

AMENDING CODIFIED ORDINANCE §111.10 REGARDING RULES OF COUNCIL

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

Section 1. That Chapter 111.10 of the Codified Ordinances of the City of Wilmington regarding Rules of Council is hereby amended.

Section 3. That the Council hereby amends Chapter 111.10 as follows [~~deletions are struck through~~, additions are in **bold**]:

**111.10 RULES OF COUNCIL.**

Rule 1. President to Preside. The President of Council shall preside at all meetings of Council, call the same to order at the times provided for the meetings thereof and, if a quorum is present, proceed with the transaction of the business in the order hereinafter provided. In case of the absence of the President of Council, the President pro tem shall preside.

Rule 2. Duties of President. The presiding officer shall preserve order and decorum during all meetings of the Council, and enforce all the rules, ordinances and resolutions providing for the government of the same. He shall decide all questions of order, but his decisions shall be subject to appeal to the Council by any two members. He shall appoint all committees, by and with the advice and consent of Council.

Rule 3. Designation of Member to Have Floor. No member shall make any motion, or speak on a question before Council, until he ~~shall have arisen and addressed the President~~ **is recognized by the President or Council Member holding the floor**. If two members ~~shall rise~~ **are recognized** and address the President at the same time, the presiding officer shall designate the one that shall first be heard.

Rule 4. Motion to Be Stated. A motion made and seconded shall be stated by the President; when so stated, it shall be in possession of Council and shall not be withdrawn except by the consent of a majority of the members present and, when debatable, a reasonable time shall be allowed for discussion.

Rule 5. Written Motions to Be Read. Written motions or resolutions and all written communications shall be read by the ~~Clerk~~ **Director of Law or his/her designee**.

Rule 6. All Members to Vote. All members present shall vote on all questions, unless excused by vote of Council.

Rule 7. Roll Call of Votes. The yeas and nays may be demanded by any member, and when so demanded the Clerk shall call the names of members. **The roll call of votes will be executed on a rotating basis.**

Rule 8. Motions Not for Debate. The following motions shall not be debated: to adjourn, on appeal, relating to decorum, to lay on the table, to suspend a rule, the previous question, to take up a question, or to reconsider an undebatable question.

Rule 9. Division of Question. A question containing more than one subject must, on the call of any member, be divided.

Rule 10. Introduction by Title. A bylaw, resolution or ordinance of a general or permanent nature may be introduced by reading its title, unless a full reading is called for by one or more members; no debate thereon shall be permitted, however, until after a motion duly seconded and stated to put such a bylaw, resolution or ordinance upon its passage, and the bylaw, resolution or ordinance has been read.

Rule 11. Reconsideration of Motion; Limitations. No motion shall be reconsidered after the first regular meeting of Council after the vote thereon, or after such acts or proceedings are had or done by virtue of such motion that the same cannot be reversed.

Rule 12. Confirmation of Appointments. Council shall by ballot confirm the appointment of all officers of the City made by the Mayor, required by law to be confirmed, and two-thirds of the members elect shall be necessary for confirmation.

Rule 13. Question Taking Precedence; Provisions. When any question is made the special order of a regular meeting, or an adjourned meeting thereof, such question shall be taken up as unfinished business, and shall have precedence over other unfinished business.

Rule 14. Order of Business. At all regular meetings of Council the following order of business shall be observed:

- (a) Roll call.
- (b) Excuse absent members.
- (c) Reading of minutes to be dispensed with when such minutes have been mailed to all members of Council and the President prior to the regular meeting nights. In all other cases, minutes will be read.
- (d) ~~Unfinished business~~ **Reports of Standing Committees.**
- (e) ~~Reports of standing committees~~ **Acceptance of Financial Reports.**
- (f) ~~New business~~ **Open to Public.**

Rule 15. Reading of Petitions and Applications. Petitions and applications shall be presented by a member of Council, and shall, on motion duly seconded, be read.

Rule 16. When Statutory Rules to Govern. In case any question shall arise not herein provided for by these rules, or the laws of the State, Council shall be governed by the rules established by the General Assembly of Ohio.

Rule 17. Suspension, Alteration, Amendment. Any of the foregoing rules may be suspended, altered or amended by a majority of three-fourths of all the members of Council elected. The motion for such suspension, alteration or amendment of which is asked, and the vote thereon, shall be by yeas and nays.

Rule 18. Robert's Rules. In all cases not provided for in the foregoing rules or by State law, Robert's Rules of Order shall be received as a rule.

Section 4. That this ordinance shall be effective from the earliest period allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ORDINANCE NO. \_\_\_\_\_

IMPOSING A MORATORIUM FOR A PERIOD OF SIX (6) MONTHS (180 DAYS) ON THE GRANTING OF ANY NEW APPLICATIONS OR PERMITS ALLOWING THE OPERATION OF ANY ADULT GAMING PARLOR, INTERNET CAFÉ, SWEEPSTAKES CAFÉ , OR ANY OTHER FACILITY CONTAINING SWEEPSTAKES TERMINAL DEVICES, AND DECLARING AN EMERGENCY.

WHEREAS, there has been a proliferation of businesses commonly referred to as Sweepstakes/Internet Cafes in the State of Ohio, and City officials have been approached regarding the placement of such a business in the City; and

WHEREAS, the City of Wilmington desires to coordinate regulations regarding the location and operation of businesses within the city, including Sweepstakes/Internet Cafes; and

WHEREAS, for the purposes of this Ordinance, a “Sweepstakes/Internet Café” is defined as any premises upon which any “Computerized Sweepstakes Device”, as defined below, is located for the use or entertainment of the public, whether or not such premises has other business purposes of any nature whatsoever; and

WHEREAS, for the purpose of this Ordinance, a “Computerized Sweepstakes Device” is defined as any computer, machine, game or apparatus which, upon insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, and which may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which provides the user with a chance to win anything of value that is not de minimis. Machines designated for use by the State Lottery Commission are not computerized Sweepstakes Devices for purposes of the Ordinance; and

WHEREAS, the State legislature and the Ohio Attorney General’s Office are expected to consider these establishments in the near future and make further regulations concerning their future operations; and

WHEREAS, the current City regulations do not adequately guide the permitting of the operation of Sweepstakes/Internet Cafes; and

WHEREAS, City Council desires to withhold the issuance of any new applications or permits to businesses or individuals to allow the operation of a Sweepstakes/Internet Café while the Judiciary Committee reviews and revises the current regulations to conform to the City’s goals of providing adequate regulations; and

WHEREAS, a moratorium on the granting of new applications or permits which allow for the operation of Sweepstakes/Internet Cafes within the City of Wilmington will allow the City time to enact reasonable regulations to protect the health, safety and welfare of the Citizens of Wilmington.

WHEREAS, the moratorium does not affect any pre-existing adult gaming parlor, internet café, sweepstake café, or any other facility containing sweepstake terminal devices operating within the city prior to the effective date of this moratorium.

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

Section 1. City Council recognizes the acute nature of the problem faced by the City in the operation of Sweepstakes/Internet Cafes which may disrupt the orderly growth

and development of the City, and seeks a moratorium on new applications or permits for the operation of Sweepstakes/Internet Cafes to preserve the public peace, health, safety, and welfare of the citizens of the City of Wilmington.

Section 2. The Judiciary Committee has recommended imposing within the City a moratorium on the processing of new applications or permits for the operation of Sweepstakes/Internet Cafes. The purpose of this recommendation is so the City may prepare new regulations, if necessary, which will guide the location and operation of Sweepstakes/Internet Cafes.

Section 3. City Council seeks to limit the duration of the moratorium and to instruct the Judiciary Committee to immediately investigate, review and recommend comprehensive regulations for the location and operation of Sweepstakes/Internet Cafes within the six (6) month period of the moratorium.

Section 4. City Council hereby accepts the recommendation, and hereby imposes a moratorium on new applications or permits for the operation of Sweepstakes/Internet Cafes for a period of six (6) months (180 days). Commencing on the effective date of the Ordinance and ending on either the effective date of an Ordinance regulating the operation of Sweepstakes/Internet Cafes or October 2, 2012, or whichever date occurs first.

Section 5. City Council further finds that a moratorium for six (6) months (180 days) is reasonable and will allow the Judiciary Committee to propose and initiate action to address the issues outlined herein.

Section 6. That this Ordinance shall be effective immediately as an emergency measure to protect the health, safety and welfare of the citizens of Wilmington, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

RESCINDING CODIFIED ORDINANCES § 1165 AND ADOPTING NEW CODIFIED ORDINANCES IN CHAPTER 1165 REGARDING OFF-STREET PARKING

Section 1. That Chapter 1165 of the Codified Ordinances of the City of Wilmington regarding Off-Street Parking is hereby rescinded.

Section 2. That Chapter 1165 of the Codified Ordinances of the City of Wilmington shall be titled “Off-Street Parking.”

Section 3. That the Council hereby adopts a new Chapter 1165 as follows:

## **Off-Street Parking**

### **INTENT OF PARKING PROVISIONS.**

It is the intent of this Ordinance that parking spaces shall be provided and adequately maintained by each property owner in every zoning district for the off-street parking of motor vehicles for the use of occupants, employees and patrons of each building and premise constructed, altered or enlarged under the provisions of this Ordinance. All vehicles shall be parked on the premise occupied by the principal building, but may be parked on premises located outside the premises within specifically limited walking distances as specified below.

- A. **Floor Area.** The term “floor area” as applied to offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used for services to the public, including those areas occupied for fixtures and equipment used for display or sale of merchandise, but excluding floor area which are used exclusively for storage, housing of mechanical equipment integral with the building, maintenance facilities, or those area where customers, patients, clients, salesmen, and the general public are denied access. “Floor Area” shall be measured from the exterior faces of exterior walls.
- B. **Fractional Space.** When units or measurement determining the number of required parking spaces result in a fractional space, any fraction to and including the one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one (1) parking space.
- C. **Requirements for a Use Not Mentioned.** In the case of a use not specifically mentioned, the requirements of off-street parking for a use which is mentioned and which is most similar to the use not listed shall apply.
- D. **Calculation of Required Parking Areas.** Parking spaces shall be provided for vehicles utilizing the establishment to which it is accessory and by its patrons.
  - 1. **Directional Signs:** No more than one direction sign at each point of ingress or egress may be erected which may also bear the name of the enterprise the lot is intended to serve.
  - 2. **Building additions or Other Changes in Floor Area:** Whenever a use requiring off-street parking is increased in floor area, or when interior building modifications result in an increase in capacity for any premise use, additional parking shall be provided and maintained in the proper ration to the use change increased floor area or capacity.
  - 3. **Computing Capacities:** The joint use of parking facilities by two or more uses may be granted by the Board of Appeals whenever such is practical and satisfactory to each of the uses intended to be served, and when all requirements for location, design, and construction are addressed / met. In computing capacities of any joint use, the total space requirement is the sum

of the individual requirements that will occur at the same time. If space requirements for individual uses occur at distinctly different times, the total of such parking facilities required for joint or collective use may be reduced below the sum total of the individual space requirements.

4. Record of Agreement: A copy of the agreement between joint users shall be filed with the application for building permit and recorded with the office of the Clinton County Recorder. The agreement shall include a guarantee for continued use of the parking facility and maintenance by each party.

**SCHEDULE OF OFF-STREET PARKING REQUIREMENTS.**

The Building and/or Zoning Official/Inspector shall determine the required off-street parking spaces for land uses not listed in this Section, the Section shall apply to all developments except an approved Planned Unit Development (PUD) by the Wilmington Planning Commission, where the parking standards will be set as a condition of approval. Space allocated to any off-street parking facility shall not, while so allocated, be used to satisfy the requirement for any off-street loading facility or portions thereof.

If in determining the number of off-street parking spaces required, the computation results in a requirement of a fractional space, any fraction if less than one-half may be disregarded, while a fraction of one-half or more shall be counted as one parking space. Off-street parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

**A. Residential**

Single-family Detached Dwelling

2-bedroom	2.0 Dwelling
3-bedroom	2.0 Per Dwelling
4-bedroom	3.0 Per Dwelling
5-bedroom	3.0 Per Dwelling

Single-family Attached Dwelling (Duplex) 2 Per Dwelling

Multi-family Dwelling 2 Per each Dwelling, plus 1 per each  
(conversion of single-family unit) ten (10) dwelling units .

Garden Apartment

1-bedroom	2.0 Per Dwelling
2-bedroom	2.0 Per Dwelling
3-bedroom	2.0. Per Dwelling

Townhouse

1-bedrrom	1.8 Per Dwelling
2-bedroom	2.3 Per Dwelling
3-bedroom	2.4 Per Dwelling

High Rise

Studio	0.8 Per Dwelling
1-bedroom	0.8 Per Dwelling
2-bedr0om	2.0 Per Dwelling
3-bedroom	2.0 Per Dwelling

Mobile Home

2-bedroom	2 Per Mobile Home
3-bedroom	3.0 Per Mobile Home

Senior Citizen Housing

1 per each dwelling unit, plus  
1 per each ten (10) dwelling units,  
plus 1 per each employee.

**B. Institutional Uses**

Churches	1 Per each three seats based on maximum seating capacity in the main place of assembly therein. In the absence of seats, pews or chairs. The Fire Marshall shall set the capacity of the building. Parking will be based on 1 space for every 3 people up to maximum number set by the Fire Marshall.
Private Clubs and Lodges	1 Per each (3) individual members allowed within the maximum occupancy load as established by the Fire Marshall and building codes.
General or Specialty Hospitals	1 Per each four (4) beds, plus 1 per each staff doctor and plus 1 for each employee.
Convalescent Homes, Homes For the aged, Nursing Homes, Children's Homes, Sanitariums.	1 Per four (4) beds, plus 1 per staff doctor, plus 1 per each employee.
Elementary and Junior High Schools	1 Per each teacher, plus 1 per classroom, plus 1 per each employee, plus 1 per 5 seats in an auditorium.
High (Secondary) School	2.5 per classroom; plus 1 per teacher, plus 1 per employee. More parking may be mandated by the Wilmington Planning Commission, within the Site Plan Review stage depending on the size and makeup of the facility.
Child Care Center, Day Nurseries or Nursery	1 per each five (5) students, plus 1 per each employee.
Stadiums, Sports Arenas, and Auditoriums	1 per each four (4) seats based on maximum seating capacity.
Libraries, Museums, and Post Offices	1 per 300 square feet of floor area.

**C. Commercial Uses**

Retail Stores, not elsewhere classified	1 per each two hundred (200) square feet of floor area.
Big Box, single occupant, retail stores of 60,000 or more sq. ft.	1 per each two hundred fifty (250) square feet of floor area.
Supermarkets, drugstores, and other of the self-service retail	1 per one hundred fifty (150) square feet of floor area.

Convenience Stores and Video Stores	1 per two hundred (200) square feet of floor area.
Planned Shopping Centers, Multi-Tenant	19,999 or fewer sq. ft. of floor area: 5 per 1,000 sq. ft. of floor area: 20,000 - 99,000 sq. ft. of floor area: per 1,000 square ft. of floor area. 4.5 per 1,000 sq. ft. of floor area: 1000,000 or more sq. ft. of floor area: 4 per 1,000 sq. ft. floor area.
Furniture, Appliance, Hardware, Household Equipment Sales and Repair Shops	1 per each four hundred (400) sq. ft. of floor area, plus 1 per each employee.
Motels and Hotels	1 per each guest bedroom, plus 1 per employee, plus amount required for accessory uses, such as a restaurant or cocktail lounge.
Fast Food Restaurants with drive-in facilities	One (1) space per sixty (60) sq. ft. of floor area with a minimum of ten (10) spaces; plus eleven (11) stacking spaces for the drive-in window, with a minimum of five (5) such spaces designed for the ordering station. Such spaces shall be designed so as not to impede pedestrian or vehicular circulation on the site or on any abutting street.
Fast Food Restaurant with no drive-in facilities	One (1) space per sixty (60) sq. ft. of floor area with a minimum of ten (10) spaces.
Sit-down Restaurants	1 per each three (3) seats, based on maximum seating capacity, plus 1 per each employee.
Bars, taverns and cocktail lounges	1 per every three (3) seats allowed within the (other than fast food restaurants) maximum occupancy load as established by the fire Marshall and/or building codes, plus 1 per each employee.
Garden Stores, Building Material Sales	1 per eight hundred (800) sq. ft. of floor area of lot used for said business
Movie Theaters	1 per every four (4) seats based on the maximum seating capacity, plus 1 for each employee.
Wholesale Stores, Machinery Sales, and similar uses	2 per every one thousand (1,000) sq. ft. of floor area.
Self-Storage Facilities	1 per every one hundred fifty (150) spaces or fraction thereof shall be located adjacent to the office. At least three (3) spaces shall be provided.

**D. Automotive Uses**

Automotive Sales	1 per each two hundred (200) sq. ft. of showroom floor area, plus 1 per each employee, plus 1 per each service stall.
Automotive Repair Facilities	2 per each service stall, plus 1 per each employee, plus 1 per each service vehicle.
Gasoline Stations without Convenience Store	1 per each pump unit, plus 2 per each service stall, plus 1 per each employee.
Gasoline Stations with Convenience Store	1 per each pump unit, plus 2 per service stall, plus 1 per each employee, plus 1 per each one hundred (100) square feet of floor area devoted to retail Sales and customer service.
Car Washes	2 per washing lane.
Collision or Bump Shops, and similar uses	2 per each stall or service area, plus 1 per each employee.

**E. Office and Service Uses**

Medical and Dental Offices	1 per one hundred fifty (150) square feet of floor area.
Business and Professional Offices	1 per every two hundred fifty (250) square feet of floor area.
Banks	1 per each two hundred (200) square feet of floor area.
Barber and Beauty Shops Day Spas	2 per each chair. 1 per 100 square feet of gross floor area.
Funeral Homes	10 per visitation and waiting room, or 1 space for each twenty five (25) square feet of floor area, whichever is the greatest, plus 1 per each fleet vehicle.
Personal Service Establishments (unless provided for herein)	One (1) space per 200 square feet of floor area.
Home Professional Office	As determined by the Board of Appeals, a sufficient number of spaces to accommodate all employees plus the largest number of person that may be Expected at any one time.
Financial Institutions	One (1) space per 250 square feet of net floor area.

Office (unless otherwise provided herein)	Four and one-half (4 ½ spaces per 1,000 square feet of net floor area plus one (1) space per company vehicle.
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**F. Recreational Uses**

Bowling Alleys	5 per bowling lane, plus 1 per employee, plus amount accessory uses such as a cocktail lounge or restaurant.
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Private Tennis, Swim or Golf Clubs or similar uses	1 per each two (2) memberships, plus amount required for accessory uses such as restaurant.
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Golf Course, open to the public.	4 per each hole, plus 1 per each employee, plus amount required for accessory uses.
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**G. Industrial Uses**

Manufacturing, Fabricating, Processing, Research and Testing Establishments	1 per each employee or 1 per every eight (800) square feet of gross floor area, whichever is the greater.
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Warehousing and Storage Bldgs.	1 per each employee or 1 per every two thousand (2,000) square feet of gross floor area whichever is greater.
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Contractors Office / Establishment	1 per each employee, plus 1 for each vehicle stored on the premises.
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Utility Substations	1 per each employee.
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Auto Wrecking and Junk Yards	1 per each employee, plus 1 space for each operating vehicle on the premises, plus 2 spaces for each acre of land in the yard.
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**H. Other Uses**

Other uses not specifically delineated or listed within this Ordinance.	Determined by the Wilmington Planning Commission or City Council or Board of Zoning Appeals.
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**LOCATION OF PARKING AREAS.**

- A. All off-street parking areas should be located on the same lot, or on the All off-street parking adjacent premises in the same district as the use they are intended to serve, with the exception of the following:
1. Uses in the Commercial Districts: Parking on the premises or within five (500) feet,
  2. Uses in the Industrial Districts: Parking on the premises or within eight hundred (800) feet.
  3. Other Uses: Public and quasi-public buildings, places of assembly, private clubs, associations and Institutions: Parking on the premises or within five hundred (500) feet.
  4. Parking lots or areas shall be permitted no closer than ten (10) feet from any property line.

- B. Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance, and safety vehicles and pedestrians.

**PARKING LOT PLAN REVIEW**

Whenever four (4) or more vehicle parking spaces are required for a given use, plans and specification for the construction or alteration of an off-street parking area shall be submitted as part of the Site Plan review before a building permit can be issued. Such plans and specifications shall indicate the location, basis of capacity calculation, size, site design, surfacing, marking, lighting, drainage, curb cuts, entrances, exits, landscaping, and other detailed features essential to the complete design and construction of the parking area.

**SITE DEVELOPMENT REQUIREMENTS**

Plans for the layout of off-street parking facilities shall be in accordance with the following minimum standards:

<b>Parking Pattern</b>	<b>Lane Width (feet)</b>	<b>Parking Space Width (feet)</b>	<b>Parking Space Length (feet)</b>
0 degrees parallel	-	9	24
30 degrees	12	9	20
31-45 degrees	15	9	20
46-60 degrees	18	9	20
61-75 degrees	24	9	20
76-90 degrees	27	9	20

- A. Parking areas shall be so designed and marked as to provide for orderly and safe movement and storage of vehicles.
- B. Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.
  - 1. Except for parking spaces provided for single-family and two-family residential lots, drives for ingress and egress to the parking areas for four (4) spaces or more shall be not less than twenty feet wide and so located as to secure the most appropriate development of the individual property.
  - 2. Each entrance to and exit from an off-street parking area shall be at least twenty-five (25) feet from any adjacent lot within a residential district.
- C. Each parking space, within an off-street parking area, shall be provided with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.
- D. Parking areas with a capacity of four (4) or more vehicles shall be surfaced with a material that shall provide a durable smooth and dustless surface and shall be graded and provided with adequate drainage. Compacted gravel is not acceptable.
- E. Except for single-family and two-family residential lots, adequate lighting shall be provided throughout the hours when the parking area is in operation. All lighting shall be so arranged as to reflect light away from any residential property adjacent to the parking area and any adjacent road or street.
- F. Where a parking area, lot or drive with a capacity of four (4) or more vehicles adjoins a residential parcel or district, a landscaped buffer strip at least twenty (20) feet wide shall be provided between the parking area and the adjoining property. Parking area or lots adjacent to a public street or right-of-way shall also require a landscaped buffer strip at

least twenty (20) feet wide beyond the thoroughfare right-of-way. Any landscaping materials in parking area or lots and on the street frontage shall be placed so that it will not obstruct sight distance.

- G. Parking lots containing ten (10) or more spaces, shall be planted with at least one (1) tree per eight (8) spaces. Each tree planted shall be no smaller than a two (2) inch caliper (tree trunk diameter at chest height) and surrounded by no less than forty (40) square feet of permeable, unpaved area.
- H. Where sidewalks occur in parking areas, parked vehicles shall not overhang the sidewalk unless an additional one (1) foot is provided in order to accommodate such overhang.
- I. Along all roadways classified as arterials, as established by the City of Wilmington Comprehensive Plan, there shall be an off-street parking facility setback of seventy (70) feet from the center line of the right-of-way or thirty (30) feet from the edge of the right-of-way, whichever is greater.

#### **OFF-STREET STACKING SPACE FOR DRIVE-THROUGH FACILITIES.**

- A. All businesses, which provide drive-through facilities for serving customers within their automobile, shall provide adequate off-street stacking and lanes, which meets the following standards:
  - 1. Every stacking space shall be computed on the basis of twenty (20) feet in length. Each stacking lane shall be a minimum of twelve (12) feet in width.
  - 2. The minimum distance from any drive-through facility to any residential parcel or zone shall be forty (40) feet. This distance is measured at the narrowest point between the property line of the residential property and either the main building, an off-street parking area, or stacking lanes, whichever is closer. The setback must be landscaped.
  - 3. A bypass lane shall be provided. The minimum width shall be ten (10) feet.
  - 4. Stacking lanes for drive-through stations shall not cross or pass through off-street parking areas or pedestrian access ways.
  - 5. Stacking lanes for drive-through facilities shall not be located in the required front or corner side yard setback areas.
- B. Clear identification and delineation between the drive-through facility and parking lot shall be provided. Drive-through facilities shall be designed in a manner, which promotes pedestrian and vehicular safety.
- C. When existing drive-through uses apply for occupancy permits, modifications of existing use permits, or site plan reviews, they will be required to meet as many of the supplemental standards as reasonably possible as determined by good engineering practice within the limits of the existing site layout and structural location.
- D. For all drive-through facilities, which have a single stacking lane, an escape lane shall be provided which allows other vehicles to pass those waiting to be served.

- E. The number of stacking spaces per service lane shall be provided for the following uses. When a use is not specifically mentioned, the requirements for off-street stacking space for similar uses shall apply.

Use	Minimum Stacking Spaces per Service Lane
Bank	4
Photo Service	4
Dry Cleaning	4
Quick Lube	4
Fast Food Restaurant	6
Car Washes (self serve)	
Entry	3
Exit	1
Car washes (automatic)	
Entry	6
Exit	2
Note that additional stacking spaces may be required at the discretion of the Wilmington Planning Commission	

**REQUIREMENTS FOR BARRIER FREE / ACCESSIBLE PARKING SPACES.**

Where parking is provided the following number of barrier free/accessible parking spaces shall be provided:

Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces*
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2 percent of total
More than 1,000	20 percent plus 1 for every 100 spaces over 1,000

\*Van Spaces: For every fraction of eight (8) accessible parking spaces, at least one (1) shall be a van-accessible parking space.

**BARRIER FREE / ACCESSIBLE PARKING SPACES – WIDTH/LENGTH.**

Accessible parking spaces are required to be a minimum width of ninety-six (96) inches with an adjacent access aisle of a minimum of sixty (60) inches in width. Total length to be twenty (20) feet at passenger loading zones, and be parallel to the vehicle pull up space. Van-accessible parking spaces require a minimum clear height of ninety-eight (98) inches, as well as an access aisle with a minimum width of ninety-six (96) inches for clearance of van-mounted wheelchair lifting devices and vans with raised roofs. For other requirements on Barrier Free Design refer to the most recent Ohio Building Codes.

Section 4. That this Ordinance shall be effective immediately as an emergency measure to protect the health, safety and welfare of the first responders and the citizens of the City of Wilmington, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

AUTHORIZATION AND SUPPORT FOR AN APPLICATION TO THE OHIO  
DEPARTMENT OF DEVELOPMENT, LOCAL GOVERNMENT INNOVATION FUND  
(LGIF) AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio, Department of Development has created the new Local Government Innovation Fund (LGIF) for the purposes of studying and funding projects which allow better collaboration between local governments; and

WHEREAS, the City of Wilmington, like many local governments in Ohio must explore opportunities for shared services and collaborations which can help address continued budget challenges; and

WHEREAS, the Local Government Innovation Fund (LGIF) has a planning/study grant available which will fund the study of public emergency and dispatch systems, processes and protocols currently in use in the City and Clinton County; and

WHEREAS, the cost estimate of the planning study to be performed by a chosen consultant is \$48,350.00 and the Local Government Innovation Fund (LGIF) application has a 10% required match for the planning/study grant application.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Council of the City of Wilmington hereby authorizes an appropriation of funds in the amount of \$4,835.00 for the LGIF application.

Section 2. That the Council of the City of Wilmington authorizes the Mayor to execute any document related to said application.

Section 3. That this Resolution be effective immediately as an emergency measure necessary for the public health and welfare due to deadline required for the submission of the grant application to the State of Ohio, Department of Development.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor