

The Board of Trustees of Colerain Township, County of Hamilton, Ohio, met in regular session at 7:00 p.m., on February 8, 2011, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Mr. Dennis P. Deters; Mr. Jeffrey F. Ritter; and Mr. Joseph R. Wolterman

Mr. Deters introduced the following resolution and moved its adoption:

RESOLUTION NO. 17 -11

A RESOLUTION ADOPTING TEXT AMENDMENTS TO THE COLERAIN TOWNSHIP ZONING RESOLUTION REGARDING VENDOR MARKETS

WHEREAS, said proposed text amendment establishing regulations for the location of multiple transient vendors at a single property was initiated by the Colerain Township Zoning Commission at its meeting on September 21, 2010 and was considered following a public hearing by the Colerain Township Zoning Commission on November 16, 2010; and

WHEREAS, by motion and vote at its regular meeting on November 16, 2010, the Zoning Commission unanimously recommended approval of said text amendment; and

WHEREAS, the Board of Trustees held a public hearing on January 25, 2011 and, at the conclusion of the public hearing, voted to accept the recommendation of the Zoning Commission as set out in Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio:

- 1) The Board does hereby adopt the amendment to the Colerain Township Zoning Resolution attached hereto as Exhibit A; and
- 2) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 3) That this Resolution shall be effective at the earliest date allowed by law.

Mr. Ritter seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Deters aye Mr. Ritter aye Mr. Wolterman aye

ADOPTED this 8th day of February, 2011.

BOARD OF TRUSTEES:



Jeffrey F. Ritter, Trustee




Dennis P. Deters, Trustee



Joseph R. Wolterman, Trustee

Attest:



Heather E. Harlow,
Fiscal Officer

Prepared by and approved as to form:




James E. Reuter (0011414)
3025 W. Galbraith Road
Cincinnati, Ohio 45239-4222
(513) 521 - 8400
Attorney for Board of Trustees

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Fiscal Officer, this _____ day of _____

8th February 2011



Heather E. Harlow,
Colerain Township Fiscal Officer

EXHIBIT A
ZA2010-04 text amendment - Vendor Markets

Add Vendor Markets to Table 8-1 for Districts B-1 & B-2, with Additional Regulations in §8.4.13

8.4.13 Vendor Markets

Vendor Markets may be permitted in the B1 and B2 Districts provided the standards of this Section are met. A Vendor Market Zoning Certificate, issued to the property owner, is required wherever two or more Transient Vendors are to be located on one parcel or business site.

- (A) Vendor Markets may be located indoors or outdoors, or a combination.
- (B) All vendors must have a current Transient Vendor Permit from the Colerain Township Police Department. All vendors must also have any and all other licenses required to operate in the State of Ohio and Hamilton County for their specific product(s).
- (C) The property owner desiring to host a Vendors Market shall file an application for a Zoning Certificate, to include a site plan and a parking and circulation plan. The plan and use of the site shall conform to the following:
 - a. At no time shall any merchandise be displayed within 10 feet of the public right-of-way. The layout of the vendor booths shall be in accordance with Article 12.10.4(C) as regards pedestrian/shopper access and safety.
 - b. Parking shall be provided at a rate of 4 spaces per 1,000 square feet of selling and display area, with a minimum of 2 spaces designated for the Market.
 - c. All required parking shall be provided on site, or in accordance with 13.4.7(B) Shared Parking.
 - d. The location of outdoor vendors shall not reduce the available parking for the principal business(es) on the site to a number below what is required in Table 13-1 except as modified by §13.3.4(B).
 - e. All vendor vehicles and trailers shall be parked on the site during market hours. Vendors shall not park on the surrounding streets or in any way restrict access to neighboring properties. No vendor or shopper shall park on any grassy area.
- (D) Vendors may sell or take orders for the following:
 - a. Locally grown fresh farm produce, including fruits, vegetables, field crops, herbs, nuts, berries, sprouts, and grains;
 - b. Honey, maple syrup;
 - c. Live, cut, or dried flowers or garden plants;
 - d. Food products, including baked and canned goods; egg and meat products, dairy products; prepared food or meals.
 - e. Handcrafted items;
 - f. Home repair or remodeling work or products. *Vendors may take orders for future work or delivery of such products only. Small-scale sample products may be displayed.*
- (E) The following products shall not be offered for sale at a Vendor Market:
 - a. Overripe, spoiled, or unusable products;

- b. Garage sale, rummage sale, antiques, or “flea market” items ;
- c. Live animals;
- d. Motor vehicles;
- e. Construction equipment;
- f. Firearms;
- g. Fireworks;
- h. Any illegal product or merchandise.

(F) Vendors shall not bring pets to the market.

(G) All items for sale must be visibly labeled with prices.

(H) Soft drinks may be sold for consumption on site by shoppers and vendors. No alcoholic beverages shall be offered for consumption on site.

(I) Temporary sanitary facilities, if used, shall be located at the rear of the property and a minimum of 20 feet off of all property lines.

(J) The market area shall be kept clean of all litter, debris, and refuse. Receptacles shall be provided for shopper use during market hours and shall be removed from the market area and stored in accordance with Article 12.5. At no time, except for scheduled trash pickup, shall any waste receptacles be placed in the front setbacks.

(K) One main sign advertising the Market may be placed on each street frontage in accordance with the General Sign Standards in §15.5. The signs shall be limited to 6 feet in height and 50 square feet in sign face area. Such sign may be placed no more than 14 days prior to the Market opening day and shall be removed within 7 days after the Market has closed for the season, if applicable.