section 1117-53, “Vacant Lots,” of Title XI, “Cincinnati Building Code,” is hereby repealed.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: October 18, 2023

To: Members of City Council 202302209
From: Mayor Aftab Pureval
Subject: ORDINANCE – Amending 729-7: Canister Settings

Attached is an ordinance captioned as follows:

MODIFYING the provisions of Title VII, “General Regulations,” of the Cincinnati Municipal Code by **AMENDING** Section 729-7, “Setting Out Containers,” to ensure the clean and safe storage of garbage containers and dumpsters throughout Cincinnati.

The primary purpose of this ordinance is to clarify that the existing pertaining to how waste containers are set at the curb pertain to all property owners, regardless of whether the property owner receives waste collection directly from the city’s Public Service Department or from private contractors. As the law is presently written, citations can only be written against properties occupied by 1-4 dwelling structures. The department regularly receives constituent complaints presently on multifamily, commercial, and industrial properties but has no legal recourse to remedy the situation.

The Administration recommends passage of the attached ordinance.

cc: Art Dahlberg, Director, Buildings & Inspections

MODIFYING the provisions of Title VII, “General Regulations,” of the Cincinnati Municipal Code by **AMENDING** Section 729-7, “Setting Out Containers,” to ensure the clean and safe storage of garbage containers and dumpsters throughout Cincinnati.

WHEREAS, the collection and disposal of solid waste within the city of Cincinnati is a matter that affects the public health and welfare of all local residents; and

WHEREAS, ensuring that waste containers are timely brought to and removed from the appropriate collection point is crucial to ensuring the accessibility of the City’s public rights of way; and

WHEREAS, the City of Cincinnati currently provides waste collection to certain occupied residential structures, while private waste haulers contract with property owners to provide waste collection services to commercial structures and residential structures with five or more units; and

WHEREAS, the public health and welfare is best protected by ensuring the prompt collection and removal of waste containers from all types of property regardless of whether the collection of the waste is by the City, a commercial waste collector or a private waste collector; now, therefore,

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

Section 1. That Section 729-7, “Setting Out Containers,” of Title VII, “General Regulations,” of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 729-7. Setting Out Containers.

It shall be the duty of every owner, tenant, agent, lessee, occupant, and person in charge of any and every building, premises, or place of business of any and every dwelling in the city to place all waste that is to be collected ~~by the division of sanitation~~ in properly closed containers that meet the requirements of Section 729-5. Such containers shall be placed not more than three feet from the curb or curblin in front of the building unless the owner, tenant, agent, lessee, occupant, or person in charge of the building, premises, or place of business a dwelling is notified by or receives approval from the department of public services to place the containers in another location ~~for collection~~. All containers must be set out for collection no earlier than 5:00 p.m. on the day before the scheduled day of collection, but no later than 6:00 a.m. on the day of collection. The waste containers shall in all cases be kept outside of any fence, wall, enclosure, dwelling, or building on the day of collection.

Any city resident with a physical ~~disability~~ limitation that impacts the resident's ability ~~who is unable~~ to set the week's accumulation of waste at the curb for collection ~~can~~ may receive set-out service as provided in Section 729-11 by providing written documentation of ~~his or her~~ the condition to the director of public services or ~~his or her~~ the director's designee and following procedures established by the director for requesting set-out service. The director of public services or ~~his or her~~ the director's designee will approve any request for set-out service that meets the requirements of this section.

Section 2. That existing Section 729-7, "Setting Out Containers," of Title VII, "General Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strikethrough.

Date: October 18, 2023

To: Members of City Council

From: Mayor Aftab Pureval

202302212

Subject: ORDINANCE – 729-30 Impoundment for Illegal Dumping

Attached is an ordinance captioned as follows:

ORDAINING new Section 729-31, “Impoundment of Motor Vehicles Used to Facilitate Illegal Dumping,” of Chapter 729, “Waste Disposal,” of the Cincinnati Municipal Code; **MODIFYING** the provisions of Chapter 513, “Impoundment of Motor Vehicles,” of the Cincinnati Municipal Code by **AMENDING** Section 513-1, “Impoundment of Motor Vehicles,” Section 513-5, “Notice of Impoundment,” Section 513-7, “Impounding Fees,” Section 513-9, “Appeal Procedure,” and Section 513-11, “Sales of Impounded Vehicles”; **MODIFYING** the provisions of Chapter 515, “Parking Infractions; Collections Procedure,” of the Cincinnati Municipal Code by **AMENDING** Section 515-9, “Impoundment and Immobilization”; and **MODIFYING** the provisions of Chapter 729, “Waste Disposal,” of the Cincinnati Municipal Code by **AMENDING** Section 729-30, “Dumping Prohibited,” to permit impoundment of vehicles used to facilitate illegal dumping and to conform the Cincinnati Municipal Code to the policies and procedures of the City with respect to parking violations.

The purpose of this ordinance is to provide a comprehensive update to the laws pertaining to the impoundment of vehicles within the city. This ordinance addresses concerns about the impounding procedure, impound costs and appeals processes, which are best represented by the Law and Police Departments. More importantly, for Buildings & Inspections, it provides a comprehensive new tool in our efforts to curb dumping. By expanding the impounding laws, the city can now seek to impound the vehicles causing illegal dumping. Given our use of cameras and the ability to identify vehicle license plates, we believe this measure will help curb numerous citable offenses upon vacant lots, reduce costly clean-up measures paid for by the city, and decrease blight within our low-moderate single family neighborhoods where most of these offenses occur. This new approach requires three changes outlined below:

- Sec. 729-30 pertains to vehicles engaged in dumping activity. Amendments clarify each act by a vehicle is an offense, and violations are liable for a \$1,250 fine, escalating to \$3,000 if sent to collection.
- Sec. 729-31 introduces a new section, allowing police to impound privately owned vehicles, not rental agency, or common carrier owned vehicles, that have been engaged in illegal dumping activity. It provides impounding procedures and appeals processes and notes this impoundment is in addition to fines levied by Section 729.30.
- Sec. 513-1(a)(13) adds violations of Sec 729-31 as an impoundable offense and subject to the regulations pertaining to impoundment.

The Administration recommends passage of the attached ordinance.

cc: Art Dahlberg, Director, Buildings & Inspections

ORDAINING new Section 729-31, “Impoundment of Motor Vehicles Used to Facilitate Illegal Dumping,” of Chapter 729, “Waste Disposal,” of the Cincinnati Municipal Code; **MODIFYING** the provisions of Chapter 513, “Impoundment of Motor Vehicles,” of the Cincinnati Municipal Code by **AMENDING** Section 513-1, “Impoundment of Motor Vehicles,” Section 513-5, “Notice of Impoundment,” Section 513-7, “Impounding Fees,” Section 513-9, “Appeal Procedure,” and Section 513-11, “Sales of Impounded Vehicles”; **MODIFYING** the provisions of Chapter 515, “Parking Infractions; Collections Procedure,” of the Cincinnati Municipal Code by **AMENDING** Section 515-9, “Impoundment and Immobilization”; and **MODIFYING** the provisions of Chapter 729, “Waste Disposal,” of the Cincinnati Municipal Code by **AMENDING** Section 729-30, “Dumping Prohibited,” to permit impoundment of vehicles used to facilitate illegal dumping and to conform the Cincinnati Municipal Code to the policies and procedures of the City with respect to parking violations.

WHEREAS, illegal dumping on vacant land negatively affects and contributes to blight in City neighborhoods; and

WHEREAS, the rate of illegal dumping on public and private property is a serious problem that cost the City approximately \$2,000,000 to remediate in 2021; and

WHEREAS, Council finds that current penalties are not sufficiently deterring individuals from engaging in illegal dumping and that the additional penalty of impoundment of motor vehicles involved in illegal dumping is needed to combat incidents of illegal dumping on public or private property; and

WHEREAS, appeals of the propriety of an impoundment of a motor vehicle currently are determined by the City Solicitor and appeals for parking violations are determined by the Office of Administrative Hearings; and

WHEREAS, consolidating hearings regarding infractions involving motor vehicles by having hearings on both motor vehicle impoundment and hearings regarding parking violations heard by the Office of Administrative Hearings would ensure consistent and efficient processing of appeals; now, therefore,

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

Section 1. That new Section 729-31, “Impoundment of Motor Vehicles Used to Facilitate Illegal Dumping,” of Chapter 729, “Waste Disposal,” of the Cincinnati Municipal Code is hereby ordained to read as follows:

Sec. 729-31. Impoundment of Motor Vehicles Used to Facilitate Illegal Dumping.

- (a) A police officer may impound and cause to be towed any motor vehicle when the officer has probable cause to believe that the motor vehicle was used to facilitate a violation of subsection 729-30(b).
- (b) Upon impounding the motor vehicle for violation of subsection 729-30(b), the police officer shall provide by hand delivery to any owner or person in control of the motor vehicle present at the time of impoundment the following:
 - (1) notice that the motor vehicle is impounded;
 - (2) notice of a civil offense and civil fine in accordance with Section 1501-13;
 - (3) the location of the city impound lot: and
 - (4) the right to post a cash bond pursuant to subsection 729-31(d)(1).

If the motor vehicle owner is not present to receive such notice, the police officer or agent of the city police department shall provide notice to all owner(s) of the motor vehicle at addresses set forth in the motor vehicle registration within three business days of the date of impoundment. The notice shall include the information specified in subsections (b)(1) through (b)(4) above.

- (c) The owner of the impounded motor vehicle may admit the violation of subsection 729-30(b) by paying the civil fine for the underlying Class E Civil Offense as specified in Section 1501-99, together with all towing and storage costs in accordance with Section 513-7. The motor vehicle shall be released to the owner when all civil fines and towing and storage costs are paid.
- (d) A person served with notice of a violation of subsection 729-30(b) and/or impoundment pursuant to Section 729-31(a) may answer the charge in accordance with Section 1501-15 and may request a hearing before a hearing examiner in accordance with Section 1501-17.
 - (1) The owner may secure release of the motor vehicle prior to the hearing by posting a cash bond equal to the amount of the civil fine specified in Section 1501-99 for a Class E Civil Offense, together with all towing and storage costs in accordance with Section 513-7.
 - (2) At the hearing, the city shall have the burden to show by a preponderance of the evidence that the motor vehicle was used in the commission of a violation of Section 729-30(b). It shall be an affirmative defense to this charge if the motor vehicle owner is able to establish, by a preponderance of the evidence, that the motor vehicle was stolen at the time of the commission of the offense. For

purposes of this chapter, “stolen” shall mean the trespassory taking and carrying away of the tangible personal property of another with the intent to permanently deprive the other of the property.

- (3) The hearing examiner shall issue a written decision determining whether a violation of Section 729-30(b) occurred and whether the motor vehicle was subject to impoundment pursuant to Section 729-31. If a violation is found, then the hearing examiner shall enter an order finding the person charged liable to the city for the fine specified in Section 1501-99 for the violation of Section 729-30(b), plus any and all accumulated towing and storage costs in accordance with Section 513-7.
- (4) The motor vehicle shall be returned to the owner along with any posted cash bond, costs, or fees if the hearing examiner finds any of the following:
 - (i) That the city did not meet its burden of proof as set forth in this subsection;
 - (ii) That one of the exceptions of Section 729-31(e) applies; or
 - (iii) That the motor vehicle was stolen at the time it was impounded.
- (e) No motor vehicle shall be impounded or towed pursuant to this section under either of the following circumstances:
 - (1) The motor vehicle was operating as a common carrier at the time it was subject to impoundment; or
 - (2) The motor vehicle is a rental vehicle from an automobile rental or leasing agency for a term of no more than thirty consecutive calendar days.
- (f) The impounding of any motor vehicle authorized by Section 729-31 is in addition to any civil fines authorized by Section 729-30.

Section 2. That existing Section 513-1, “Impoundment of Motor Vehicles,” Section 513-5, “Notice of Impoundment,” Section 513-7, “Impounding Fees,” Section 513-9, “Appeal Procedure,” and Section 513-11, “Sales of Impounded Vehicles,” of Chapter 513, “Impoundment of Motor Vehicles,” existing Section 515-9, “Impoundment and Immobilization,” of Chapter 515, “Parking Infractions; Collections Procedure,” and existing Section 729-30,

“Dumping Prohibited,” of Chapter 729, “Waste Disposal,” of the Cincinnati Municipal Code are hereby amended to read as follows:

Sec. 513-1. Impoundment of Motor Vehicles.

Any police officer may impound and cause to be towed any motor vehicle:

- (a) (1) Which is stolen; or
- (2) Which is parked in violation of law; or
- (3) Which is involved in an accident; or
- (4) Which has been declared delinquent because of two or more outstanding traffic capiases or two or more outstanding traffic citations which have not been paid, or a bond posted pursuant to § 513-3 of the Cincinnati Municipal Code and registered for court in accordance with the provisions of § 511-23 of the Cincinnati Municipal Code; or
- (5) Which has been declared delinquent because of two or more ~~outstanding parking judgments or two or more~~ outstanding parking infractions which have not been paid or not had a bond posted pursuant to § 515-9 of the Cincinnati Municipal Code and not been registered for hearing with the Parking Violations Bureau in accordance with the provisions of CMC §§ 515-5 and 515-6 ~~C.M.C.~~; or
- (6) Which does not display currently valid license plates; or
- (7) Which is parked so as to block ingress or egress to a street, alley, roadway, driveway, parking facility or loading facility; or
- (8) Which is in the possession of a physically arrested person; or
- (9) Which is driven by a person who is under the influence of alcohol or drugs or a combination thereof; or
- (10) Which is subject to seizure and impoundment pursuant to the provisions of § ~~910-10~~ 909-5; or
- (11) When the person in possession of a motor vehicle requests it to be impounded for safekeeping; or
- (12) Which motor vehicle was used in the commission of an offense in violation of Ohio Revised Code § 2921.331, “Failure to Comply with Order or Signal of Police Officer-”; or

(13) Which motor vehicle was used in the commission of an offense in violation of § 729-30.

(b) A motor vehicle which is subject to impoundment under items (8) or (9) above shall not be impounded if title or right to possession of the motor vehicle can be readily established, at the location where the motor vehicle is initially stopped, by either the driver of the motor vehicle, or the person in possession of the motor vehicle, or the person to whom possession of the motor vehicle is to be given if:

(1)(a) The motor vehicle can be safely and legally parked at its location;
or

(2)(b) The driver is able to arrange for someone to take care of the motor vehicle after being given a reasonable opportunity to do so; unless the driver requests that the motor vehicle be impounded for safekeeping after being advised of such driver's rights under (1a) and (2b) of § 513-1(b) above.

~~All motor vehicles impounded pursuant to (8) and (9) above shall be released without charge within 18 hours after impoundment where special equipment or handling is not required to accomplish the impoundment of the motor vehicle. A driver in police custody shall be given an opportunity to arrange for someone to retrieve the motor vehicle. All motor vehicles impounded pursuant to (8) or (9) above shall be released without charge where the person arrested is not charged with a crime; except the motor vehicle may be retained, when necessary, for other law enforcement purposes.~~

(c) In the event that a motor vehicle ordered to be towed pursuant to this section has been reported stolen to the Cincinnati Police Department or constitutes a stolen vehicle to the knowledge of the Cincinnati Police Department at the time that such vehicle is towed, the Cincinnati Police Department shall take appropriate action to have such vehicle towed to an impound facility owned or controlled by the City of Cincinnati. ~~Following standard issuance of notice to the owner pursuant to this chapter, any City-originated fees shall be waived by the City of Cincinnati for up to seven days following the towing of the vehicle excluding any fees owed to the City of Cincinnati pursuant to Section 513-3 arising from outstanding parking infractions or delinquent traffic citations. In the event that the vehicle has not been claimed or recovered by the owner after the seventh day, Cincinnati Police Department may, after payment of any amounts due to the towing company or the City of Cincinnati, make arrangements for transfer of the vehicle to a private impound facility and may thereafter proceed to dispose of the vehicle pursuant with the provisions of this chapter.~~ For purposes of this chapter, a vehicle will be found to constitute "a stolen vehicle to the knowledge of the Cincinnati Police Department" if the Cincinnati Police Department has received written or verbal notice regarding the theft of the vehicle from a law enforcement agency at the time that the vehicle is towed

pursuant to an order issued by the Cincinnati Police Department. The Cincinnati Police Department shall be deemed to have such notice of the vehicle's stolen status; if the vehicle's owner reported the vehicle stolen in another law enforcement jurisdiction and that jurisdiction provided the report or status update to the Cincinnati Police Department in a manner reasonably calculated to have provided such information to the Cincinnati Police Department administration at the time that the vehicle in question was towed.

Sec. 513-5. Notice of Impoundment.

Within three days or as soon as practicable after the impoundment of any motor vehicle under the provisions of §§ 513-1 or 515-9 CMC notice shall be given of the impoundment to the owner of the motor vehicle: personally; or by regular mail sent to the last known address of the registered owner; or by certified mail where notice of the date of the auction of the motor vehicle as unclaimed is to be held is included. Such notice shall state:

- (1) That the motor vehicle has been taken into custody and stored;
- (2) The location where the motor vehicle is stored;
- (3) The reason for impoundment;
- (4) The procedure for obtaining release of the motor vehicle;
- (5) The basic charges for impoundment and storage;
- (6) That the person claiming the motor vehicle can challenge the validity of the impoundment at a hearing before a person designated by the chief of police;
- (7) That failure to obtain release of the motor vehicle within 20 days after notice of impoundment has been given or sent as provided in this section may cause it to be sold at public auction if unclaimed; and
- (8) That in the event that the impounded motor vehicle was reported stolen to the Cincinnati Police Department or constituted a stolen vehicle to the knowledge of the Cincinnati Police Department at the time that such vehicle is towed, any City-originated fees shall be waived by the City of Cincinnati for up to seven days following the towing of the vehicle excluding any fees owed pursuant to Section 513-3 arising from outstanding parking infractions or delinquent traffic citations.

Sec. 513-7. Impounding Fees.

- (a) ~~Except as provided in Section 513-1, the charges for all impounded motor vehicles shall be as follows:~~ The city manager is authorized to charge a fee to recover the cost and expense related to the tow, impound, administration, processing, maintenance, storage, release, sale, auction, or disposal of an impounded motor vehicle as well as the cost of maintaining the impound lot infrastructure, fixtures, and equipment, including pavement, fencing, security features, and facilities. The

city manager or the city manager's designee shall determine the fees on a biennial schedule as part of the budget based on the project cost of the services herein, and the amount of such fees shall be posted conspicuously where the fees are paid.

- ~~(1) — \$190 basic impound charge; and~~
 - ~~(2) — \$25 per day for the time the impounded motor vehicle is in storage; and~~
 - ~~(3) — \$75 extended storage fee for any motor vehicle which the owner has willfully failed to claim within 120 hours after the notice of impoundment has been mailed or personally given to the registered owner.~~
- (b) In addition to the charges in section (a), the owner may also be required to pay for towing services other than those described above, and for any service performed by the city in order to properly maintain said impounded motor vehicle. The fee for a heavy duty tow is \$250 per hour. Notwithstanding the provisions of subsection (a), for the first seven days following the impoundment of a motor vehicle that is either reported stolen to the Cincinnati Police Department or that constitutes a stolen motor vehicle to the knowledge of the Cincinnati Police Department at the time that such motor vehicle is impounded, the city shall charge only any fees owed to the city pursuant to Section 513-3 arising from outstanding parking infractions or delinquent traffic citations. A motor vehicle that is either reported stolen to the Cincinnati Police Department or that constitutes a stolen motor vehicle to the knowledge of the Cincinnati Police Department can be disposed of pursuant to this chapter if not claimed or recovered by the owner within twenty days after notice of impoundment.
- (c) An impound fee of \$100 shall be charged for vehicles impounded in accordance with an Administrative License Suspension in addition to all other applicable fees. A driver in police custody shall be given an opportunity to arrange for another person to retrieve a motor vehicle impounded solely pursuant to §§ 513-1(a)(8) or 513-1(a)(9). Notwithstanding the provisions of subsections (a) and (d), a motor vehicle shall be released without fee if it is claimed within eighteen hours of notice of its impoundment and no special equipment or handling was required to accomplish the impoundment of the motor vehicle. All motor vehicles impounded pursuant to §§ 513-1(a)(8) or 513-1(a)(9) shall be released without charge where the person arrested is not charged with a crime.
- (d) An impounded motor vehicle shall be released to the owner or other person authorized by the owner to claim the motor vehicle only upon the payment of all impound and towing charges.
- (e) Impounded motor vehicles ~~which are stolen and abandoned by the thief or which~~ were disabled at the time of impoundment may be released without charge or at a reduced charge ~~at the discretion of the police chief~~ upon evidence establishing that the motor vehicle was ~~stolen or disabled~~ at the time of its impoundment and in accordance with a policy established by the ~~police chief~~ of police and contained in the rules and regulations required by section 869-7.

- (f) The owner or person entitled to possession of an impounded motor vehicle which is retained in police custody for law enforcement purposes not related to the original impoundment shall not be responsible for any impounding fees related solely to the continuing possession of the motor vehicle by the city of Cincinnati for law enforcement purposes.
- (g) The impound fees ~~provided in this section~~ authorized by the city manager pursuant to this section shall be included in the fee list authorized by ~~CMC~~ section 869-7 or its successor.

Sec. 513-9. Appeal Procedure.

- (a) At the time that the owner or other person authorized by the owner to claim the motor vehicle attempts to claim an impounded motor vehicle, such person shall be advised that he or she may have the propriety of the impoundment of the motor vehicle reviewed immediately by a person designated by the chief of police ~~and that this decision can be appealed to the city solicitor. The person challenging the impoundment shall be entitled to present witnesses and documentary evidence in support of his or her position.~~ The person designated by the chief of police to hear the case shall immediately investigate the matter ~~if further investigation is necessary and make a prompt~~ and issue a written decision within 48 hours following the conclusion of the hearing stating the basis for the decision. ~~Such decision shall be rendered within 48 hours of the hearing.~~
- (b) The owner or other person authorized by the owner to claim the motor vehicle may appeal the decision of the designee of the chief of police by submitting a written notice of appeal to the Office of Administrative Hearings and paying a bond equal to the amount of any fees and/or fines due to the city within 48 hours of receiving notice of the decision. The Office of Administrative Hearings shall conduct a hearing after notifying the parties of the date and time of the hearing and promptly issue a written decision following the conclusion of the hearing.
- (c) If the motor vehicle is found to be improperly impounded, the motor vehicle shall be released and any fees or fines due as a result of the impoundment shall be waived.

~~All impounding charges must be paid prior to the release of an impounded motor vehicle except in those instances where the hearing officer is unable to reach an immediate decision. Impounded motor vehicles shall be released without charge pending a decision of the hearing officer where the hearing officer must conduct a further investigation or is otherwise unable to make an immediate decision in the hearing. The owner of the motor vehicle shall have 72 hours after notice by certified mail of the decision to pay any assessed impounding fees. If assessed impounding fees are not paid within 72 hours, the motor vehicle shall become subject to immediate impoundment, and the assessment of additional impounding charges without further notice. An adverse decision may be appealed by filing a written statement with the city solicitor within 10 days of such adverse decision. The city solicitor shall render a decision within 30 days of receipt of the claim. The only issue to be considered at the hearing or on appeal shall be the correctness of the impoundment of the motor vehicle. Any question of the merits of any traffic citation or of a parking infraction~~

~~issued concurrently with or underlying the impoundment of the motor vehicle shall not be considered.~~

Sec. 513-11. Sales of Impounded Vehicles.

Whenever any vehicle which has been impounded by a police officer remains in the possession of the city, unclaimed by any person having the right to possession of such vehicle, for a period of 20 days after notice of impoundment, such vehicle shall be sold under the direction of the chief of police at public auction to the highest bidder, after a notice of such auction has been given by advertisement published three times in the City Bulletin or in a newspaper of ~~given~~ general circulation within the city of Cincinnati, or otherwise disposed of to a junk yard or other appropriate facility in accordance with the provisions of Section 4513.6462 of the Ohio Revised Code.

At least 15 days prior to such sale, a notice shall be mailed by Certified Mail, Return Receipt Requested, to the owner of such motor vehicle, if ascertainable, and to all mortgage and lien holders of record, advising them of their rights to claim the vehicle upon payment of all towing, storage and impounding fees, and in addition thereto, the costs of any services performed by the city in order to properly maintain the impounded vehicle.

In addition to junk yards, scrap metal processors who can guarantee that a junk motor vehicle will never again appear back upon the city streets are hereby determined to be a proper facility relating to the disposition of junk motor vehicles as required by Section 4513.6462 of the Ohio Revised Code.

Sec. 515-9. Impoundment and immobilization.

- (a) A vehicle involved in three or more parking infractions in which judgments or default judgments have been entered into the records of the Parking Violations Bureau, have been filed with the Clerk of the Municipal Court pursuant to Section 515-7 of this Chapter is subject to impoundment by law enforcement officers of the City of Cincinnati or their agents. Impoundment pursuant to this section is permitted without regard to whether the vehicle, at the time of impoundment, is legally parked. The owner of a vehicle impounded pursuant to this Chapter shall be liable for impoundment fees and storage charges as provided by Section 513-7 of this Code.
- (b) A vehicle impounded under paragraphs (a) or (c) of this section shall be released to the owner, or person lawfully authorized by the owner to claim the vehicle, if the owner or person lawfully authorized by the owner does both of the following:
 - (1) ~~upon the owner presenting~~ presents a valid certificate of title to the vehicle to the Cincinnati Police Department Clerk of the Parking Violations Bureau; and
 - (2) ~~upon the owner~~ either
 - (A) paying all outstanding judgments or default judgments issued by the Parking Violations Bureau; the fines, penalties, fees and costs

~~due on the parking infractions issued or outstanding or payment of the judgments or default judgments which led to the impoundment, or~~

- (B) ~~postings~~ a bond equal to the amount of ~~said~~ fines, penalties, fees, and costs. In no case, however, shall the owner of a vehicle impounded pursuant to this Chapter be required to post a bond in excess of one thousand dollars (\$1,000) to obtain release of the vehicle.
- (c) Notwithstanding paragraphs (a) and (b) of this section, a vehicle parked, stopped, or standing on a public street or highway in commission of a parking infraction is subject to impoundment.
- (d) A vehicle involved in three or more parking infractions in which judgments or default judgments have been entered into the records of the Parking Violations Bureau filed with the Clerk of the Municipal Court pursuant to Section 515-7 of this Chapter is subject to immobilization. A vehicle may be immobilized by law enforcement officers or parking enforcement officers of the City of Cincinnati or parking enforcement officers acting pursuant to any ~~parking modernization agreement~~ contract with the city or vehicle immobilization services agreement with the City. Immobilization pursuant to this section is permitted without regard to whether the vehicle, at the time of immobilization, is legally parked.
- (e) A vehicle immobilized under paragraph (d) of this section shall be released to the owner or the person lawfully authorized to ~~be in control of~~ claim the vehicle upon the owner or person lawfully authorized to ~~be in control of~~ claim the vehicle paying ~~the fines, penalties, fees and costs due on the parking infractions issued or outstanding or payment of the judgments or default judgments, which led to the immobilization,~~ or posting a bond equal to the amount of ~~said~~ fines, penalties, fees and costs. In no case, however, shall the owner of a vehicle immobilized pursuant to this Chapter be required to post a bond in excess of one thousand dollars (\$1,000) to obtain release of the vehicle.

Sec. 729-30. Dumping Prohibited.

- (a) As used in this section, “vehicle” shall include but not be limited to a car, truck, trailer, semitrailer, or pole trailer.
- (b) No person shall dump or otherwise dispose of waste, including acceptable waste, unacceptable waste, commercial waste or yard waste materials, by use of any vehicle on any public or private property. Any owner of a vehicle who permits or employs another person to use the vehicle and who knows or should have known through due diligence that the vehicle will be used for the purpose described in this division violates this subsection. Each individual act of dumping or disposal of waste by use of a vehicle on any public or private property constitutes a separate violation under this subsection regardless of whether the acts occur on the same day and at the same or multiple locations.

- (c) ~~Whoever violates~~ A violation of subsection 729-30(b) shall be guilty of a misdemeanor of the first degree or commits a is a Class E Civil Offense as defined by CMC subsection 1501-11(b) or a misdemeanor of the first degree. A person who violates subsection 729-30(b) may be liable for the civil fine specified in § 1501-99 for a Class E Civil Offense.

- (d) Notwithstanding any other penalty authorized by this section, if the city manager ~~or;~~ the city manager's designee or the director of public services ascertains that a person has violated this section, ~~the director of public services~~ the city manager or the city manager's designee ~~may remove~~ may direct the removal of the waste and the city solicitor may take any legal action necessary to collect the cost of the removal from the violator.

- (e) This section shall not apply to land being used under a City of Cincinnati building or construction permit or license, a City of Cincinnati permit or license or a conditional zoning permit or variance to operate a junk yard, scrap metal processing facility or similar business, or a permit or license issued pursuant to Chapter 3734, Section 4737.05 to 4737.12, or Chapter 6111 of the Ohio Revised Code.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____

Clerk

 New language underscored. Deleted language indicated by strikethrough.

Date: September 1, 2022

To: Vice Mayor Jan-Michele Lemon Kearney
From: Emily Smart Woerner, Interim City Solicitor *EESW*
Subject: **Emergency Ordinance – Diversity, Equity, Inclusion and Accessibility Task Force**

Transmitted herewith is an emergency ordinance captioned as follows:

ESTABLISHING the Diversity, Equity, Inclusion and Accessibility Task Force (“Task Force”), a joint effort of the City of Cincinnati’s Office of Human Relations and Office of Aging and Accessibility, whose mission shall be to make recommendations to the Mayor, Council, and the City Manager regarding the development of a City policy on diversity, equity, inclusion, and accessibility; and **DETERMINING** that the goal of the Task Force shall be to recommend policy initiatives to the Mayor and Council to cultivate a diverse, inclusive, and accessible community by ensuring equitable opportunities for all community members, whereby all community members can fully and effectively access City services, influence City policy, and feel a sense of belonging and safety, and to make specific recommendations to the City Manager for methods by which to accomplish the policy initiatives to cultivate a diverse, inclusive, and accessible community.

EESW/LES(lb)
Attachment
368710



EMERGENCY

City of Cincinnati

LES

EESW

An Ordinance No. _____

-2022

ESTABLISHING the Diversity, Equity, Inclusion and Accessibility Task Force (“Task Force”), a joint effort of the City of Cincinnati’s Office of Human Relations and Office of Aging and Accessibility, whose mission shall be to make recommendations to the Mayor, Council, and the City Manager regarding the development of a City policy on diversity, equity, inclusion, and accessibility; and **DETERMINING** that the goal of the Task Force shall be to recommend policy initiatives to the Mayor and Council to cultivate a diverse, inclusive, and accessible community by ensuring equitable opportunities for all community members, whereby all community members can fully and effectively access City services, influence City policy, and feel a sense of belonging and safety, and to make specific recommendations to the City Manager for methods by which to accomplish the policy initiatives to cultivate a diverse, inclusive, and accessible community.

WHEREAS, the goal of the Diversity, Equity, Inclusion and Accessibility Task Force (“Task Force”) shall be to recommend policy initiatives to the Mayor and Council to cultivate a diverse, inclusive, and accessible community (“Policy”) by ensuring equitable opportunities for all community members, whereby all community members can fully and effectively access City services, influence City policy, and feel a sense of belonging and safety, and to make specific recommendations to the City Manager for methods by which to accomplish the Policy; and

WHEREAS, the Task Force shall consist of at least nine members, appointed by the Mayor with the approval of Council, who shall serve an initial term of two years, after which all members may serve one additional two-year term, continuing to serve on the Task Force until a replacement is appointed by the Mayor and approved by Council; and

WHEREAS, the Task Force shall convene no later than ninety days after the approval of all initial appointments and shall report back to the Mayor, City Manager, and Council within six months of its initial meeting to present a status report on the Policy and any recommendations; and

WHEREAS, the Task Force shall thereafter present an annual report to the Mayor, City Manager, and Council that contains recommended updates to the Policy and specific practices in furtherance of the Policy; and

WHEREAS, the Task Force shall create a glossary of terms and definitions concerning diversity, equity, inclusion, and accessibility, which will be publicly accessible on the City’s website; and

WHEREAS, the establishment of the Task Force is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities,” as well as the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on pages 181-186 and 209-212 of *Plan Cincinnati* (2012); now, therefore,

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

Section 1. That the Diversity, Equity, Inclusion and Accessibility Task Force (“Task Force”), a joint effort of the City of Cincinnati’s Office of Human Relations and Office of Aging and Accessibility, is hereby established, and the Task Force’s mission shall be to make recommendations to the Mayor, Council, and the City Manager, regarding the development of a City policy on diversity, equity, inclusion, and accessibility (“Policy”).

Section 2. That the goals of the Task Force are to recommend policy initiatives to the Mayor and Council to cultivate a diverse, inclusive, and accessible community by ensuring equitable opportunities for all community members, whereby all community members can fully and effectively access City services, influence City policy, and feel a sense of belonging and safety, and to make specific recommendations to the City Manager for methods by which to accomplish the Policy.

Section 3. That the membership of the Task Force shall include at least nine members appointed by the Mayor with the approval of Council, who shall serve an initial term of two years, after which all members may serve one additional two-year term, and the members may continue to serve on the Task Force until a replacement is appointed by the Mayor and approved by Council.

Section 4. That the initial appointment of the Task Force member is for a term of two years commencing with the date of appointment by the Mayor and approval by Council.

Section 5. That the Task Force shall convene no later than 90 days after the approval of all initial appointments and shall report back to the Mayor, City Manager, and Council within six months of its initial meeting to present a status report with any recommendations.

Section 6. That the Task Force shall additionally present an annual report to the Mayor, City Manager, and Council that contains recommended updates to the Policy and specific practices in furtherance of the Policy.

Section 7. That the Task Force shall also create a publicly accessible glossary of terms and definitions concerning diversity, equity, inclusion, and accessibility.

Section 8. That the City Manager is hereby authorized to take all appropriate steps to ensure that appropriate support is provided to the Task Force and that the legislative policies enacted based on the Task Force's recommendations are carried out.

Section 9. 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 ensure that the formation and implementation of the Diversity, Equity, Inclusion and Accessibility Task Force can take place as quickly as possible.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk